

Planning and Economic Department
The Regional Municipality of Durham
605 Rossland Road East
Whitby, Ontario
L1N 6A3

March 6, 2023
File No. 10085

**Attn: Brian Bridgeman,
Commissioner of Planning and Economic Development Department**

**RE: Response Letter to Draft *NEW* Regional Official Plan - Envision Durham
Beaverton Common Inc.
Part Lot 11 and 12, Concession 5, Thorah, Township of Brock
*Related Employment Conversion No. CNR-23***

Weston Consulting is the Planning consultant for the owner of the lands legally known as Part Lots 11 and 12, Concession 5, Thorah, Township of Brock, and herein referred to as “Beaverton Common” (the “subject lands”). Weston Consulting has most recently provided correspondence to the Region of Durham’s Regional Growth Management Study, Phase 2 on December 22, 2022. The purpose of this letter is to request that staff consider site specific considerations to permit a variety of institutional uses, notably long-term care facilities, and senior’s living facilities within landholdings owned by Beaverton Common in the Township of Brock.

Description of the Subject Lands

The entirety of the subject lands are generally bounded by the Beaver River to the south, Highway 12 to the east, the White’s River to the north, and vacant agricultural lands to the west. The subject lands are comprised of a total lot area of 57.4 ha, with an approximate lot frontage of 448 metres along Highway 12. The subject lands are currently vacant and have most recently been used for farming operations.

The lands subject to previous submissions of an Employment Conversion are approximately made up of 7.6ha of developable tableland. As you may be aware, the lands were previously subject to a Zoning By-law Amendment application to permit a variety of retail and commercial uses along a portion of the landholding situated along the west side Highway 12, in order to facilitate the future construction of a commercial plaza. The associated Zoning By-law Amendment application was approved by Brock Council in May 2021, and referenced as By-law 3038-2021. A Site Plan Approval application for the commercial plaza is currently being prepared for this site, as discussions with the Ministry of Transportation regarding restricted Highway 12 access remain ongoing.

I understand through that planning process, environmental investigations were completed amongst the entirety of the landholding to evaluate the extent of developable land available. Through the zoning approvals process in concert with the LSRCA, an area of approximately 7.6ha of developable land appeared available, located in behind the extent of the Phase 1 approval. This 7.6ha portion of land is currently zoned Rural Buffer, which currently poses limited uses, primarily single family uses and farming operations. The extent of lands zoned Rural Buffer were subject to previous submissions of Employment Conversion, and is the subject area by which this letter responds to. Below an aerial photograph identifies the full extent of the subject property and the approximate area subject to Employment Conversion Request file number CNR-23.



Figure 1: Aerial Photography of Beaverton Common Landholding

Beaverton Common Vision of CNR-23 Lands

The lands subject to CNR-23 bring forward an exciting and innovative vision for the lands, which seek permission to transform this vacant farm land into a vibrant age-in-place community. The current proposal which is subject to CNR-23 has been circulated to both Local and Regional Staff for review and consideration of this ongoing request. The current proposal is as follows:

Proposed Uses	Built Form/ Number of Storeys	Number of Suites / Gross Floor Area
Long Term Care Facility	Three storey apartment	100 Suites
Seniors Apartment	Three storey apartment	136 Suites

Seniors Independent Living, in the form of Life Lease / Rentals	One storey quad bungalows	72 Suites
Total Number of Suites		308 Suites
Commercial and Recreational Building	One storey stand-alone building and portion of the ground floor of Seniors Apartment building.	2,447 square metres of GFA 26,339 square feet of GFA

Table 1: Proposed Uses

In addition to the proposed uses and number of suites/gross floor area identified above, the proposal includes the foundation of an east to west road network, along with necessary servicing infrastructure in the form of a stormwater management pond facility. Other important and impactful elements of the proposal are the inclusion of several community squares and outdoor amenity areas located near and abutting the Beaver River and the Region Natural Heritage System to the north. The vision of these lands is to facilitate an age-in-place community which is located in proximity to nearby commercial uses, the Region’s Road network, and quality outdoor space – which the subject land offers. Lastly, as a means of capturing a benefit to our Client’s restoration efforts of the Beaver River, both a parkette and community park have been proposed along this corridor as a means of capturing the beauty of the ecological corridor.



Figure 2: Age-in-Place Concept Plan

Envision Durham Involvement

On behalf of our Client, our office has been well engaged in the Region's *New Official Plan* review process, including the monitoring and submissions in support of an Employment Conversion request of the subject lands. Our office has submitted correspondence in the past with respect to the ongoing Envision Durham process, in addition to having met with Local and Regional Staff members on many occasions. A summary of submitted formal correspondence and key milestones in connection with the Beaverton Common land holding and the Envision Durham process is outlined below:

- **February 15, 2018:** Clark Consulting submitted an Employment Area Conversion Request for the subject lands.
- **August 25, 2020:** Clark Consulting submitted an amended Employment Area Conversion request letter to permit a mixed-use development on the subject lands. The conversion proposed to re-designate the subject lands from Employment Area to permit residential development consisting of 103 single detached and semi-detached dwellings and 120 apartment units.
- **October 16, 2020:** The Planning and Economic Development Committee received an Information Report (#2020-INFO-94) on the status of Employment Area Conversion requests that had been received (File D12-01). The subject lands were identified on the Request for Employment Area Conversion Map contained in the Information Report and identified as Conversion Request-ID "CNR-23" (Appendix 1). According to the Information report, the Conversion requests were circulated to local municipalities on October 9, 2020 for review and comment and requested that Staff from the municipalities provide their position by December 31, 2020.
- **December 7, 2021:** Information Report #2021-P-25 was presented to the Planning and Economic Development Committee recommending a list of Employment Area Conversion requests to be endorsed. Request number CNR-23, which included the subject lands, was not supported by Regional Planning Staff.
- **December 17, 2021:** Regional Council ratified Information Report #2021-P-25.
- **March 7, 2022:** Weston Consulting submitted an updated Employment Conversion Request Submission to the Commissioner of the Region of Durham with respect to the Employment Conversion Request initially made by Clark Consulting in August 2020. This conversion request sought to add a range of residential uses permissions, including a senior's retirement living facility on the subject lands.
- **April 29, 2022:** Weston Consulting submitted a Supplemental Information Letter to the Township of Brock, with copy to the Region Envision Durham team, further identifying details and merits of the previously submitted employment conversion request. The request for employment conversion represented a hybrid request in nature, in the sense that current employment land uses are not intended to be removed or eliminated. Rather requested permissions for institutional uses in concert with the current land use designation.
- **November 10, 2022:** Growth Management Study, Phase 2: draft Settlement Areas Boundary Expansion and Area Municipal Growth Allocation report was released. Within this report Staff re-considered CNR-23, however retained the position that there is a surplus of Community Area land that could accommodate such uses already with Brock's Urban Areas. Staff continued to not recommend the conversion of these lands.
- **December 22, 2022:** Weston Consulting submitted a letter to the Region in response to the *Envision Durham – Growth Management Study, Phase 2: Draft Settlement Area*. The letter provided comments to the Region in regard to their forecast of *100% increase in employment growth* for the Township of Brock, whereas employment in the Township over the last 15 years has resulted in job losses, unlike other municipalities in the Region.

