

November 10, 2023

Municipality of Mississippi Mills
3131 Old Perth Road
Perth, Ontario K7H 3C6

Attention: Ken Kelly, CAO

**Reference: Planning Brief
Minister's Community Infrastructure and Housing Accelerator Order
5400 Appleton Side Road, Almonte
Novatech File: 123044**

Novatech has prepared this Planning Brief on behalf of Chello Building Corporation, the proponent of a seniors housing development on part of 5400 Appleton Side Road in Almonte. As part of the pre-application consultation process a Minister's Zoning Order (MZO) was suggested as a potential mechanism to support the proposal. In order to consider making an application for a Minister's Zoning Order (MZO) the Municipality requested that the proponent provide, among other items, a Planning Brief addressing:

- A rationale and justification for the proposed use / the need for the use
- An opinion as to Provincial Policy Statement consistency
- An opinion as to conformity to both County and Community Official Plans
- A draft of a possible zoning
- Minister's use of Section 47 of the Planning Act

Since that time, it has been agreed it would be preferable for the Municipality to request a minister's order authority known as the Community Infrastructure and Housing Accelerator ('CIHA order'). The province introduced a minister's order authority known as the "community infrastructure and housing accelerator" as part of changes to the Planning Act in 2022. The applicable section of the Planning Act is S.34.1. This authority gives the Minister of Municipal Affairs and Housing the power to make orders to respond to municipal requests for expedited zoning. Long term care is one of the examples that the province expects the CIHA order to be used for. This Planning Brief has been tailored to this process.

1.0 THE PROPOSAL

1.1 The Proposal

The CIHA order will permit housing for seniors, comprising a four storey 192 bed Residential Care Facility (also known as a Long Term Care Facility), a one storey Residential Care Facility arranged as a 'Dementia Village' providing 96 suites, a four storey apartment building providing 66 units for seniors and 42 one storey semi-detached dwellings also intended for seniors. A copy of the Concept Plan by S.J. Lawrence Architect dated August 22, 2023 is attached.

The conceptual development is arranged around a new central public street in a 24 m right of way (ROW) that intersects with Appleton Side Road opposite the existing Industrial Drive. To the west of

the central street a loop street accesses the semi-detached dwellings and the dementia village. Some additional visitor parking is provided on this loop street. The Dementia Village is a particular specialized facility for dementia patients. It is a self-contained, human-scaled place. An example of one has been constructed in Langley, British Columbia (see photo at Figure 1 below).

To the east of the central street is the regular Residential Care Facility (i.e., not the Dementia Village) which provides 192 beds in a four storey building and an Apartment Building intended for seniors which provides 66 units. These two buildings have their own dedicated access but share a parking lot with 149 spaces.

The rezoning via the CIHA order is the first step in the process. It is anticipated that an application for Draft Plan Approval then Site Plan Approval would follow.



Figure 1: Example of a Dementia Village in Langley, British Columbia

1.2 Rationale and justification for the proposed use

The Canadian Mortgage and Housing Corporation produced a report: *“Housing for Older Canadians: The Definitive Guide to the Over-55 Market Understanding the Market”* which provides an overview of the need for seniors housing. Some key sections of the report are reproduced below:

In 2016, older Canadians (aged 55 and over) made up almost one third (30.7%) of the population, while those aged 65 and over made up about 16.9%. By 2041, it is estimated that more than one third (36.0%) of the population will be 55 or older, and almost one quarter (24.2%) will be 65 or older (see table 1).

Ontario’s older adult population reaching more than 4 million while Quebec’s is 2.7 million. In both provinces, older adults account for just under one third of the population. Ontario experienced the single largest increase in the number of older adults over the past decade, adding more than one million older adults between 2006 and 2016. Quebec’s older adult population grew by more than 600,000 in the same period. Combined, Ontario and Quebec accounted for 61.5% of the growth in the country’s older adult (55 and over) population.

- **The number of seniors in Ontario is increasing along with the demand for housing.**

The report splits seniors into various cohorts as outlined below. The mix of seniors housing in the proposal addresses the needs of all these cohorts being: Pre- seniors (55-64), Younger seniors (65-74), Older seniors (75-84) and Oldest seniors (85 and over). The report sets out the various housing options as a life stage continuum:

Figure 3: The seniors' housing industry spectrum



Sources: Statistics Canada, 2016 Census of Population, Statistics Canada Catalogue no. 98-400-X2016114. Statistics Canada, 2011 National Household Survey, Statistics Canada Catalogue no. 99-014-X2011040. Statistics Canada, 2006 Census of Population, Statistics Canada Catalogue no. 97-563-XCB2006005.

