



PLANNING JUSTIFICATION REPORT

PREPARED FOR:

Zoning By-Law Amendment
Ammet Karaul
5016 Wellington County Road 29
Eden House Long-Term Care Home

File no. 24311A

10, December 2024

Your Vision

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Appendices

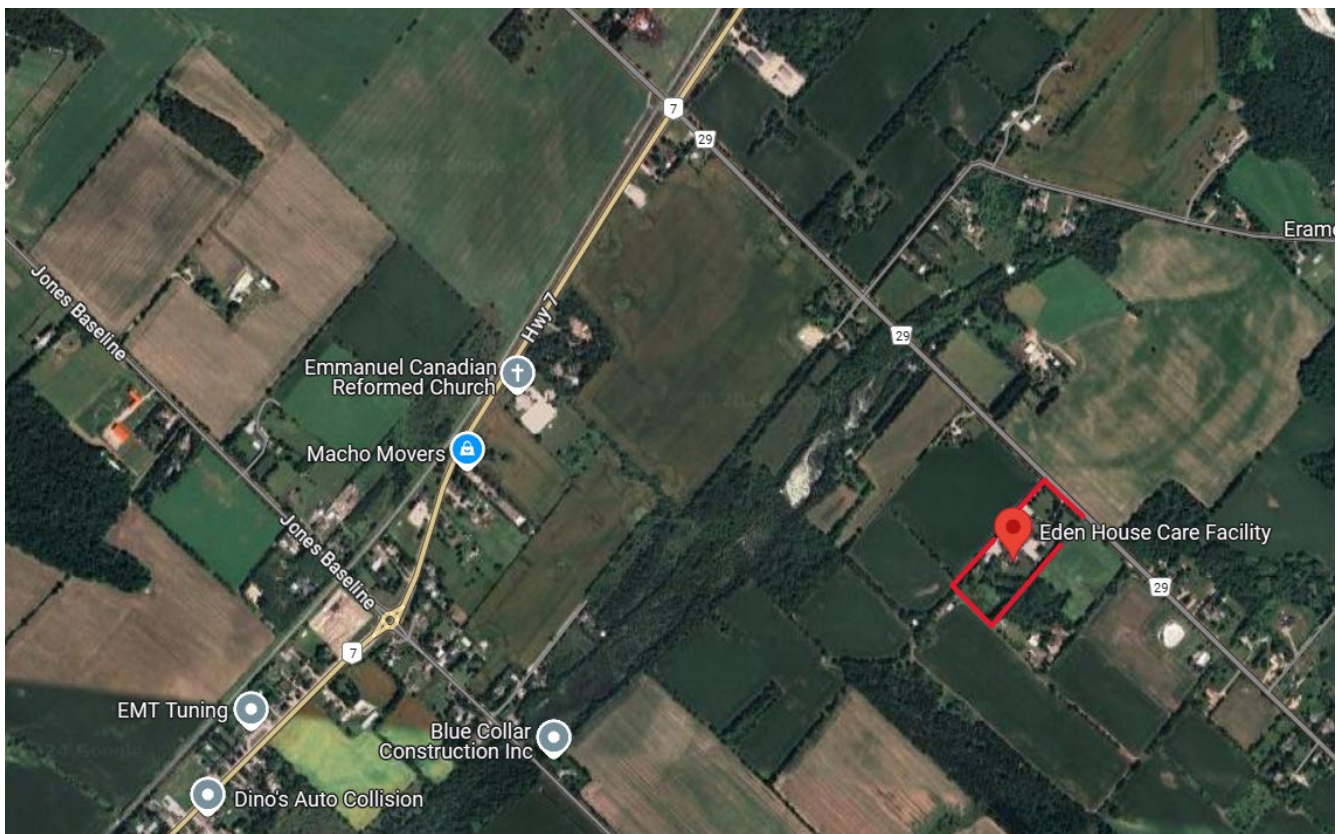
Appendix A: Proposed Draft Zoning By-Law Amendment29

1.0 Introduction

MacNaughton Hermsen Britton Clarkson Planning Limited (hereinafter “MHBC”) has been retained by Ammet Karaul, (hereinafter the “Owner”) to provide planning justification in support of an application for a Zoning By-law Amendment, (the “Application”). The subject lands are located in the Township of Guelph/Eramosa, west of Eden Mills Community. It is south of the intersection of Highway 7 and Wellington County Road 29 and municipally addressed as 5016 Wellington County Road 29 (hereinafter referred to as the “Subject Lands”), as shown in **Figure 1 & 2**.