Draft New Regional Official Plan - Comments

On February 10, 2023 Regional Planning Staff released the Region’s draft Official Plan (DROP) for review and comment. We understand that the culmination of work completed through the Envision Durham Municipal Comprehensive Review process have been integrated into the released DROP. We understand that the Region has scheduled a Public Open House on March 6th 2023, while the Statutory Public Meeting for the DROP is scheduled to be held on March 7th 2023. On behalf of our Client, our office will be attending and providing representation during these two engagement opportunities, providing further comments to the DROP.

In our review of the DROP, we understand that according to Map 1 (Regional Structure – Urban and Rural Systems), the subject lands are designated *Community Areas and Employment Areas* (Figure 3). And in accordance with Map 2a (Regional Natural Heritage System) portions of the subject lands are designated Regional Natural Heritage System and Enhancement Opportunity Areas (Figure 4). We understand that the portion of lands made up of the CNR-23 request remain designated Employment Areas, reflected per DROP Map 1.

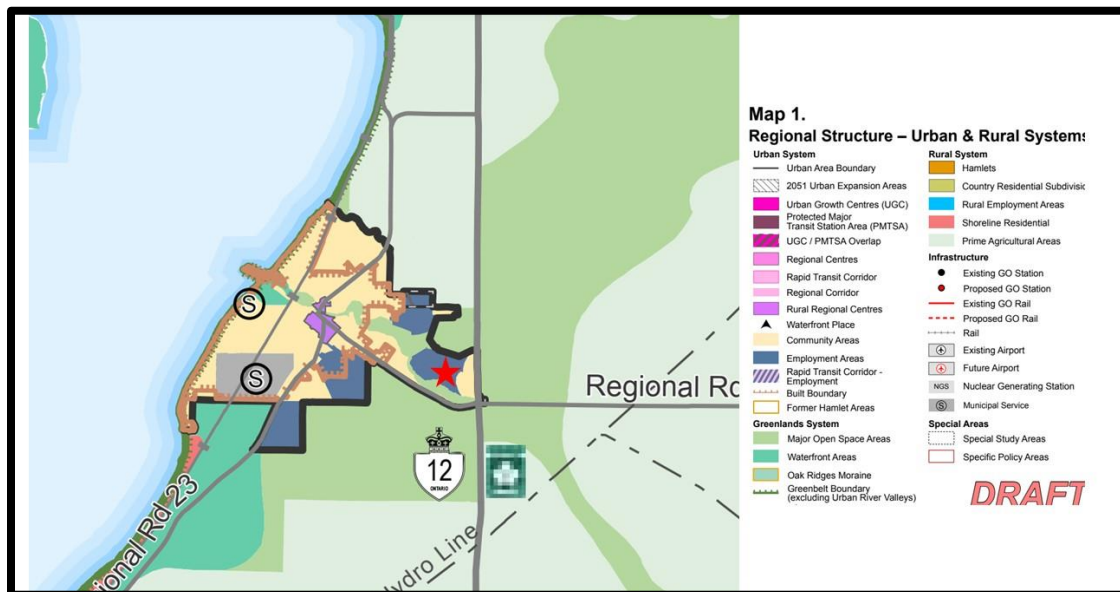


Figure 3: DROP Regional Structure Map

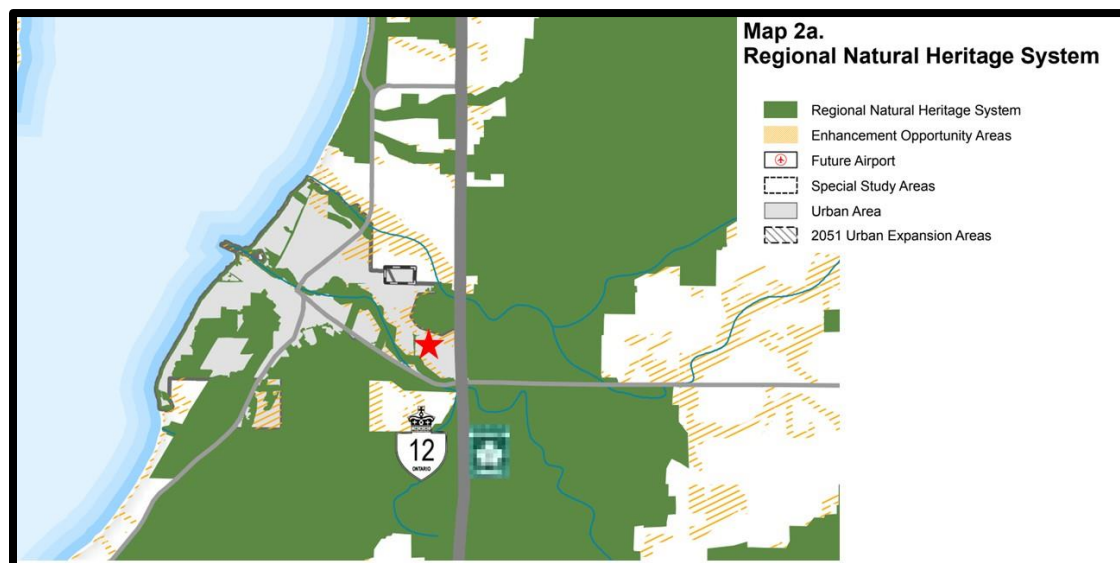


Figure 4: DROP Regional Natural Heritage System Map

The subject lands are currently designated Employment Areas within the Township of Brock Official Plan, whereas it appears DROP Mapping has reflected the extent of boundaries from the local Official Plan document. As stated previously, our Client's vision for the rear portion of land holding is the redevelopment of lands with an age-in-place community. Please find below our comments with respect to the DROP Employment Areas (Section 5.5) policy framework.

We understand that the per policy 5.5.2 of DROP sets forth permissions for a variety of employment generating uses:

*“Plan Employment Areas as locations for primary employment generating uses such as **manufacturing, assembly, processing, generation, freight and transportation, warehousing, storage, major facilities and similar** uses that require access to highway, rail, shipping facilities and/or separation from sensitive land uses. Employment Areas represent preferred locations for knowledge-based industries including research and development facilities and offices. Hotels, subject to land use compatibility, service industries, and limited supportive uses including associated retail and ancillary facilities may also be permitted.”*

We acknowledged the goals, objectives, and intent of the employment areas designation, however offer that based on location criteria there are challenges and barriers to achieving this form of industry at this location. Our office acts on behalf of several Clients and industry leaders across the Greater Toronto Area, whom contain large last-mile-logistics portfolios. We understand that often the elements of locational criteria are the largest drivers of last mile logistics projects. Often prospective tenants/ users of these type of uses, require close proximity to the provinces 400 series highways. The proximity to these throughfares allow expeditious delivery of goods from airports, manufactures and consumers of goods. The location criteria of Beaverton hinder the ability to secure these coveted tenants, industries and users based on their underlying criteria.

