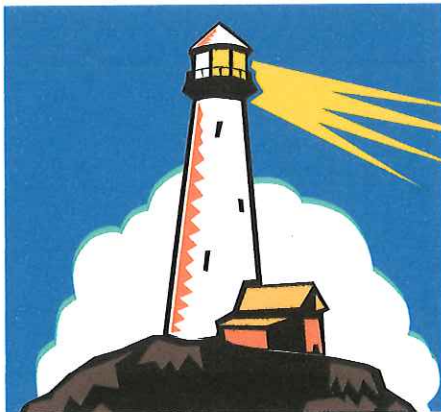


# Planning Justification Report

for  
Retirement Residence  
at  
820 St. David Street North  
Fergus

Submitted in support of rezoning application \_\_\_/18.



**Beacon  
Planning  
Services**

**April 23, 2018**

**Beacon Planning Services  
1389 Haig Boulevard  
Mississauga ON L5E 2M8  
416-888-2233**

April 23, 2018

Nicholas Dell, BA. H.  
Harper Dell & Associates Inc.  
1370 Hurontario Street  
Mississauga ON L5G 3H4

**Re: Proposed Retirement Residence, 820 St. David Street North, Fergus**

Dear Sir:

Thank you for the opportunity to prepare this report in support of a rezoning application for the above-noted.

On the basis of a thorough examination of the Township of Centre Wellington Official Plan and Zoning By-law it is my conclusion that the proposed Retirement Residence:

- is a necessary and desired addition to the community;
- is an appropriate use for development of the subject property;
- conforms to provincial policy;
- conforms to the **Highway Commercial** land-use designation of the Official Plan;
- requires an amendment to the **Highway Commercial (C2)** zoning category.

It is my opinion that the latter amendment should take the form of an Exception clause to the existing C2 zoning. A draft Exception is appended to this report.

Sincerely,



Dirk Blyleven  
Principal

## 1. SUBJECT PROPERTY

### 1.1 Location and Context

The location of the subject property, in the context of surrounding land-uses, is portrayed on Figure 1:

- frontage on provincial Highway 6 (known municipally as St. David Street North);
- flankage on Strathallan Street, a local roadway serving a residential neighbourhood;
- vehicular access from both St. David and Strathallan streets;
- bounded:
  - to the north by trailer sales depot;
  - to the east by detached dwellings on deep lots;
- institutional uses (St. Joseph Church and Catholic School) on the opposing side of Strathallan Street;
- Walmart directly across Highway 6 (St. David Street North);
- convenience plaza/personal service centre north of Walmart;
- signalized intersection at Highway 6 providing safe pedestrian access to the foregoing.

The nearby uses noted above will provide valuable services for residents of the proposed Retirement Residence and constitute significant locational benefits to the proposed use.

### 1.2 Existing Development

Figure 3 is a Site Development Plan showing existing development and the proposed Retirement Residence.

NOTE 1:

Circa 2009, a parcel of land at the corner (at that time, containing the Esso gas bar only) was severed from the balance of the subject lands. The severance boundary is portrayed on Figure 3 by a red line. Technically, the Esso site no longer forms part of the subject property and does not need to be addressed in this report. However, Beacon recognizes that existing uses and activities on the Esso site have a direct influence on proposed development of the subject property. Therefore, for the purpose of this report, the Esso site is regarded as an integral component of the subject property.

The following is a description of existing and proposed uses depicted on Figure 3.

Building "A":

- 810 St. David Street;
- Esso gas bar on the corner represents original development;
- circa 2009, Esso site was severed from the balance of the property;
- Esso site retained unfettered easement over severed lands for vehicular access (from both St. David and Strathallan streets);
- circa 2012, a Tim Hortons restaurant (dine-in and drive-through) was constructed;
- Strathallan entrance to the drive-through will be a shared access.

Building "B":

- 830 St. David Street;
- 2-storey hotel (Best Western) constructed in 2010;
- portion of first floor has personal service use (spa).

Building "C":

- 840 St. David Street;
- vacant building site;
- restaurant (not yet constructed) approved circa 2009 in conjunction with the condominium and site plan applications associated with Esso severance;
- under consideration for expansion of the existing Best Western Hotel instead of a stand-alone restaurant;
- however, it is expected that the hotel expansion may feature a public restaurant facing St. David Street.

Building "D":

- 820 St. David Street;
- Proposed 6-storey Retirement Residence;
- communal facilities (dining hall, kitchen, laundry, fitness, spa, meeting room) on ground floor;
- total of 80 suites (20 studio units; 60 1-bedroom units) on floors 2 to 6;
- front elevation illustrated by Figure 4.

The subject property is under ownership and control of a condominium corporation (Wellington Condominium Plan 167). Therefore, Beacon assumes that access and parking for buildings "B" and "D" will be shared as common elements. Notwithstanding, the shaded area on Figure 3, containing the proposed Retirement Residence, provides a total of 49 parking spaces. That is more than sufficient in terms of the Zoning By-law parking requirement (i.e. 1 space for every 2 suites).



**2. ZONING BY-LAW**

The subject property and the Esso site are both zoned **Highway Commercial (C2)** which permits various highway-commercial uses including the existing Best Western motel, Esso gas bar, and Tim Hortons restaurant.

A Retirement Residence is not a permitted use. Therefore, rezoning of the property is required.

To determine the most appropriate zoning category for all existing and proposed uses, Table 1 was constructed as an analysis matrix. A Retirement Residence is permitted only in the R6 (**Residential Mixed Use**) and IN (**Institutional**) zones.