The subject lands measure approximately 4.12 hectares (10.18 acres) in area with approximately 122 metres (400 feet) of frontage along Wellington County Road 29. The subject lands are currently in use as a Long-Term Care Facility.

Figure 1: Site Location




Source: Google Earth, 2024

Figure 2: Subject lands with existing conditions

5016 Wellington County Rd. 29
Township of Guelph/Eramosa
Wellington County

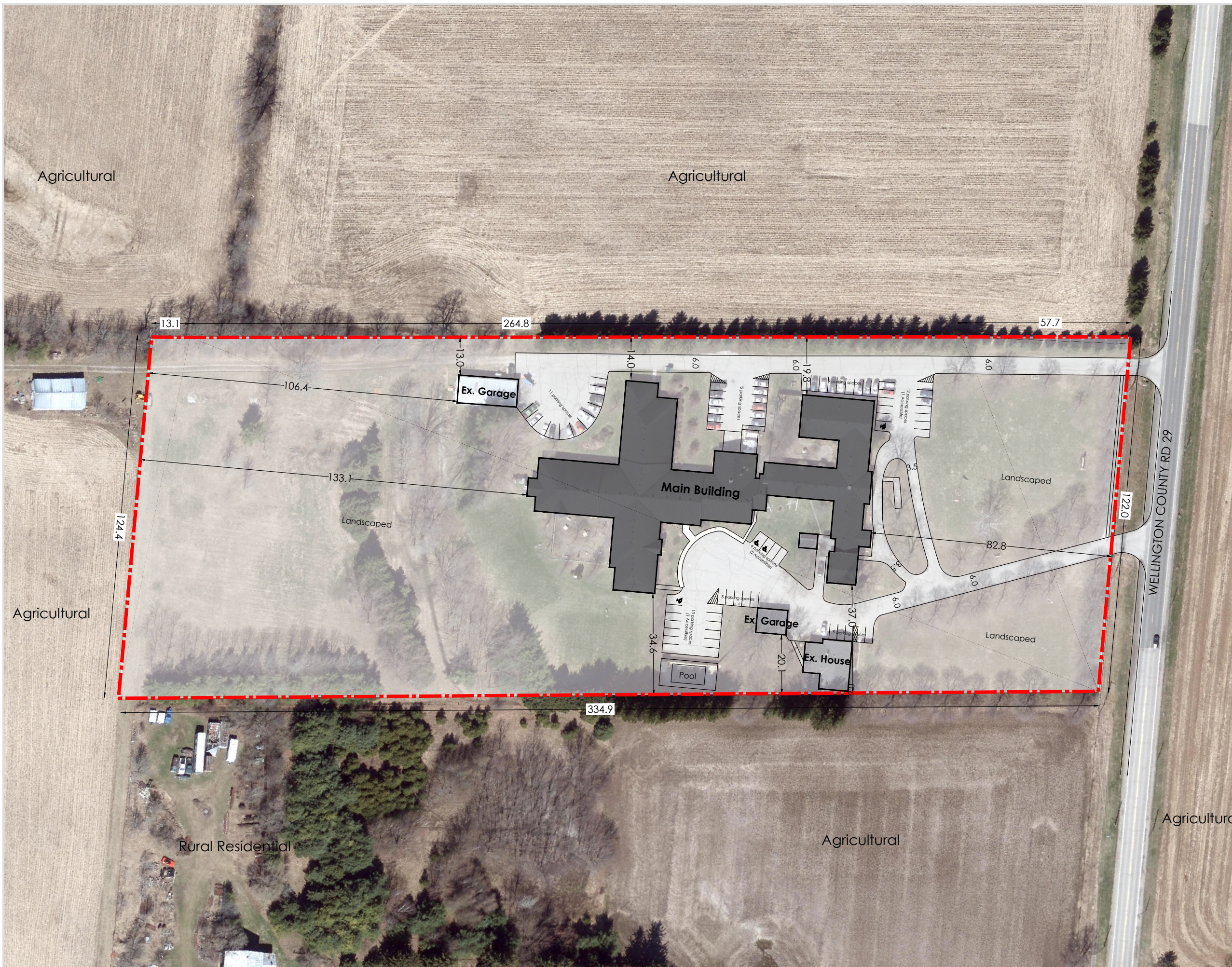
LEGEND

 Subject Lands

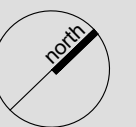
Zoning Summary Agricultural (A-21.60) Zone for Residential Uses
Township of Guelph/Eramosa Zoning By-law 40/2016