- **The proposal provides seniors' housing in all the above categories. The semi-detached dwellings and low-rise apartments have characteristics of Mainstream Market, Active Lifestyle and Retirement Residences. The Dementia Village and Retirement Care Facility are Long Term Care.**

Specific to Lanark County, in March 2022 WSP and SHS Consulting produced a report “Municipal Tools to Support Affordable Housing”. The report identified Key Housing Gaps in Lanark County (Section 3.1), one of which was:

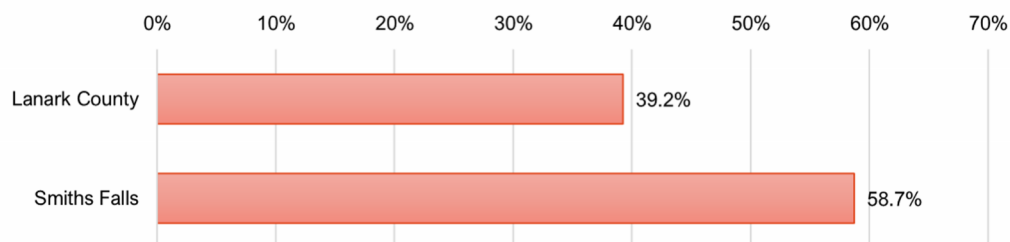
There is a need for a more diverse housing supply in Lanark County, including housing options for the aging population, and smaller households.

A key part of this section is:

Many senior households may be interested in smaller homes or rental units, with limited maintenance, and lower costs due to their fixed retirement income. In 2016, 31% of the County's population was over the age of sixty, while only 23% of the province was over the age of sixty. The forecast is that 35.4% of the County's population will be seniors by 2041. The need to plan for a higher proportion of seniors-friendly housing is important in all communities. Key stakeholders noted that Lanark's senior population, in general, want to age in their communities although they do not necessarily want to age in place. This further supports the need for a wide range of housing options, including co-housing or shared housing options.

Figure 7 in the report shows clearly the increase in senior households in the County:

Figure 7: Increase in Senior Households in Lanark County and Smiths Falls, 2006-2016



2.0 PLANNING POLICY ASSESSMENT

2.1 Provincial Policy Consistency

Section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act. This includes the Provincial Policy Statement (PPS). The PPS is organized into three main policy sections: (1) Building Strong Healthy Communities, (2) Wise Use and Management of Resources, and (3) Protecting Public Health and Safety. The following sub-sections explain how the proposed development is consistent with the applicable PPS policies.

Building Strong Healthy Communities

Section 1.1 of the PPS is focused on managing and directing land use to achieve efficient and resilient development and land use patterns. The relevant policies are addressed below:

Policy 1.1.1 Healthy, liveable and safe communities are sustained by:

- a) *Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long-term*
 - b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
 - c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
 - d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
 - e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
 - f) *improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
 - g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
 - h) *promoting development and land use patterns that conserve biodiversity; and*
 - i) *preparing for the regional and local impacts of a changing climate.*
- **The proposed development contributes to a healthy, liveable and safe community because it:**
 - **provides housing for older persons in accordance with b). As outlined in Section 1.0 of the brief, there is a demand for housing for older persons and a shortage of**

this type of accommodation in the Municipality. It diversifies the housing choice in the area to cater to people of all ages and life stages;

- **has a compact building form which minimizes land consumption and servicing costs, and;**
- **does not create environmental or public health and safety concerns.**

Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development. Policy 1.1.3.2 requires that land use patterns within settlement areas be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- e) support active transportation;*
- **The Subject Site is not currently in a settlement area. It is understood that the Municipality will bring it into the settlement area after the rezoning via the CIHA order. The proposal will efficiently use land, infrastructure and public service facilities.**

Section 1.4 of the PPS provides policies on Housing.

Policy 1.4.3 requires that:

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- b) permitting and facilitating:*
 - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- **The proposal caters to the special needs requirements and needs arising from demographic changes, specifically it provides a traditional Residential Care Facility and a Dementia Village (also defined as a Residential Care Facility) and seniors housing. A total of 348 units are provided (42 semi-detached dwellings, 66 seniors apartments and 48 beds in the dementia pods and 192 beds in the LTC. On the 8.16 ha site, this is a gross density of 43 units/beds per ha.**

Section 1.5 of the PPS speaks to public spaces, recreation, parks, trails and open space.