NOTE 2:

The Glossary provides individual definitions for Apartment Building and Retirement Residence. Residential zones R1 to R5 do not identify Retirement Residence as a permitted use, although an Apartment Dwelling is permitted in the R4 zone. Further, Apartment Dwelling and Retirement Residence are listed separately as permitted uses in the R6 zone. Therefore, it appears that the Zoning By-law regards Apartment Dwelling and Retirement Residence as separate and distinct uses and regards the latter as an institutional use, not a residential use.

NOTE 3:

Although the Esso gas bar and Tim Hortons restaurant (with drive-through) are on an adjacent property, they are included in Table 1 in the interest of identifying the most compatible and inclusive zoning category for the pre-severance site, as identified on Figure 1. See also Note 1.

<b>TABLE 1</b>			
<b>Zoning By-law Permitted Uses</b>			
<b>LAND-USE CATEGORY</b>	<b>ZONING CATEGORY</b>		
	<b>C2 (Commercial)</b>	<b>R6 (Mixed)</b>	<b>IN (Institutional)</b>
Retirement Residence		*	*
Motel	*		
Restaurant	*	*	
Drive-Through Service	*		
Gas bar	*		
	* permitted use		

Table 1 indicates that rezoning the subject property to the R6 or IN category in an effort to accommodate the Retirement Residence use, would preclude one or both of the existing uses (Tim Hortons and motel). Beacon submits that it would make more sense to retain the C2 base zone and create a site-specific exception zone which adds Retirement Residence as an additional permitted use. A draft C2 exception zone is presented in Appendix A. In the event that, during the review of the Site Development Plan, any additional variances from C2 regulations are required, they can be added to the draft exception zone.

NOTE 4:

As additional rationale for the foregoing, Beacon submits that it would be more appropriate, given the location of the property adjacent a provincial highway, to place the Retirement Residence in a **Highway Commercial** zone than to place a motel and restaurant in an **Institutional** or **Residential** zone.

### 3. OFFICIAL PLAN

#### **3.1 Land-Use Designations and Permitted Uses**

The subject property is situated within an area designated **Highway Commercial** (Figure 2). Permitted uses within that land-use designation include those that cater to the travelling public, such as:

- motels;
- restaurants;
- automotive sales and service;
- convenience commercial.

**NOTE 5:**

Gas stations are not specifically identified as permitted uses; nonetheless, Beacon assumes they conform to the above-noted definition of Highway Commercial uses.

Residential uses may also be permitted in the **Highway Commercial** designation, provided that:

- *commercial uses are located at street level;*
- *land-use compatibility can be addressed.* (D.5.3)

**NOTE 6:**

In this report, quotations of Official Plan references are presented in italics and the policy identification is shown in brackets.

In terms of the foregoing, it appears that most existing and proposed uses of the two properties are permitted in the **Highway Commercial** designation, as shown in Table 2. However, a question mark is placed beside Retirement Residence since the Zoning By-law considers that use to be Institutional, not Residential (see Note 2, section 2). Since there should not be any conflict or inconsistency between an Official Plan and the corresponding Zoning By-law, the Official Plan designation most compatible with a Retirement Residence use warrants further examination.

**NOTE 7:**

The Official Plan does not have a Glossary or any other definition of terms that could serve to elucidate the foregoing.

Table 2 indicates that the **Mixed Use** and **Residential** land-use designations were also examined.

<b>TABLE 2</b>			
<b>Official Plan Permitted Uses</b>			
<b>LAND-USE CATEGORY</b>	<b>LAND-USE DESIGNATION</b>		
	<b>Highway Commercial</b>	<b>Mixed Use <sup>(1)</sup></b>	<b>Residential</b>
Retirement Residence	?		?
Motel	*		
Restaurant	*		
Drive-Trough Service	*		
Gas bar	*		
		<sup>(1)</sup> No Primary Plan policies	
		* Permitted Use	
		? Inconclusive	



Despite its inclusion in the Legend for Schedule A-1, **Mixed Use** is a Secondary Plan designation and applies only to the Little Folks Secondary Plan area (Policy Area PA1-1). It is not a Primary Plan land-use category and is not applicable to the subject property. Nonetheless, the Little Folks Secondary Plan promotes the concept of mixed-use as follows:

*Integration of commercial and residential land uses is a critical component of achieving better places to live. (D.10.2)*

Assuming that Retirement Residence may be considered a residential use (i.e. not institutional), the foregoing premise applies to the intended development of the subject property.

Also, the **Residential** designation permits all forms of housing types. Retirement Residence is neither specifically included nor excluded. Nursing homes, rest homes, and homes for the aged are accorded provisional permission (D.2.9). Some non-residential uses are also permitted, but not commercial uses. Therefore, amendment of the Official Plan land-use designation to **Residential** would not be appropriate.

In conclusion, it appears that the existing **Highway Commercial** designation is most appropriate for existing and intended uses. Although the proposed Retirement Residence will ~~not~~ have commercial uses at street level, the proposed communal facilities on the ground floor (Figure 5) can be recognized as reasonable facsimiles. For example, the communal kitchen and dining room serves a function similar to a public restaurant. Therefore, Beacon submits that the proposed Retirement Residence constitutes a permitted use provided that *land-use compatibility can be addressed (D.5.3)*.

Land-use compatibility is examined in following subsection.

### **3.2 Land-Use Compatibility**

The Official Plan identifies Retirement Residence as a “sensitive land use” and presents criteria to assist identification, assessment, and mitigation of incompatibility and conflict between and among existing and proposed land uses.