	Required (min.)	Provided
Lot Area	4,000m ²	±41,161m ²
Lot Frontage	30.0m	122.0m
Front Yard (min.)	7.5m	82.8m
Rear Yard (min.)	7.5m	35.1m
Interior Side Yard (min.)	3.0m	14.0m (Main Building) 0.6m (House)
Exterior Side Yard (min.)	7.5m	n/a
Lot Coverage (max.)	30%	10% (4,107m ²) - main building: 3,560m ²
Building Height (max.)	11.0m	3.0m (1 storey)
Parking	32 spaces - 14 spaces (1 per 4 beds) - 18 spaces (1 per 2 employees)	71 surface parking
Accessible Parking	4 spaces - 13 to 100 required parking space: 2+4%	4 surface parking

Number of Beds: 56 bed
Number of Employees: 35 employees



DATE: December 2024
SCALE: 1:1,250
FILE: 24311A
DRAWN: PL



K:\24311A 5016 WELLINGTON ROAD 29, GUELPH - ERAMOSAC/EX PLAN_6DEC2024.DWG

The subject lands are designated 'Agricultural Lands' in the County of Wellington Official Plan and zoned 'Agricultural' with a special provision (21.60) in the Township of Guelph/Eramosa Zoning By-Law 40/2016. The purpose of the application is to add a Retirement Home use to the existing special provision through a Zoning By-Law Amendment.

This Planning Justification Report has been prepared for submission to the Township Guelph/Eramosa in support of the proposed application and includes the following:

- An introduction and general description of the subject lands and surrounding uses;
- A review of existing policy framework in relation to the proposed development and assessment of consistency and conformity with applicable Provincial Policy, the County Official Plan, and Township Zoning By-Law;
- Conclusions in support of the proposed applications.

1.1 Pre-Submission Consultation Meeting

A pre-consultation meeting took place on January 25, 2024, with the County of Wellington planning representative Zach Prince and the owner. Comments were received, and the following items were identified for a complete application under the Planning Act:

- Site location Plan
- Planning Justification Report

1.2 Existing & Proposed Development

The subject lands consist of a long-term care facility with 2 accessory buildings, one used as a garage and the other as living quarters for staff. The owner is proposing to add a retirement use to the subject lands so a portion of the long-term care home facility can operate as a retirement home. The existing care home facility has a building floor area of approximately 35,000 square feet (3,252 sqm) with 56-bedroom units and has been operating for over 50 years as a long-term care facility. The owner plans to renovate the units with cosmetic changes that include painting and updating current fixtures as well as other internal modifications, but no changes are currently proposed to the exterior of the building. It is our understanding that 21 of the bedroom units have currently been operating as a retirement home in the existing care home building.

As shown in **Figures 3-12**, current facilities/amenities in the long-term care home consist of two kitchen and dining areas to provide meals to residents, three activity rooms for recreational use and a room to provide laundry services. Within the care home facility, there is an option to have a private or semi-private living unit with approximately 40-45 rooms having a two-piece bathroom. The facility currently has up to 100 employees, who work on a shift basis with 35 being on site during the hours of 9am-5pm. Staff members have access to a separate staff area which includes private kitchen area and

washrooms. On site there are currently 71 surface parking spaces, 4 accessible, with 32 being used for staff and 39 for visitors of the facility.

The retirement use, when permitted and operational, will use the existing bedroom units, activity rooms and existing kitchen facilities.

Figure 3- Existing Entrance to Eden House



Figure 4- Existing Accessory Building



Figure 5- Existing accessory building



Figure 6- Employee parking stalls



Figure 7- Visitor parking stalls



Figure 8- Accessible parking stall



Figure 9- Existing kitchen



Figure 10- Existing Kitchen



Figure 11- Dining Area



Figure 12- Recreational room



2.0 Site Description & Context

The subject lands are located east of Guelph Lake Conservation Area and west of Eden Mills Hamlet. The subject lands are located on Wellington County Road 29 and surrounded by agricultural lands. The subject lands are approximately 9.4 kilometers east of the City of Guelph and 3.1 kilometers northeast of Eden Mills. The subject lands are occupied by one detached dwelling and two accessory buildings. There are two entrances/exits into the subject lands, one used by visitors and the other by employees and shipping and receiving contractors. The site has 78 surface parking spaces to accommodate the employees and visitors of the Long-Term Care Facility.