Another issue and concern with traditional employment uses at this location include potential conflict with the Regions Natural Heritage System which bounds this employment area. We note that the Beaver River is located directly adjacent south of these lands, whereas the Region's Natural Heritage System is directly adjacent to the north. These elements create a defined edge of the currently designated employment area. Often pollutants in the form of odour, soil, and groundwater containments can be experienced from direct involvement with the uses Policy 5.5.2 of the DROP permits, such as manufacturing.

It is our opinion that an appropriate use of land supporting institutional uses in the form of an age-in-place community represents a more appropriate land use at this location given the above commentary.

DROP Policy 5.5.3 outlines the framework by which achievement of compact and higher density forms of employment will assist in meeting the overall region-wide density target of Employment Areas:

*“Encourage the achievement of more compact and higher density forms of employment development while recognizing that the total Employment Area land supply has been established on the basis of **achieving a longterm, overall region-wide density target within Employment Areas of 28 jobs per gross hectare**. Area municipalities are encouraged to determine appropriate density targets for Employment Areas within their respective area municipal official plans reflective of local context and conditions.”*

The employment conversion request to permit institutional uses on the subject lands promotes key provincial objectives in providing efficient use of vacant and underutilized employment lands. In lieu of traditional employment uses on the subject lands, the visioned age-in-place community will make a more efficient use of the lands. The area of lands subject to CNR-23 represent a portion of landholding with an area of 7.6ha. Based on detailed input from the ownership group and based on their experience in developing retirement communities across the Greater Toronto Area, the Beaverton Common vision would anticipate creating in the range 250 to 350 jobs. Based on portion of area in question, 7.6ha – the proposal would provide a range of 32 to 46 jobs per gross hectare. This job production would not only meet the employment density targets of Policy 5.5.3, but exceed the Region wide density target of employment areas.

It is anticipated that employment opportunities generated from senior living facilities range from nurses, personal support workers, residence support, chefs/ cooking team, administrative and operation staff. The proposed age-in-place community is anticipated to diversify the number of jobs provided, while providing assistance in accommodating anticipated future employment growth within the municipality and region. As mentioned above, high quality amenities and live-in benefits associated with senior living have the effect of promoting economic development and employment growth by:

- Providing more local, long-term, professional jobs over what is currently provided;
- Meeting a market-based need for housing society's most vulnerable and growing populations; and
- Optimizing the long-term availability and use of land.

It is our opinion that proposed institutional uses at this location would generate considerable employment opportunities for the Region and Township of Brock. The job creation that the age-in-place community would generate would support the Region in achieving their long-term targets, and overall region-wide density target within Employment Areas of 28 jobs per gross hectare.

DROP policy 5.5.6 states "Protect and preserve designated Employment Areas located adjacent to or near the strategic goods movement network, including major highway interchanges, for manufacturing, warehousing, logistics and associated uses and ancillary facilities. Limited-service industries and limited supportive uses, including associated retail and ancillary facilities may be permitted."

The portion of the subject lands that are designated employment areas do not possess direct frontage or exposure along Highway 12, rather located in behind the existing commercial plaza located west of Highway 12 and south of Beaver Avenue. The lands are only accessible to Highway 12 through the substantive improvements and the westerly road extension of Beaver Avenue.

Although the lands are located near Highway 12, an Arterial Road, it remains one lane of travel in north/ south directions. I understand the Ministry of Transportation has no short-term plans to enlarge or widening portions of Highway 12 in proximity to the subject land. The ability to secure future tenants for Employment uses outlined in Policy 5.5.6 is severely hindered by the above locational attributes, compounded by the fact many tenants require close proximity to the provinces 400 series highways. The proximity to these thoroughfares allow expeditious delivery of goods from airports, manufactures and consumers of goods, which simply do not exist today.

Policy 5.5.25 of the DROP states: "Prohibit residential uses, nursing and retirement homes, elementary and secondary schools from locating within Employment Areas. This policy does not limit or prevent area municipal official plans and zoning by-laws from prohibiting additional sensitive land uses from locating within Employment Areas, as deemed appropriate for the local context."

We acknowledge that the DROP prohibits the use of traditional residential uses, including nursing and retirement homes being located within Employment Areas. The intent of this policy is consistent with Policy 1.2.6.2 of the Provincial Policy Statement, whereas planning authorities shall protect the long-term viability for existing or planning industrial manufacturing uses. In this specific scenario, we understand there is an immediate need for retirement and long-term care geared services in the Town and this proposal provides an ability to address that need. In this case, the area designated employment area is vacant, with no future plans for redevelopment. The balance of the Employment Area designated lands in this area are comprised of the subject land and the abutting land owner to the west. The westerly neighbour lands are generally bounded by the Beaver River to the south and west, and the Region's Natural Heritage System located to the north.

Given the context of the subject lands and the abutting property, in addition to the feedback contained herein, regarding location, industrial trends and specific industry requirements when selecting locations of distribution uses, coupled with the absence proximity of the 400 series highway network – we believe there will be future challenges in securing last mile distributor/manufacturing tenants at this location. The entirety of the employment lands in this

location do not possess direct frontage, access, or exposure onto Highway 12, which we understand provides major challenges with securing the industry the Employment Area Designation considers. The use of an age-in-place community with institutional uses at this location appear to provide a superior option in securing employment growth on these lands.

DROP Policy 5.5.26 states: *“Encourage all other sensitive lands uses to locate outside of Employment Areas. A sensitive land use, other than those described in Policy 5.5.25, may be permitted within an Employment Area by an amendment to an area municipal official plan or zoning by-law, where it has been demonstrated that land use compatibility can be achieved and any detrimental impact to the broader area and nearby employment uses and/or major facilities will be avoided, or where avoidance is not possible, minimized and mitigated. Area municipalities, when applying this policy, are encouraged to:*

- a) limit sensitive land uses to locations at the edge of the broader Employment Area;*
- b) not permit sensitive land uses within Provincially Significant Employment Zones or other areas considered interior to the broader Employment Area; and*
- c) limit sensitive land uses in Employment Areas that are within proximity to Nuclear Generating Stations and Airports, in accordance with Policies 5.5.31 to 5.5.33.”*

Beyond the sensitive uses referenced in DROP policy 5.5.25, policy 5.5.26 states other sensitive land uses may be permitted within an Employment Area by way of an amendment to an area municipal official plan or zoning by-law. The DROP defines the term sensitive land uses as:

“means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by nearby major facilities. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.”

I understand the use of long-term care facilities and retirement homes are explicitly prohibited within Employment Areas, whereas other sensitive land uses such as day care centres may be permitted. In our opinion the use of day care centres and an age-in-place community are similar nature and serve a similar function, in the sense whether being children or seniors, they require a form of standardized and professional care for their specific needs, while requiring an outdoor amenity component. Through the DROP we would appreciate feedback as to the rationale as to differentiation between permitting day care centres within Employment Areas, and the prohibition of long-term care facilities and retirement homes within Employment Areas.