Policy 1.5.1 states that:

Healthy, active communities should be promoted by:

- a) *planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
- b) *planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*

Subsection 1.6 of the PPS speaks to infrastructure and public service facilities.

Policy 1.6.1 states that:

Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.

- **The proposed development represents an efficient use of land and is adjacent to the existing developed area of Almonte.**
- **The 5400 Appleton Side Road Dementia Village and Retirement Community Serviceability and Conceptual Stormwater Management Report by Novatech and dated October 13, 2023 concludes that there is adequate infrastructure to support the proposal. Refer to the report for details.**
- **The proposed street layout creates a modified grid network of public and private streets connecting within the development and to the adjacent lands.**
- **The proposal provides a mix of semi-detached and seniors apartment dwellings and dementia pod and LTC beds.**

Section 2.0 – *Wise Use and Management of Resources* speaks to protecting natural heritage, water, agriculture, mineral aggregate, petroleum, cultural heritage and archaeological resources.

- **Schedules in the Mississippi Mills Official Plan do not identify source water protection, mineral aggregate, petroleum, cultural heritage or archaeological resources on the Subject Site.**
- **In relation to natural heritage, the Environmental Impact Statement (EIS) by Gemtec dated November 13, 2023 concludes that: “The proposed project complies with the natural heritage policies of the Provincial Policy Statement, the Lanark County Official Plan, and the Mississippi Mills Official Plan. No negative impacts to identified natural heritage features or their ecological functions are anticipated as a result of the proposed project as long as all mitigation measures in Section 7 are enacted and best management practices followed.” The relevant measures referred to are incorporated into the proposal. Refer to the EIS for further details.**
- **The Subject Site is not designated as Agricultural Land on Schedule A – Land Use Designations in the Lanark County Sustainable Communities Official Plan.**

Protecting Public Health and Safety

Section 3.1 of the PPS provides policies on Natural Hazards.

Policy 3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

- a) *hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;*

- b) *hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and*
- c) *hazardous sites.*
- **As shown in the Schedules in the Mississippi Mills Official Plan, the proposed development is not occurring within natural hazard lands or sites.**

Section 3.2 of the PPS provides policies on Human-Made Hazards.

Policy 3.2.1 Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.

Policy 3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

- **Schedules in the Mississippi Mills Official Plan do not identify Human-Made Hazards, such as Closed Waste Disposal Sites, Other Contaminated Sites, Abandoned Pits and Quarries on the Subject Site.**

2.2 Lanark County Sustainable Communities Official Plan

The Lanark County Sustainable Communities Official Plan (SCOP) was adopted on June 27, 2012.

Designations in the Official Plan

The Subject Site is designated Rural Area on Schedule A – Land Use. The proposed rezoning via the CIHA order does not conform with the objectives, General Policies or Lot Creation Policies of the designation. It is understood that the County will re-designate the lands as Settlement Area to reflect the CIHA order and the proposal.

The Subject Site is identified on Schedule B – Source Water Protection as a Wellhead Protection Area B with a Wellhead Protection score of less than eight, which is the lowest band.

Note that no Landform Specific Land Use Policies apply to the Subject Site (Section 5.5 of the SCOP) as none of the following are located on the Subject Site: Provincially Significant Wetlands, Endangered or Threatened Species Habitat, Areas of Natural and Scientific Interest (ANSI's), Significant Woodlands, Significant Valleylands or Fish Habitat.

Section 7 Public Health and Safety is also not applicable as the Subject Site as Schedules in the Mississippi Mills Official Plan do not identify the listed hazards, being Floodplain, Hazardous Geological Formations, Closed Waste Disposal Sites, Other Contaminated Sites, Abandoned Pits and Quarries or Incompatible Land Uses.

2.3 Mississippi Mills Community Official Plan

The Mississippi Mills Community Official Plan (COP) was first approved on August 29, 2006.

Designations in the Official Plan

The Subject Site is designated Rural on Schedule B – Rural Land Use. It is understood that the County will re-designate the Subject Site as Residential to reflect the CIHA order and the proposal.