Since Retirement Residences may generally be regarded as the affected elements (i.e. not affecting) in situations of incompatibility, the potential impacts that may be imposed by nearby uses (existing and proposed ~ Figure 1) are examined as follows.

Walmart and planned shopping centre across St. David Street:

- significant benefit for ambulatory residents, not only as a place to purchase daily essentials but also as a walking destination;
- safe pedestrian access to the foregoing is enhanced by a signalized intersection.

St. Joseph Catholic Church:

- significant asset for residents; in particular, those not able to drive;
- in addition to daily Mass, offers weekday social activities;
- as above, safe pedestrian access via a signalized intersection.

St. David Street:

- vehicular traffic and associated noise may constitute a nuisance for some residents;
- however, the location of the proposed building is far enough from the highway to lessen adverse impacts;
- the signalized intersection greatly ameliorates any safety concerns for pedestrians crossing St. David Street.

Esso gas bar:

- not necessarily desirable;
- however, for some residents, particularly shut-ins, the street-level activity may provide visual interest.

Tim Hortons: (dine-in component):

- compatible and desirable;
- will be a preferred destination for morning coffee get-togethers by seniors.

Tim Hortons: (drive-through component):

- not desirable and potentially incompatible;
- vehicular activity entering and exiting from Strathallan Street may pose a hazard for seniors walking from the Retirement Residence to the St. David Street intersection.

Best Western Hotel:

- no undesirable affects;
- some seniors may make occasional use of the personal service facility on the ground floor (and restaurant within a possible expansion);
- others may be entertained by observing guests arriving and leaving;
- will benefit persons visiting occupants of the Retirement Residence who require overnight accommodation.

Proposed restaurant (Building "C"):

- no undesirable affects;
- distinct benefit for seniors who enjoy eating out on occasion but cannot (or prefer not to) drive.

Residential neighbourhood to the east:

- no undesirable affects;
- conversely, the 6-storey building may have potential consequences for adjacent detached dwellings on the north side of Strathallan Street, such as diminution of privacy and loss of sunlight at critical times. Such potential consequences may be lessened or avoided by means of building location and design

In conclusion, most nearby uses (existing and proposed) are compatible with the proposed retirement residence; further, many are complementary and desirable.



### **3.3 Compliance with Official Plan Housing Policies**

The proposed Retirement Residence responds to and conforms to various Official Plan policies, some of which are as follows:

- contributes to the provision of *a wide range of housing types to meet future housing needs* (C.5.1);
- to meet the needs of an aging population, will contribute to the provision of housing for seniors and related facilities such as senior citizen's complexes and homes for the aged, which *are encouraged in urban areas* (C.5.7);
- contributes to the provision of *a variety of dwelling types to satisfy a broad range of residential requirements* (D.2.2);
- contributes to the provision, at an appropriate location and density, of *residential facilities that meet the housing needs of persons requiring specialized care* (D.2.2).

### **3.4 Compliance with Official Plan Design Criteria**

Beacon submits that the proposed Retirement Residence, although located on lands designated **Highway Commercial**, should nonetheless conform to design and development requirements for medium density development on lands designated **Residential**, as articulated by policy D.2.5:

- the proposed residential density of 197 units per hectare (based on the shaded area of Figure 3) exceeds the upper limit for apartment buildings (i.e. 75 units per hectare ~ D.2.5.1);
- however, based on the area on the entire site the proposed density is well within the specified limit;
- the proposed development is subject to Site Development Plan approval. That process will ensure that the design of the building, setbacks, landscaping, and vehicular circulation will be compatible with existing and future development on adjacent properties, including the adjacent residences to the east.

NOTE 8:

This report addresses the appropriateness and desirability of the proposed use (i.e. Retirement Residence) and is not intended to comment on or justify the proposed Site Development Plan as shown on Figure 3.

## 4. PROVINCIAL PLANNING POLICIES

### 4.1 Provincial Policy Statement (2014)

The Policy Statement defines *Intensification* as follows:

*Development of a vacant or underutilized property within a developed area at a higher density than currently exists. (paraphrased by Beacon)*

In terms of the foregoing and in the context of surrounding residential development, the proposed 6-storey Retirement Residence constitutes *Intensification*. Policy 1.1.3 of the Plan promotes intensification within Settlement Areas:

- *settlement areas shall be the focus of growth and development (1.1.3.1);*
- *land-use patterns within a settlement area shall be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2b);*
- *planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment (1.1.3.3);*
- *appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form (1.1.3.4);*
- *planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas (1.1.3.5).*

The provincial policy that most directly pertains in this instance is the following:

- *new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form and a mix of uses and densities that allow for the efficient use of land, infrastructure, and public service facilities. (1.1.3.6)*

Beacon submits that the proposed Retirement Residence conforms to (and contributes to achievement of) all the foregoing provincial policies.

### 4.2 Growth Plan for the Greater Golden Horseshoe (2017)

Much of Fergus is identified as a Built-Up Area in *Places to Grow*. The subject property is situated within the Built Boundary. Policy 2.2.2 of the Growth Plan states that:

- *annually, a minimum of 50% of all residential development shall occur within delineated Built-Up Areas;*
- *municipalities are required to develop a strategy to promote intensification throughout the delineated Built-Up area.*

The proposed Retirement Residence conforms to (and contributes to achievement of) the foregoing provincial policies.