Policy 5.5.27 of the DROP states: *“Require supporting studies that evaluate all provincial guidelines and standards, as described in Table 1, as part of a complete application where there is the potential for land use compatibility issues. This includes applications which would:*

- a) introduce a sensitive land use within proximity to Employment Areas and/or major facilities; or*
- b) introduce new or expanded employment uses and/or major facilities within proximity to existing sensitive land uses and/or lands designated for such purposes.”*

On February 2, 2023 our office provided a letter to the Township of Brock which provided the framework of a sensitivity analysis in redeveloping institutional uses in proximity to employment uses. Clearly there is a varying context for this scenario, given no employment uses are existing nor proposed near the subject lands. Our analysis looked at a range of municipalities including the City of Vaughan, City of Toronto and the Town of Whitchurch-Stouffville where sensitive land uses in the form of long-term care facilities and retirement homes can co-exist in employment areas. A copy of this letter has been attached hereto this letter for reference and consideration.

Should the Region ultimately deem the use of institutional uses at this location appropriate, there would be the expectation from our Client that the proposal would be required to demonstrate land use compatibility from a current

and future employment use perspective, and be subject to recommended mitigation measures established through various technical reports. We note the Town of Whitchurch-Stouffville developed a clear distinction between institutional uses and residential uses, which built upon a planning rationale which evaluated the merits of institutional uses being able to create jobs, potential to compromise the immediate or future viability on nearby employment uses and lands zoned for employment uses, and, potential mitigation measures. The Town's aforementioned analysis set forward an acceptable framework by which Municipalities across the Greater Toronto Area can tailor and build off of, to suit the needs in their respective municipalities.

Conclusion

In summary, we request that the above information and comments be further considered by Staff given our shared continued concerns with employment use viability at this location.

Weston Consulting will continue to monitor the Envision Durham DROP process on behalf of our Client and reserve the right to provide further comments on this matter. We request to be notified of any future reports and/or decisions regarding the DROP. At this point, we continue to liaison with Township of Brock to work towards a resolution as to the appropriateness of permitting institutional uses on lands owned by Beaverton Common.

We would kindly request that staff consider permitting a variety of institutional uses, as a means of implementing the Beaverton Common Vision as a site-specific permission relating to the subject lands, as part of the Region's Employment Area designation.

Should you have any questions, please contact the undersigned Ryan Guetter (ext. 241) or Adam Santos (ext. 276).

Yours truly,

Weston Consulting

Per:



Adam Santos, BURPL, RPP, MCIP
Senior Planner

- c. Client
 - Regional Chair Henry, Region of Durham
 - Mayor Schummer, Township of Brock
 - Regional Councillor Michael Jubb, Township of Brock
 - Local Councillor Peter Frank, Township of Brock
 - Ryan Guetter, Weston Consulting
 - Sabrina Sgotto, Weston Consulting
 - Colleen Goodchild, Region of Durham
 - Lino Trombino, Region of Durham
 - Robin Prentice, Township of Brock

Attachment:

1. Sensitive Analysis in Proximity to Employment Uses Letter, Dated February 2023

The Corporation of the Township of Brock
1 Cameron Street East
Cannington, Ontario
L0E 1E0

February 2, 2023
File: 10085

Attn: Robin Prentice, Director of Development Services

**Re: Beaverton Commons
Sensitive Analysis in Proximity to Employment Uses**

Weston Consulting is the Planning Consultant for the owner of the lands legally known as Part Lot 11, Concession 5, Beaverton, Township of Brock and referred to as “Beaverton Commons” (the “subject lands”). As you are aware our office has previously provided correspondence to both local and regional staff members on March 24, 2022, April 29 2022, and most recently on December 22, 2022. The correspondence submitted on behalf of Beaverton Commons have been provided in a continued effort to provide valuable information to staff as a means of endorsing our client’s employment conversion request.

The submitted employment conversion request seeks permission to allow for institutional land use permissions on the subject lands, while maintaining existing permissions for traditional employment uses, allowing for a comprehensive mixed-use development. Permissions for institutional uses would enable the development to provide an alternative housing option, such as potential retirement residences, including assisted living quarters and memory care facilities, together with medical facility.

The land holdings currently represent a vacant parcel of land, situated at a prominent location in Beaverton. The request for conversion provides the opportunity for the subject lands to be developed with a mixture of uses, promoting the creation of a complete community. The owner intends to facilitate the construction of a retirement community consisting of independent living (adult lifestyle for adults aged 55 and up), assisted living and long-term care units. Given the location of the subject lands, being in proximity to Highway 12, Simcoe Street, and existing/ planned commercial uses along Highway 12, there is an opportunity to take advantage of the strong locational attributes by facilitating needed alternative housing forms at this location.

Sensitive Use Analysis:

Through recent and past discussions with yourself, Mayor Schummer, and Regional Councillor Jubb, we are pleased to share with you examples of areas in the Greater Toronto Area, where sensitive institutional uses can co-exist with traditional employment uses, in employment areas and abutting employment areas.

Town of Stouffville – Case Study Example

The Town of Stouffville received a number of development applications for potential locations of long-term care facilities, located within the Town’s Business Park Area. Historically, the Town had not considered zoning by-law amendment applications for institutional uses such as seniors long-term care facilities on lands designated Employment Business Park Area, due to potential land use compatibility issues with traditional employment uses. A Recommendation Report was brought to Town Council on September 6, 2016, a brief summary of key findings from the Town’s Staff Report are provided below.

Town Planning Staff undertook a best practise research assignment which reviewed existing Provincial and other guidelines to evaluate whether institutional and other employment uses could co-exist. The Town made a clear distinction between traditional residential uses and institutional uses, with institutional facilities having the following characteristics:

- Generate sustainable jobs;
- Do not include full kitchen in units;
- Does not exceed 220-volt services for cooking purpose; and
- Food preparation and dining take place in communal facilities.

Section 4.3 of the Recommendation Report provided an example of a Sensitive Institutional to Employment Land Use Conflict in Toronto. This case references an area zoned General Employment, surrounding by Heavy Employment, where it was rezoned to permit a long-term care facility and seniors living building. Council supported the application based on the principles of employment generation with respect to nursing staff, administrative staff, and cleaning personal. Through the Site Plan Agreement process, a warning clause requiring each new occupant of the long-term care facility be provided notice of its neighbouring zoning permissions and advising of the ability of future employment uses expansion was established. The mechanism of including appropriate warning clauses into the implementing site plan agreement maintained the viability of nearby and abutting employment uses/ businesses.