The subject site is designated as WHPA-B and WHPA-C Source Water Protection on Schedule D1 and 2 – Almonte Source Water Protection Areas, although this is of limited relevance as the proposal will be on municipal services. In Appendix A1 – Natural Features, the east part of the Subject Site is designated as Significant Woodlands. Refer to the EIS for a detailed discussion of Significant Woodlands. In Appendix A2 – Constraints, the west part of the Subject Site has the Agricultural Overlay. The MVCA identifies three small unevaluated wetlands. Refer to the EIS submitted for further details.

Residential policy is set out at Section 3.6 of the COP. The goal and objectives of the plan are:

Promote a balanced supply of housing to meet the present and future social and economic needs of all segments of the community. The following objectives are designed to implement the goal:

- 1. Promote and support development which provides for affordable, rental and/or increased density of housing types.*
 - 2. Designate a sufficient supply of land to meet the residential goals of the Plan.*
 - 3. Ensure that land use policies and zoning do not establish barriers to a more balanced supply of housing.*
 - 4. Direct the majority of new residential development to areas where municipal sewer and water services are/will be available, and which can support new development.*
 - 5. Ensure that residential intensification, infilling and redevelopment within existing neighbourhoods is compatible with surrounding uses in terms of design.*
 - 6. Permit a range of activities in residential areas including home-based businesses, bed and breakfasts, group homes, churches, schools, community facilities and open space.*
 - 7. Work in conjunction with other levels of government and non-government organizations to establish necessary social housing.*
- **In relation to 1), the proposed semi-detached dwellings and townhouses are generally more affordable and are at an increased density than detached dwellings typically are. Objective 2) has been addressed by the designation of the Subject Site as Residential through OPA #22. Objective 3) relates to zoning, see discussion below. Municipal services are provided to the development, meeting 4). Objectives 5-7 are not applicable to this proposal.**

Section 3.6.2 Residential Permitted Uses is relevant to the rezoning of the lands. It provides:

Lands designated "Residential" shall be predominately used for low and medium density residential uses and associated accessory uses.

Section 3.6.3 *Affordable Housing* is addressed through this proposal as it provides: “a full range of housing types and densities to meet projected demographic and market requirements of current and future residents of the municipality...”

Section 3.6.5 *Range of Housing Types* is also applicable. Relevant policies as amended by OPA #22, are:

1. *The Municipality shall support a wide range of housing types, zoning standards and subdivision design standards.*
 2. *The Municipality has established the following housing mix targets: i. Low Density 60% ii. Medium Density 40% (OPA #22)*
 3. *Low density residential development shall include single detached, semidetached, duplex, converted dwellings, and triplex housing. Low density residential areas will generally be developed in the range of 15 to 30 units per net hectare. Generally, density will be based on a net density approach. However, in certain instances, a gross density approach may be used where the site includes significant environmental features and/or constraints in an effort to protect these. In these situations, it is proposed to apply a 10.5 to 21 units per gross hectare for low density areas (OPA #22).*
 4. *Medium density residential development shall include four-plex housing, townhouses, 3 storey apartments, converted dwellings of three or more units and similar multi-unit forms of housing. Medium density residential areas will generally be developed in the range of 30 to 40 units per net hectare. Generally, density will be based on a net density approach. However, in certain instances, a gross density approach may be used where the site includes significant environmental features and/or constraints in an effort to protect these. In these situations, it is proposed to apply a 21 to 28 units per gross hectare for medium density areas (OPA #22).*
 5. *All medium density residential development proposals shall address the following criteria:*
 - i. *Proximity to shopping, parkland, health care, education and other community amenities;*
 - ii. *compatibility with existing land uses in the immediate area and the historical character of existing buildings;*
 - iii. *designed with a maximum of three (3) stories and where possible, a building profile which conforms visually with the surrounding residential structures;*
 - iv. *designed with a maximum of four (4) stories where the site abuts an arterial or collector road*
 - v. *availability of adequate off-street parking and appropriate access and circulation for vehicular traffic, including emergency vehicles*
 - vi. *necessary buffering from abutting uses;*
 - vii. *suitable landscaping, lot grading, drainage and on-site amenities; and,*
 - viii. *the availability of full municipal services to accommodate the proposed density of development.*
 6. *Medium density residential development shall be placed in separate zones in the Zoning By-law and shall be subject to Site Plan Control.*
 7. *The Municipality shall strive to maintain the existing mix of housing tenure. To this end, the Municipality establishes the following housing tenure targets: i. Ownership 70% ii. Rental 30%*
- **In relation to the density split described at 2) and using the definitions at 3) and 4), the proposal includes 42 low density (semi-detached) dwellings and 66 medium density (apartment) dwellings, a 39 / 61 split, consistent with the policy. The two LTCs provide a total of 288 beds but not counted in these calculations.**