**5. DEMAND**

It is expected that a significant proportion of the occupants of the proposed Retirement Residence will be drawn from the immediate area; that is, Wellington County and surrounding municipalities and rural hinterland. In an attempt to quantify existing and future demand, Beacon analyzed and extrapolated population data obtained by Statistics Canada via the 2016 census. That analysis is summarized in Table 3.

<b>TABLE 3</b>				
<b>Extrapolation of 2016 Census Population Statistics for Wellington County</b>				
<b>AGE</b>	<b>YEAR</b>			
<b>CATEGORY</b>	<b>2011</b>	<b>2016</b>	<b>2021</b>	<b>2026</b>
<b>0-14</b>		39,125	39,690	40,355
<b>15-64</b>		147,815	150,689	152,174
<b>65-89</b>		33,945	45,143	58,455
<b>90+</b>		1,840	2,562	3,504
<b>TOTAL</b>	<b>208,360</b>	<b>222,725</b>	<b>238,084</b>	<b>254,489</b>

It is expected that Retirement Residence occupants will be drawn primarily from the 65-89 age cohort. Those 90+ will most likely require a greater level of care, such as a nursing home. Further, only a portion of those in the 65-89 age cohort will elect to scale-down and move to a retirement residence. Many (in particular, those under 80 years of age) will elect to remain in their home as long as possible. Therefore, Table 3 is not definitive but provides an estimate of expected increase in demand for retirement living.

**NOTE 9:**

Table 3 was constructed by Beacon solely for the purpose of assessing population growth. The 2011–2016 rate of population growth was used to project 2021 and 2026 populations. Further, the 5-year age-group populations for 2016 (provided by Statistics Canada) were artificially “aged” at 5-year increments and then adjusted to reflect historic birth and death rates. Those calculations yield the Table 3 projections for 2021 and 2026, which should be regarded as descriptive rather than definitive.

Exhibit 1 illustrates the effects of Table 3 projections:

- from 2016 to 2026, the proportion of each age category (except 65-89) decreases;
- the percentage of persons in the 65-89 cohort increases annually, from 15% in 2016 to 23% in 2026.

In terms of numerical values, it is projected that the 65-89 cohort:

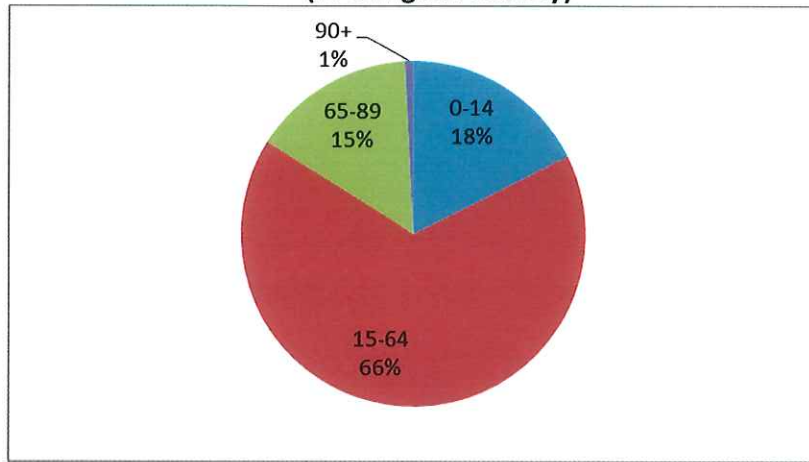
- will increase by more than 11,000 persons from 2016 to 2021;
- will increase by more than 13,000 persons from 2021 to 2026.

In terms of the projected growth of the 65-89 age cohort, It may be concluded that if only a portion of that cohort elects to move into a Retirement Residence at some point after turning 65 years of age and at an urban location somewhere within Wellington County, the need for such facilities in Fergus and Elora (desirable retirement locations within Wellington County) is quite apparent.