The Staff Recommendation Report recommended that where proposed sensitive uses are proposed, the submission of exhaustive studies be provided (traffic, dust, odour, noise, etc.) ensuring impacts on existing and planned employment uses are minimized. Ultimately, Town Council adopted the following recommendations:

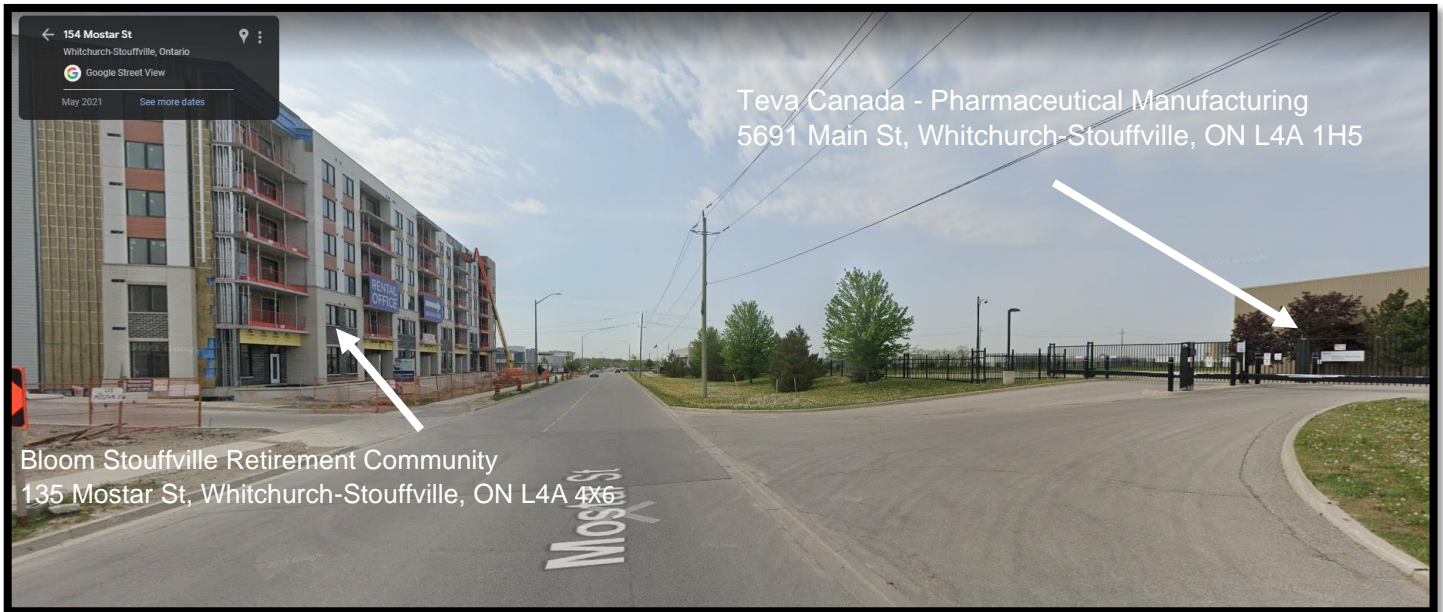
1. THAT Council direct staff to begin accepting zoning by-law amendment applications for potential sensitive institutional uses in the Community of Stouffville Secondary Plan Business Park Areas;
2. AND THAT Council evaluate the merits of zoning by-law amendment applications for locating potential sensitive institutional uses in Community of Stouffville Business Park Areas with respect to the **following non-exhaustive factors: ability to create jobs, potential to compromise the immediate or future viability on nearby employment uses and lands zoned for employment uses, and, potential mitigation measures;**
3. AND THAT Council direct staff to require within the Site Plan Control Agreement, a covenant on title warning purchasers of the possibility of noise, vibration or odours (contaminant discharges) emanating from nearby uses, both existing and proposed, as a condition of approval of potential sensitive institutional developments within the Community of Stouffville Business Park Areas.

With respect to the Town of Stouffville's analysis they have draw upon a clear distinction between institutional uses and residential uses. The Town of Stouffville's analysis sets forward an acceptable framework by which Municipalities across the Greater Toronto Area can tailor and build off of, to suit the needs in their municipality.

In regard to examples across the Greater Toronto Area, where institutional uses can co-exist either in within employment areas or adjacent to employment areas are provided below. The examples contained below are locations identified in varying Municipalities across the Greater Toronto Area:

Greater Toronto Area Case Study Examples:

Town of Stouffville



<https://www.google.com/maps/place/135+Mostar+St,+Whitchurch-Stouffville,+ON+L4A+0L9/data=!4m2!3m1!1s0x89d529843a1ea959:0xa149bb1c59ca54dd?sa=X&ved=2ahUKewiN-u7jkfP8AhVimYkEHQmYB0YQ8gF6BAgREAI>



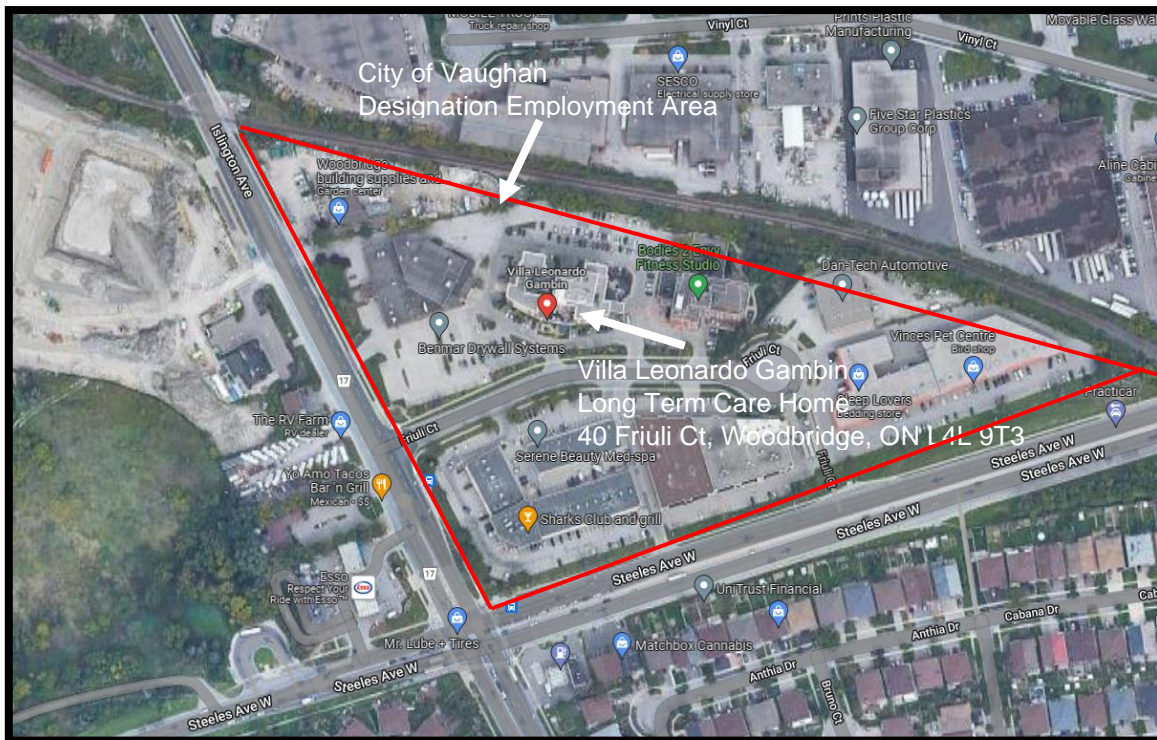
<https://www.google.com/maps/place/162+Sandiford+Dr,+Whitchurch-Stouffville,+ON+L4A+0Y2/@43.9610069,-79.26793,17z/data=!3m1!4b1!4m5!3m4!1s0x89d529bbae53f63f:0xed7262a1d16d24e1!8m2!3d43.9610069!4d-79.26793>