- In relation to density, the low density units are at a net density of 22 units per hectare, consistent with 3). The medium density units are at a net density of 37 units per hectare, consistent with 4).
- In relation to 5), all the criteria are able to be met on the individual lots through Site Plan Control applications. The Subject Site is within close proximity of shopping, parkland, health care, education and other community amenities in Almonte.
- Policy 6 will be met. In relation to 7), all the units will be rented to seniors.

Subsection 3.6.6 – Special Needs Housing is applicable. Policies are:

- 1. The Municipality shall seek to improve access to housing for people with special needs, including assisted housing for low income people, seniors housing and housing for physically and developmentally handicapped individuals.*
 - 2. The Municipality shall work with local groups to determine the demand for special needs housing. The Municipality shall support appropriate applications and proposals for special needs housing.*
 - 3. The Municipality shall consider alternative approaches to providing housing targeted specifically to the seniors' population.*
- **The proposal is an excellent, groundbreaking example of seniors housing and housing for people with special needs, specifically a Dementia Village. It is an opportunity for the Municipality to work with a local retirement home provider Orchard View Retirement Living to provide special needs housing.**

Section 8.1 – Amenity Area is an applicable Residential Provision. For an apartment building, low-rise more than four dwelling units the required amenity area is 6 m² per dwelling unit, and 10% of the gross floor area of each rooming unit. A minimum of 50% of the required total amenity area must be communal. For a Residential Care Facility the requirement is 10% of the gross floor area of each rooming unit All of the total amenity area must be communal.

- **Subject to future Site Plan approval applications, it is intended that the Amenity Area requirements will be provided.**

3.0 COMMUNITY INFRASTRUCTURE AND HOUSING ACCELERATOR ORDER

3.1 Suggested Draft Zoning

It is suggested that the CIHA order should rezone the Subject Site to Residential Second Density with an exception and Residential Fourth Density with an exception. The R2 zone would be applied to the semi-detached dwellings and the R4 zone would be applied to the remainder of the Subject Site except for the SWM pond which would be zoned Open Space (OS) in line with typical practice.

The R2 exception would:

- Permit a density greater (22 units per gross hectare) that is higher than the current required maximum gross density of 15 units per hectare.
- Permit a minimum lot frontage (9 m) that is shorter than the current 10m requirement
- Permit a lot coverage higher (55%) that is higher than the current 45% requirement.

The R4 exception would:

- Permit a maximum height (13 m) that is higher than the current permitted maximum height of 11 m.

An assessment of the proposal against the base R2 and R4 zones is provided below. It highlights the exceptions that will be required:

Residential Zone and Dwelling Type	R2 Semi Detached Dwellings		R4 Low-Rise Apartments and Residential Care Facility (RCF)		
	Required	Provided	Required	Provided for Low-Rise Apartments	Provided for RCF
Lot area (min)	320 m ²	408 m ²	600 m ²	244 m ²	270 m ²
Lot frontage (min)	10 m	9.3 m	30 m	7.5 m	8.5 m
Front yard setback (min)	6 m	5.0 m	5 m	6.0 m	6.0 m
(Interior) Side yard setback (min)	1.2 m	1.0 m	6 m	1.2 m	2.25 m
Exterior side yard setback (min)	6 m	3.3 m	6 m	5.0 m	3.5 m
Rear yard setback (min)	7.5 m	7.5 m	7.5 m	7.0 m	7.5 m
Height (max)	11 m	< 11 m	11 m	13 m (TBC)	13 m (TBC)
Lot Coverage (max)	45 % (bungalow)	55%	45 %	13 %	12 %
Dwelling Unit Area (min)	65 m ²	260 m ²	NA	NA	NA

3.2 Use of Section 47 of the Planning Act

The Municipality requested that the Planning Brief include rationale and justification for the need for the use of Section 47 of the Planning Act Order by the Minister. This was based on the MZO process. Now that a CIHA order is being pursued, Section 47 is no longer applicable.

Sincerely,

NOVATECH



Greg Winters, MCIP RPP
Director

Attachment: Concept Plan by S.J. Lawrence Architect dated August 22, 2023