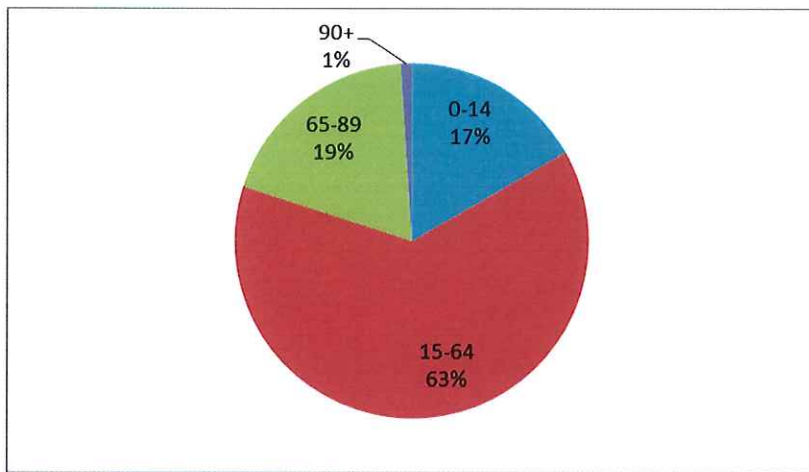


**EXHIBIT 1**

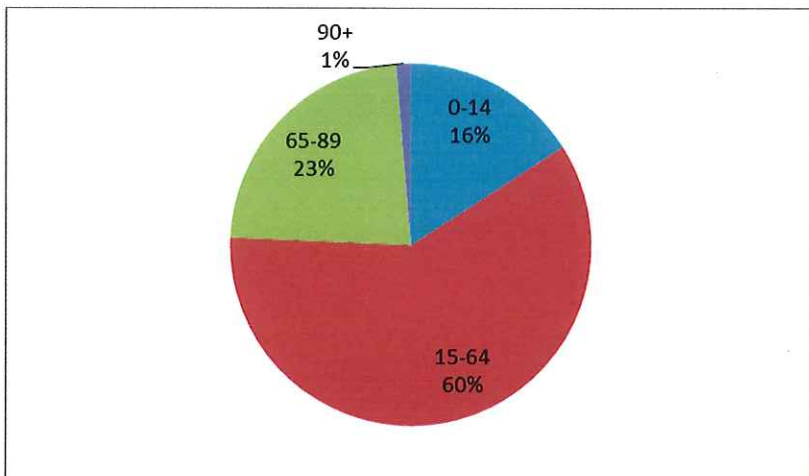
**Existing and Projected Populations by Age Categories  
(Wellington County)**



**2016**



**2021**



**2026**

## 6. SUMMARY and CONCLUSIONS

### 6.1 Benefits of Senior Residents

Occupants of a Retirement Residence generally make good neighbours (no loud parties or excessive noise and activity). Most are upstanding citizens, contribute to social programs, and constitute an asset to the community. They are net contributors to municipal tax accounts, since (apart from health care) they make less use of municipal services such as police and fire protection, welfare, and social services. Most significantly, the occupants of the proposed Retirement Residence will not place an additional burden on school board budgets.

### 6.2 Appropriateness of Subject Property for Proposed Use

In terms of location and context (i.e. surrounding uses), the proposed site is ideal for a Retirement Residence:

- visible and accessible adjacent a provincial highway;
- across the road from a regional shopping centre (planned) that will serve not only Fergus but also its rural hinterland;
- near places of worship, wellness centres, and social services;
- on-site restaurants for dining and socializing;
- on-site motel providing personal services for seniors and accommodation for visitors.

The aforementioned uses are not only compatible, they are complementary and will enhance the lives of seniors in the retirement residence:

- many residents may still own vehicles but most would prefer to walk to a shopping destination, a restaurant, or church if the opportunity to do so occurs;
- walk-to destinations provide not only exercise but also a purpose to the walk (i.e. exercise with accomplishment is important for seniors).
- the various commercial uses, including the highway and gas bar, create an animated ground-level environment (i.e. seniors, particularly those that are house-bound, do not want to feel isolated but enjoy watching outside activity).

### 6.3 Conformity with Official Plan

The subject property is designated *Highway Commercial*, which is intended to provide for uses that cater to the travelling public. A Retirement Residence is not specifically identified as a permitted use. Nonetheless, the Official Plan states that residential uses may be permitted on lands designated *Highway Commercial* provided that two requirements are met:

- commercial uses are located at street level;
- land-use compatibility is confirmed.

In this instance, assuming that the Official Plan considers a Retirement Residence to represent a residential use (the Official Plan does not have a glossary of terms), both of the foregoing requirements are satisfied (provided communal uses for the benefit of residents can be considered to represent reasonable facsimiles of “commercial uses” in this instance). Therefore, Beacon submits that the proposal conforms to Official Plan policies governing the extant land-use designation.

#### **6.4 Compliance with Zoning By-law**

Consistent with the Official Plan land-use designation, the subject property is zoned **Highway Commercial** (C2) which permits various commercial uses whose functions require a highway location. A retirement residence is not a permitted use. Therefore, rezoning is required.

The most logical solution in that regard is to retain the base C2 zone and create a site-specific exception zone to permit a Retirement Residence as an additional use. A draft exception zone is presented in Appendix A.

#### **6.5 Conformance to Provincial Policies**

The subject property is fully serviced and underdeveloped. The proposed development of the site will contribute to:

- establishment of a mix of uses and densities;
- intensification of the site and creation of a more compact development;
- a form of development that makes more efficient use of land, infrastructure, and public services.

#### **6.6 Conclusions**

On the basis of the foregoing examinations, Beacon submits that the proposed Retirement Residence:

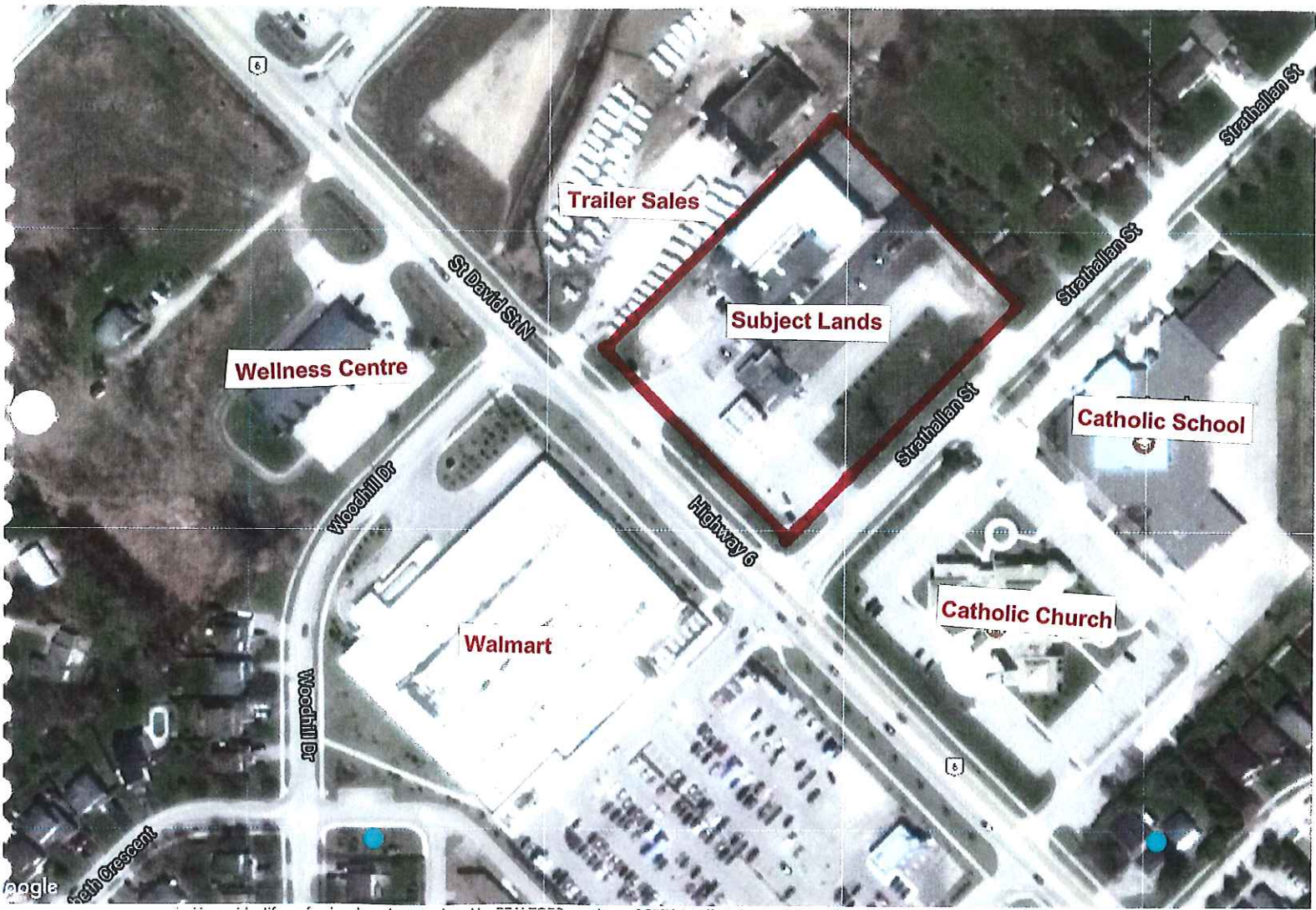
- is a desirable and needed addition to the existing housing stock in Centre Wellington;
- is compatible with adjacent uses, both existing and proposed;
- is at a location where residents will benefit from nearby facilities and amenities;
- conforms to the Official Plan **Highway Commercial** designation;
- requires rezoning in order to comply with the Zoning By-law.

Further to Note 8 (page 7), Beacon expects that two matters of potential concern will be addressed by way of the Site Development Plan review process:

- overshadowing impact on adjacent detached dwellings;
- pedestrian safety with reference to the shared vehicular entrance at Strathallan Road.