City of Richmond Hill

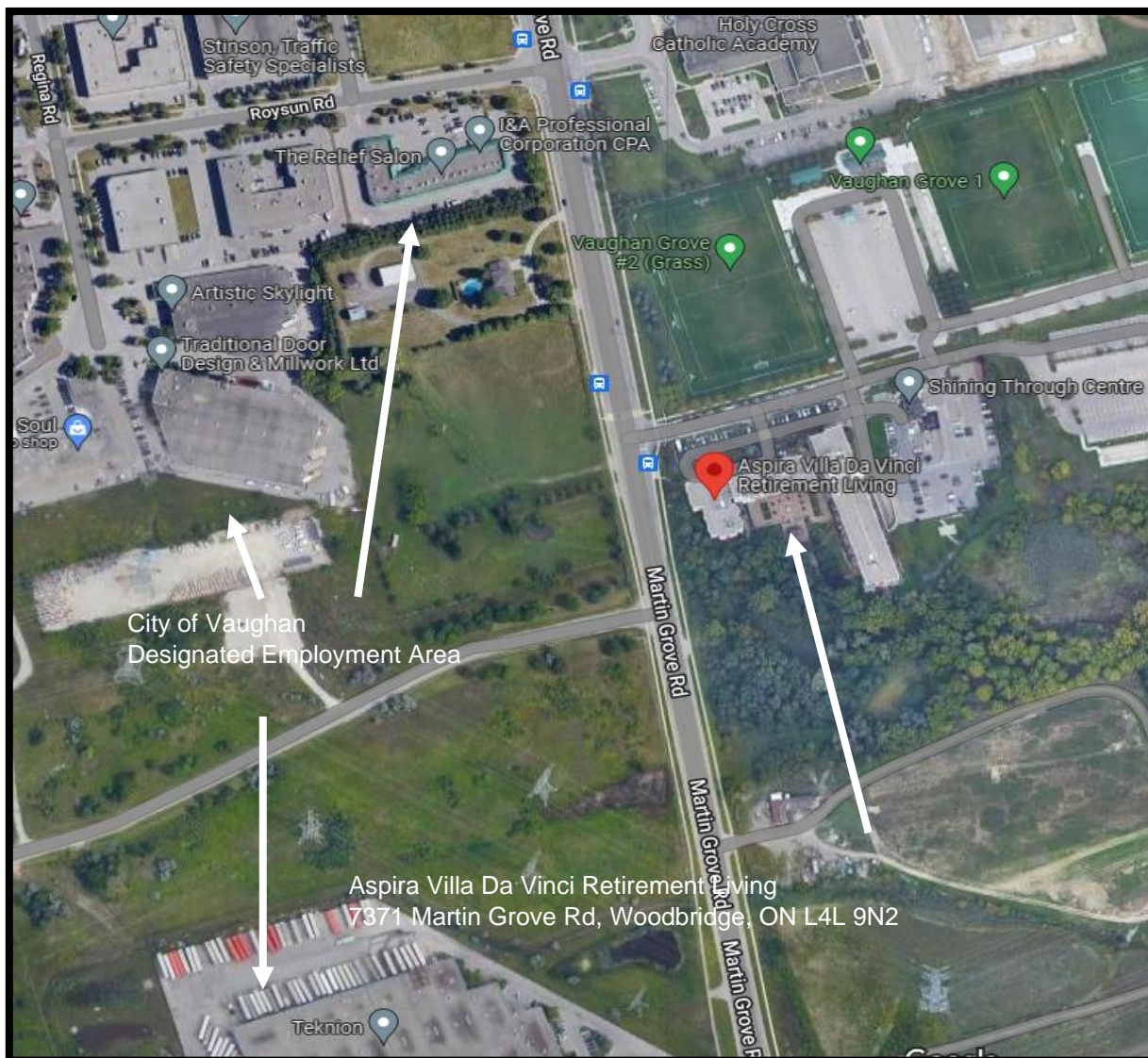


<https://www.google.com/maps/place/80+Elgin+Mills+Rd+E,+Richmond+Hill,+ON+L4C+0L3/@43.8911373,-79.439358,17z/data=!3m1!4b1!4m5!3m4!1s0x882b2a4281309a7b:0xfaf8ca5a64fe65f!8m2!3d43.8911373!4d-79.439358>

City of Vaughan



<https://www.google.com/maps/place/40+Friuli+Ct,+Vaughan,+ON+L4L+9T3/data=!4m2!3m1!1s0x882b3ab181632975:0x846f74326686653e?sa=X&ved=2ahUKewj16tLRkvP8AhWPKyKEhd8uDjAQ8gF6BAglEAI>



<https://www.google.com/maps/place/7371+Martin+Grove+Rd,+Woodbridge,+ON+L4L+9N2/@43.7666215,-79.6066048,17z/data=!3m1!4b1!4m5!3m4!1s0x882b3b2830b588df:0x6da92ccce79fd4!8m2!3d43.7666215!4d-79.6066048>

The Beaverton Commons development vision of a senior living community will make more efficient use of the subject lands, and based on input from the ownership group the planned development anticipates to provide 250 to 350 jobs, which is substantially greater than currently existing, while improving overall employment opportunities. Anticipated employment opportunities generated from senior living facilities range from nurses, personal support workers, residence support, chefs/ cooking team, administrative and operation staff. The proposed conversion is anticipated to increase the number of current jobs provided, while providing assistance in accommodating anticipated future growth within the municipality and region.

Any form of redevelopment of the subject land which would consider sensitive land uses would need to be consistent/ conform with Provincial Policy, demonstrate land use compatibility, and be subject to recommended mitigation measures established through various technical reports.

Thank you for the opportunity to provide this letter. Our team welcomes a follow up discussion regarding the proposed development and information provided herein at the subject lands. Should you have any questions, please contact the undersigned, Ryan Guetter (ext. 241) or Adam Santos (ext. 276).

Yours truly,

Weston Consulting

Per:



Ryan Guetter, BES, MCIP, RPP
Executive Vice President



Adam Santos, BURPI, RPP, MCIP
Senior Planner

- c. Client
- Mayor Schummer, Township of Brock
 - Regional Councillor Michael Jubb, Township of Brock
 - Local Councillor Peter Frank, Township of Brock
 - Regional Chair John Henry, Region of Durham
 - Brian Bridgeman, Region of Durham
 - Colleen Goodchild, Region of Durham
 - Lino Trombino, Region of Durham

Attachments:

1. Development Concept, Age-in-Place Community
2. Town of Stouffville Recommendation Report Sensitive Institutional uses in Business Park, September 6, 2016



IMAGE LIBRARY



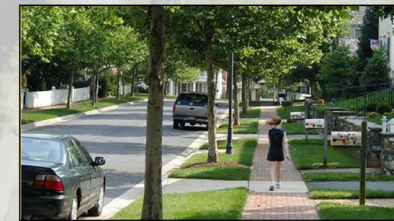
1



2



3



4



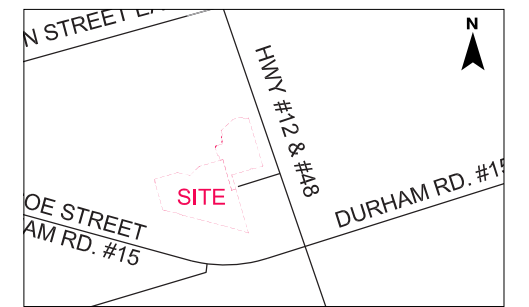
5



6



7



LEGEND

BUILDING A

Long-Term Care Facility
3-STY

BUILDING B

Seniors' Apartment
3-STY

BUILDING C

Commercial/Recreational Uses
1-STY

SENIORS' INDEPENDENT LIVING

Life Lease/Rentals
Urban & Traditional Bungalow Towns

SENIORS' INDEPENDENT LIVING

Life Lease/Rentals
Bungalow Quads

CARICARI LEE ARCHITECTS

DRAWING BASED ON OVERALL SITE PLAN BY
CARICARI LEE ARCHITECTS, DATED JUNE 2022

DRAWN / REVISED

03 AUG 2022 Final Draft

DEVELOPMENT CONCEPT

AGE-IN-PLACE COMMUNITY
BEAVERTON, ONTARIO
REGION OF DURHAM



WESTON
CONSULTING



File Number: 10085
Date: 2022-08-04
Drawn by: SM
Planner: AS
CAD: NA

Drawing

A1

Council in Committee Report
September 6, 2016

SENSITIVE INSTITUTIONAL USES IN BUSINESS PARK AREAS (D26)

Report prepared by: Planning Services Team

RECOMMENDATION:

The Acting Manager of Planning Services recommends:

- 1) **THAT Council direct staff to begin accepting zoning by-law amendment applications for potential sensitive institutional uses in the Community of Stouffville Secondary Plan Business Park Areas;**
- 2) **AND THAT Council evaluate the merits of zoning by-law amendment applications for locating potential sensitive institutional uses in Community of Stouffville Business Park Areas with respect to the following non-exhaustive factors: ability to create jobs, potential to compromise the immediate or future viability on nearby employment uses and lands zoned for employment uses, and, potential mitigation measures;**
- 3) **AND THAT Council direct staff to require within the Site Plan Control Agreement, a covenant on title warning purchasers of the possibility of noise, vibration or odours (contaminant discharges) emanating from nearby uses, both existing and proposed, as a condition of approval of potential sensitive institutional developments within the Community of Stouffville Business Park Areas.**

1. PURPOSE:

The purpose of this report is to seek Council's direction to adopt best practice policies with respect to potential zoning by-law amendment approvals for sensitive institutional land uses such as long-term care facilities, or daycares, dormitories and schools within lands designated as Business Park Areas of the Community of Stouffville Secondary Plan.

2. EXECUTIVE SUMMARY:

The Community of Whitchurch-Stouffville Secondary Plan permits institutional uses in lands designated Business Park Area.

Historically, the Town has not considered zoning by-law applications for certain institutional uses such as daycares and seniors long-term care facilities in lands designated in the Official Plan as Employment Business Park Area due to potential compatibility issues related to contaminant discharges such as noise, vibrations and odours from neighbouring, traditional employment uses. As a result of an increased interest in the siting of potential sensitive institutional uses within the Employment Business Park Areas, staff have initiated a review of current policy and practices within other municipalities.

Staff have reviewed Provincial guidelines that provide a framework on how to address contaminant discharge issues for such institutions that are considered to be sensitive land uses. Further research has also revealed that some municipalities in Ontario have expanded upon Provincial guidelines to address their own specific concerns and have created protocols by which potential land use incompatibilities might be addressed and even mitigated. This report outlines relevant Provincial and Municipal policies and also recommends the adoption of best practices for the Town to follow when considering applications for sensitive institutional uses within Employment Business Park Areas of the Community of Stouffville Secondary Plan.

3. BACKGROUND:

Planning staff have been contacted by and have met with a number of development proponents regarding the potential location of long-term care facilities in the Community of Stouffville, specifically in an area presently designated as Business Park Area in the Secondary Plan where institutional uses are permitted generally and zoned as Employment Business Park (EBP) where many institutional uses including seniors long-term care facilities are not permitted. Staff identified the need to undertake best practice research using existing Provincial and other guidelines to determine if such developments might co-exist with other employment uses.

In order to protect lands for employment purposes, the Provincial Growth Plan restricts the conversion of employment lands to other uses such as residential or retail commercial uses, by mandating that such changes in land use only be permitted through a Municipal Comprehensive Review (MCR) of the Official Plan. The Planning Act requires that municipalities conduct such reviews every five years but in practice the process recurrence typically takes much longer. In many municipalities such as Whitchurch-Stouffville, the authority to approve MCR's rests with an upper tier municipality; York Region in this case. Approvals for conversion of employment lands to other uses are therefore extremely difficult to obtain.

In the GTA there continues to be a significant interest on the part of developers in the creation of residential and retail commercial development to satisfy market forces often creating additional pressures on employment areas. As the Province continues to encourage municipalities toward the creation of mixed use

communities, the lines between traditional land use zones has become more difficult to delineate and more opportunities for incompatibilities between neighbouring uses arise.

Residential land uses are often incompatible with traditional employment uses due to potential contaminant discharges emanating from certain types of employment land uses. These discharges can be in the form of noise, vibration, odour, air pollution, or traffic. Traditional employment land uses, although forming the backbone of traditional employment sectors, can conflict with land uses such as housing, long-term care facilities, or daycares, dormitories and schools due to the vulnerability of the occupants of those buildings. These vulnerable receptors are referred to in policy documents as sensitive land uses.

In response to this conflict, certain municipalities have created their own “Land Use Compatibility Guidelines”, largely based on Ministry of the Environment and Climate Change (MOECC) documentation. The Ministry created a series of guidelines called the “D-Series” in the mid 1990’s, which continue to form the basis for analysis of land use compatibility challenges. These documents outline a means of identifying potential land use conflict situations, as well as mitigation steps that can be undertaken by both municipalities and development proponents to ensure the viability of differing land uses.

The Town has previously delineated the difference between residential developments targeting a seniors market and institutional facilities intended for assisted living or long term care for seniors. Institutional facilities have the following characteristics:

- Generate sustainable jobs;
- Do not include full kitchens in residential units – no 220 volt services may be provided for cooking purposes; and
- Food preparation and dining is to take place in communal facilities.

Residential developments targeting a seniors market are currently not permitted within lands designated for employment uses by the Official Plan or any of the Secondary Plans.