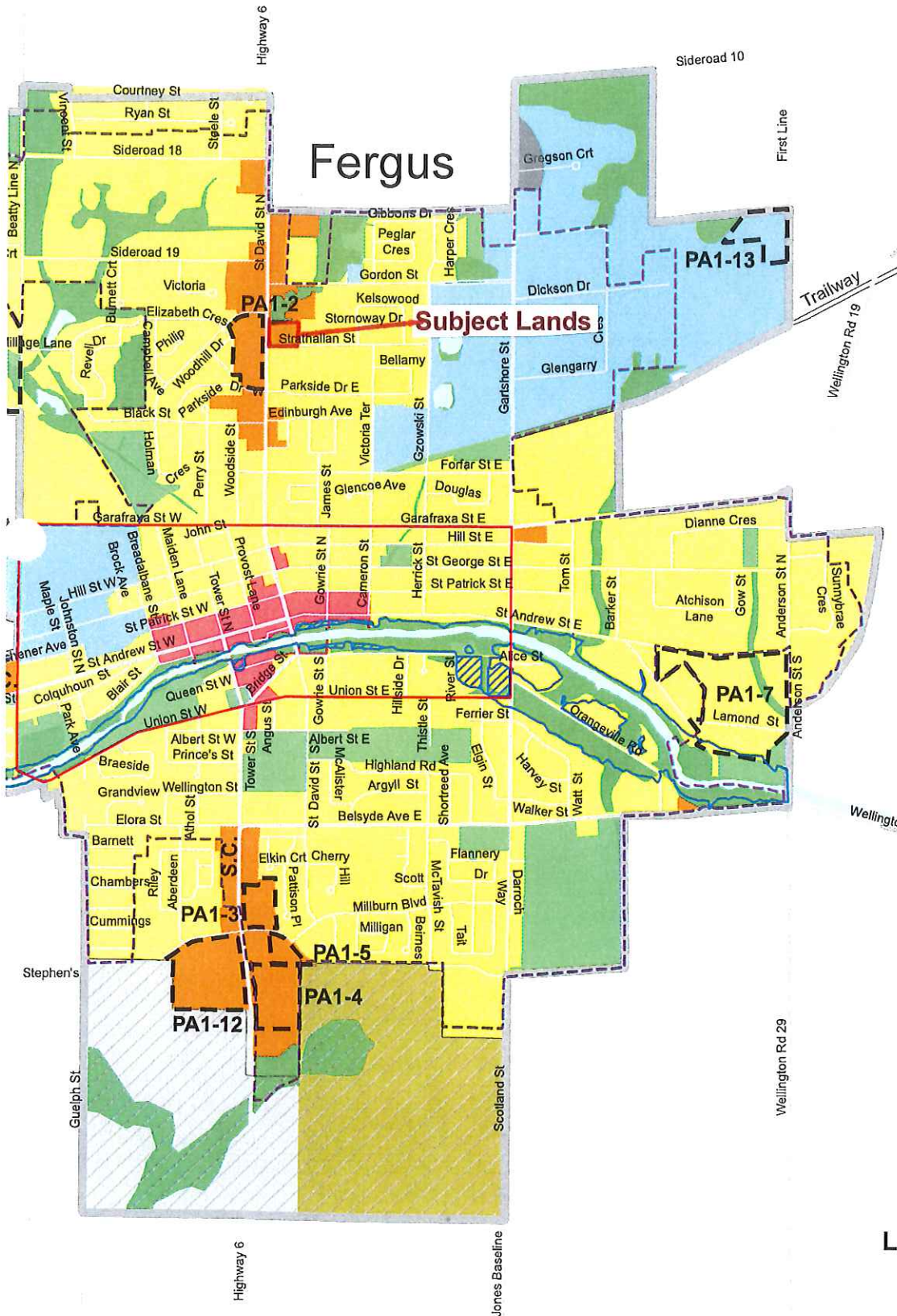
# FIGURES



**FIGURE 1**

**Location and Context**





- Residential
- Highway Commercial
- Central Business District
- Residential Transition
- Industrial
- Core Greenlands
- Recreational
- Future Development
- Mixed Use
- Secondary Planning Area
- Future Residential
- Future Employment Lands

Note: The identification of Future Residential and Future Employment Lands is for public notice only and is subject to future considerations through Secondary Plan requirements.

- Urban Boundary
- Built Boundary
- Heritage Area
- Policy Area
- Regulatory Flood Line
- Regulatory Flood Fringe
- S.C.** Shopping Centre
- Former Waste Disposal Site