4. ANALYSIS & OPTIONS:

4.1 Overview of Provincial Policies

Policies in the Provincial Policy Statement 2014 (section 1.3.2) and the Growth Plan for the Greater Golden Horseshoe 2006 (section 2.2.6) require municipalities to provide adequate provision of employment areas for current and future use. Proposed amendments to the Employment policies within the Growth Plan arising from the 2016 Provincial planning policy review would introduce a new *prime employment areas* designation, and require municipalities to review their current employment land use designations and policies as well as zoning classifications

and uses. *Prime employment areas* are to be adjacent to or in the vicinity of major goods movement facilities and corridors, and would be reserved for employment uses that are land extensive and/or contain low density employment (e.g. manufacturing, warehousing). Residential and other sensitive land uses, (day care centres, educational and health facilities) institutional uses, and retail, commercial and office uses that are not ancillary to the primary employment uses would not be considered “prime employment uses.” The conversion of prime employment to non-employment uses would be prohibited. The conversion of *prime employment areas* to *employment areas* and *employment areas* to non-employment uses would also be discouraged, and require adequate evidence on the part of the municipality that the conversion of the subject lands is necessary, and that the conversion does not compromise the immediate and long-term viability of the employment areas. Business Park Area lands in the Community of Stouffville comprise a mixture of business and economic activities (warehousing, office, manufacturing, business services, etc.).

However, the MOECC D-Series guidelines provides municipalities with a framework of policies to follow in situations where land use compatibility conflicts exist. This framework provides recommendations based upon common themes explored by the Ministry, as well as a guideline of what studies should be undertaken by a development proponent to demonstrate the compatibility of their project.

4.2 Overview of Municipal Policies

Halton Region undertook an exercise whereby a set of guidelines were created that both condensed and simplified the MOECC D-Series for use by municipal staff, and private sector developers. A draft of these guidelines can be found in Attachment 2.

The Community of Stouffville Secondary Plan does permit institutional uses within Business Park Areas even though the Town is concerned about potential negative impacts of allowing sensitive institutional land uses in close proximity to traditional employment uses. In order to ensure compatibility in this situation, the Official Plan also expressly states (section 7.3) the need for certain studies and supporting documentation to be provided. The Town may require that evaluations of noise, vibration, traffic, air quality, etc. be submitted as part of a complete submission under the provisions of the *Planning Act.*, however, the submission and acceptance of the studies will not guarantee that owners of new sensitive land uses will accept the ongoing activities and potential contaminant discharges of existing or proposed traditional employment uses, therefore mitigation measures are required. The lands currently designated Business Park Area within the Community of Stouffville Secondary Plan are identified as Attachment Nos. 5 & 6 to this Report.

4.2.1 Community of Stouffville Places of Worship Study: Recommendations Report

In response to the increased interest in the development of places of worship within the Employment Business Park lands within the Community of Stouffville, a land use study was initiated. At their Meeting of June 7, 2016, Council received a report entitled Community of Stouffville Places of Worship Study: Recommendations Report, which outlined the findings from the study. The study reinforces the importance of maximizing the Business Park lands for employment rather than institutional uses. However, it does recognize that some institutional uses do provide some employment, while some employment uses do not generate a large number of jobs. It may be appropriate to permit some places of worship to locate in these areas on sites that are not ideal sites for light industrial and office uses.

An evaluation of the Business Park Area lands indicated that such sites would be located:

- Away from Highway 48 which provides the best access and visibility for employment uses;
- Within 400 metres (a five minute walk) of residential and mixed use areas to provide easy access for pedestrians and cyclists
- With access to a designated arterial or collector road for ease of access and to minimize traffic on local streets and recognizing that such routes may be future transit routes; and,
- Where an elementary or secondary school is proposed as an ancillary use, Places of Worship would be restricted to locations immediately adjacent to residential areas or Main Street to maximize access and connections with the surrounding Community.

It was further recommended that where any proposed facilities include sensitive uses, the submission of additional studies will be provided, to ensure impacts on such uses from existing and planned employment uses are minimized, including dust, noise, odour, traffic and parking, demonstrating the provision of adequate parking and access.

The Recommendations report identified input from the public, as well as proposed amendments to both the Official Plan and Zoning By-law. Staff will be bringing forward the proposed Amendments to a future Public Meeting for consideration.

Staff recommend that any applications for potential sensitive institutional uses in Business Park Areas should be evaluated using the same criteria proposed as part of the Places of Worship land use study recommendations.

4.3 Sensitive Institutional to Employment Land Use Conflict in Toronto

A documented land use conflict case in Toronto has also been reviewed in consideration of its similarity to the nature of Whitchurch-Stouffville's compatibility concerns and acted as a case study for Planning Staff.

In the Toronto case study an area zoned Employment General, and surrounded by Employment Heavy, was rezoned to permit a long-term care facility and seniors care condominium. Despite obvious land use compatibility issues, City of Toronto Council allowed the rezoning for sensitive land use development based upon the ability of the development to generate employment (nursing staff, administrative staff, cleaning personnel, etc.). A clause was included in the Site Plan Control Agreement, whereby each new occupant/purchaser of the long-term care facility was given written notice that they were both neighbouring an existing industrial facility, and that surrounding zoning could permit the creation of future industrial uses in adjacent lands. In doing so, the City maintained the viability of the surrounding employment areas for their intended use.

4.4 Conclusions

Planning Staff respect the premises underlying the MOECC D-Series Guidelines, Halton Region Guidelines, and the Toronto sensitive institutional use approval. Planning staff agree that the tools compiled through this review should be used by the Town as guidelines to address future potential land use compatibility conflicts that may arise in consideration of applications for sensitive institutional uses within the Community of Stouffville Secondary Plan Business Park Areas.

5. FINANCIAL IMPLICATIONS:

There are no financial implications as a result of this report.

6. ALIGNMENT WITH STRATEGIC PLAN:

This report is aligned with the Town's Strategic Plan in the following manner:

1. *Community Prosperity and Sustainability*
Balanced growth, environmental protection, economic development, tourism, community character and identity
 - 1.2 *Balanced land use planning – environment, economic and social considerations*
 - 1.3 *Orderly/phased development*
 - 1.4 *Economic development and job creation*

4. Quality of Life
Encompasses community safety, diversity, promoting healthy lifestyles, leisure and culture; complements community prosperity and sustainability
 - 4.1 *Develop and maintain effective community health and safety services*
 - 4.2 *Enhance public safety through collaboration*
 - 4.5 *Cultivate healthier lifestyles and greener communities*

7. ATTACHMENTS:

1. Attachment 1 – Definitions of key terms
2. Attachment 2 – Graphic depicting separation distances (MOECC D-Series s. D6-3)
3. Attachment 3 – Chart outlining different types of employment uses (MOECC D-Series s. D6-1)
4. Attachment 4 – Halton Region Draft Land Use Compatibility Guidelines
5. Attachment 5 – Community of Stouffville Secondary Plan Schedule F Land Use and Transportation Plan
6. Attachment 6 – Community of Stouffville Secondary Plan Schedule F2- Western Approach Area
7. Attachment 7 – Correspondences

For further information on this report, please contact Planning Services, at 905-640-1910, ext. 2280 or via email at developmenthelp@townofws.ca.