## Schedule A-1

### Land Use Plan

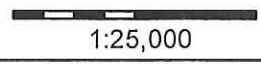
### Fergus, Elora-Salem

Township of Centre Wellington

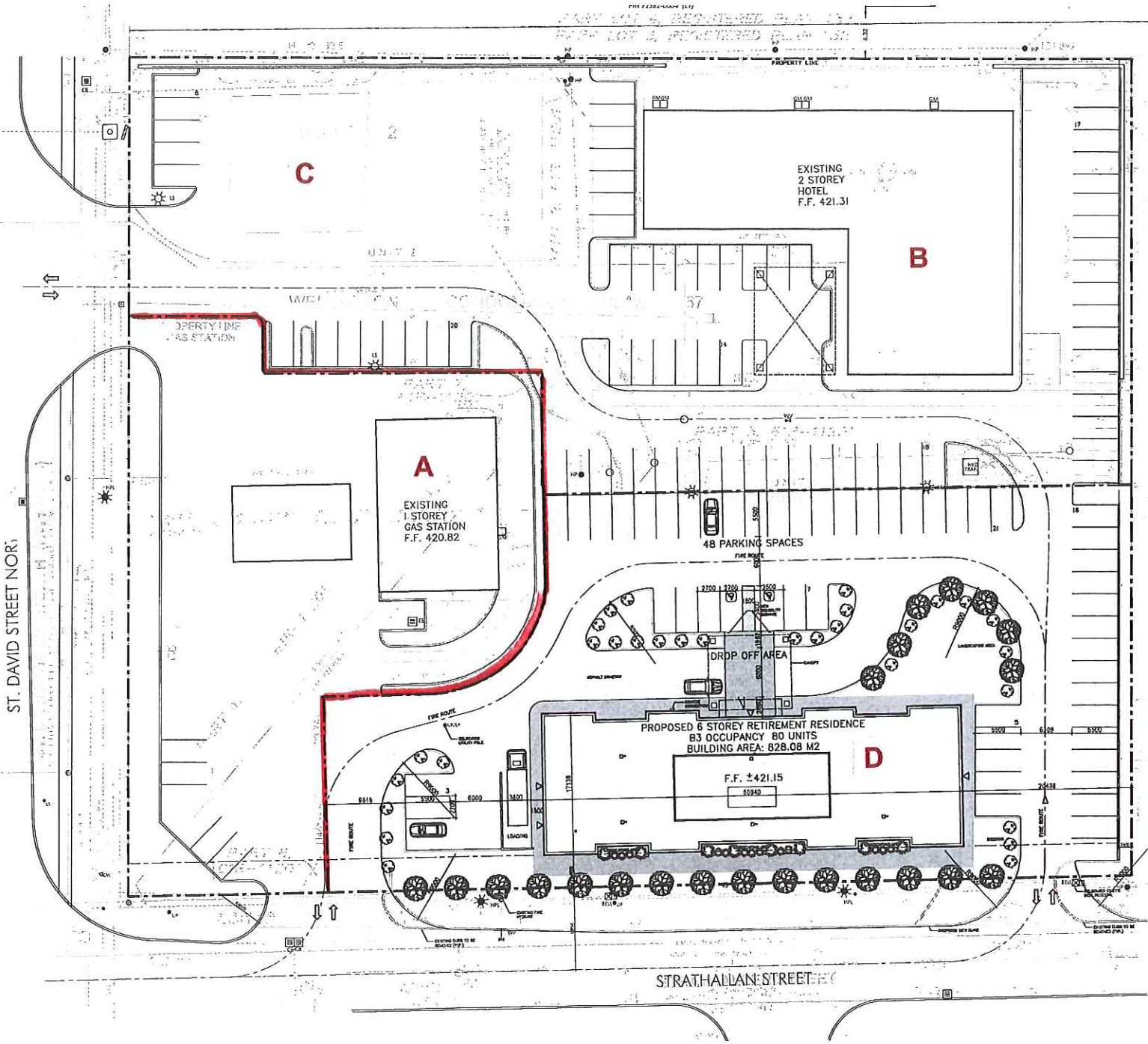


**FIGURE 2**

**Official Plan  
Land-Use Schedule**







**FIGURE 3**

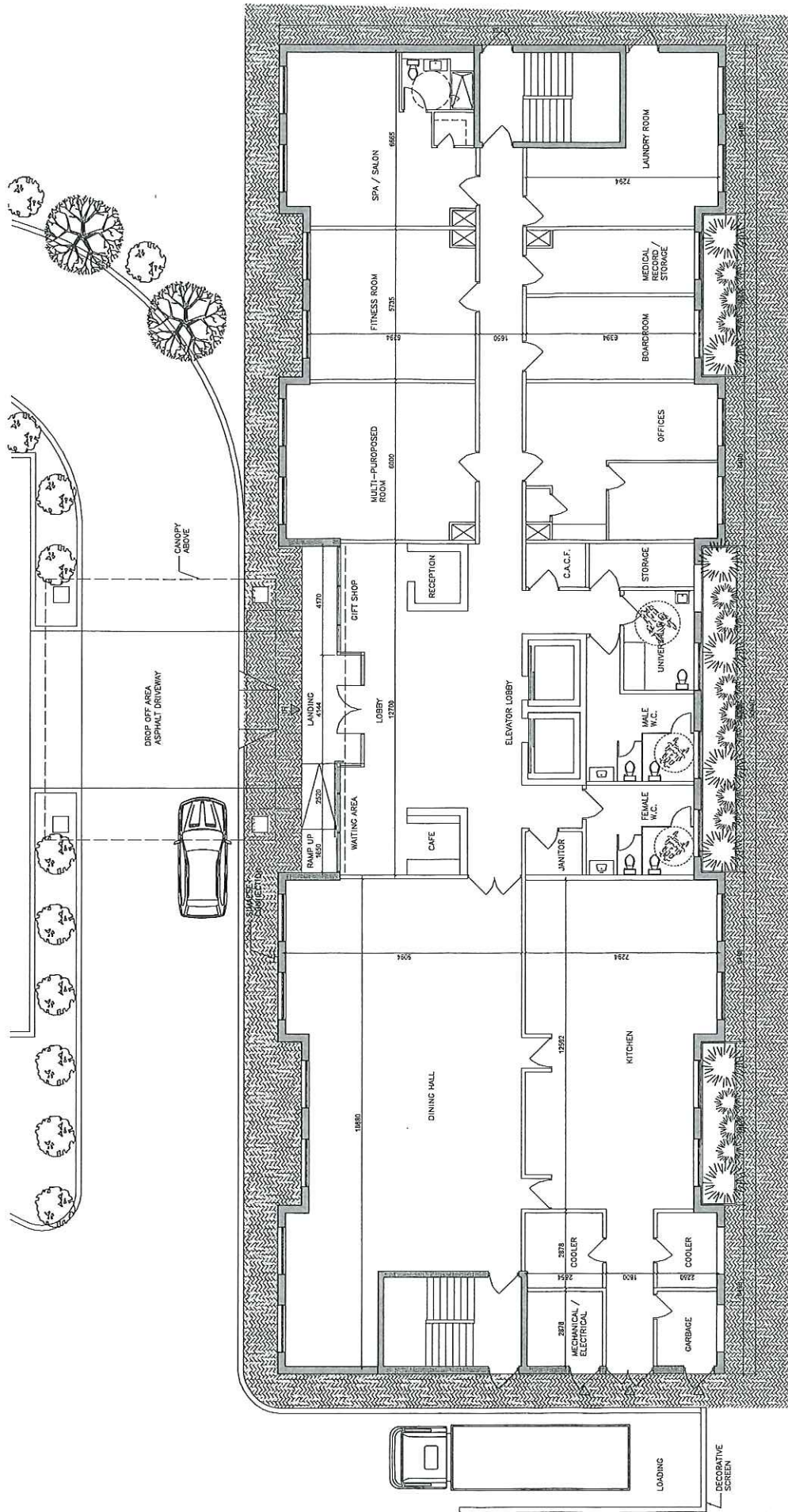
**Site Development Plan**



1 FRONT ELEVATION  
SCALE: 1/8"

**FIGURE 4**  
**Front Elevation**





GROUND FLOOR AREA - 851.52 M2 (9165.68 SF)

1 GROUND FLOOR PLAN  
SCALE: 1:100

**FIGURE 5**

**Ground Floor Plan**



# **APPENDIX A**

## **Draft Zoning Exception**

15.71.3	C2.71.3	<p>Notwithstanding any other provision of this by-law to the contrary, on lands zoned C2.71.3 a retirement residence shall be a permitted use in addition to all other uses permitted by the C2 zone provisions, subject to following specific provisions:</p> <ul style="list-style-type: none"><li>a) Maximum height of the Retirement Residence shall be 6 storeys;</li><li>b) Maximum number of Retirement Residence dwelling units shall be 80 units;</li><li>c)</li></ul>
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