The Land uses within the vicinity of the subject lands include:



NORTH: Agricultural lands



SOUTH: Agricultural lands



EAST: Adjacent to the east of the subject lands is a parcel of Agricultural lands with a single detached dwelling and accessory building municipally addressed as 5008 Wellington County Road 29. Further east on the north side of County Road 29 is a small cluster of rural residential dwellings, and further north--east is the Eden Mills Hamlet.



WEST: Adjacent to the west of the subject lands is 4999 Wellington County Road 29 which includes a parcel of Agricultural lands with a single detached dwelling and accessory building. Further northwest is a designated 'Rural Employment Area' adjacent to the Highway 7 Hamlet Area.

3.0 Planning Policy and Analysis

The following is a review and analysis of the land use policy framework related to the proposed application for the subject lands.

3.1 Planning Act, Section 2

The proposed application has regard to the matters of Provincial interest as outlined in Section 2 of Planning Act, which reads as follows:

Provincial interest

The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

a) the protection of ecological systems, including natural areas, features and functions;

(b) the protection of the agricultural resources of the Province;

(c) the conservation and management of natural resources and the mineral resource base;

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

(e) the supply, efficient use and conservation of energy and water;

(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

(g) the minimization of waste;

(h) the orderly development of safe and healthy communities;

(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;

(j) the adequate provision of a full range of housing, including affordable housing;

(k) the adequate provision of employment opportunities;

(l) the protection of the financial and economic well-being of the Province and its municipalities;

(m) the co-ordination of planning activities of public bodies;

(n) the resolution of planning conflicts involving public and private interests;

(o) the protection of public health and safety;

(p) the appropriate location of growth and development;

(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

(r) the promotion of built form that,

(i) is well-designed,

(ii) encourages a sense of place, and

(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.

The above provincial interests outlined in bold are relative to the proposal in the following ways:

- The proposed development will not have any negative impacts on the environment;
- The proposed development will efficiently use an existing building and will further contribute to senior housing within the Township;
- The proposed development is contributing to a mix of different types of senior housing and will assist the County of Wellington long term needs to provide special needs housing for seniors;
- The proposed development does not physically alter the agricultural lands it is on or the surrounding natural lands;
- The proposed development will use the existing servicing and utilities to operate, which will limit the consumption of increased energy and water; and
- The proposed development will provide the elderly with health, social and recreation facilities to ensure a healthy community for the aging population.

Based on the above, it is concluded that the proposed Zoning By-Law Amendment has considered and had appropriate regard for Section 2 of the *Planning Act*.

3.2 Provincial Planning Statement, 2024

The Provincial Planning Statement, 2024 (the “PPS”) was issued by the Province of Ontario in accordance with Section 3 of the Planning Act. The 2024 PPS applies to all decisions regarding the exercise of any authority that affects a land use planning matter made on or after October 20, 2024. The 2024 PPS streamlines the province-wide land use planning policy framework by replacing the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

The PPS provides policy direction on matters of provincial interest related to land use planning and development. It provides a vision for land use planning in Ontario that encourages an efficient use of land, resources and public investment in infrastructure. The PPS encourages a diverse mix of land uses to provide choice and diversity to create complete communities.

The PPS strongly encourages development that will provide long term prosperity, environmental health and social wellbeing. One of the key considerations of the PPS is that planning decisions ‘shall be consistent’ with the Planning Statement. The following is an analysis of the proposed development in the context of the relevant policies in the PPS

Section 2.1 of the PPS identifies that Planning authorities should support the achievement of complete communities by:

- improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

Section 2.2 of the PPS identifies that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected requirements of current and future residents of the regional market area by:

- establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households
- Permitting and facilitating: all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and all types of residential intensification, and redevelopment
- 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 proposed development will provide opportunities for the ageing population to attain accessible housing options within the Township of Guelph/Eramosa that specifically caters to their social, health, economic and wellbeing requirements and will help achieve a complete community for those that may

have experienced restrictions or barriers within their current community. The development will also provide a good quality of life for those of retirement age within the aging community. As there will be no physical exterior alterations to the existing building, the proposed development will efficiently utilize existing land resources and infrastructure while providing for appropriate development standards.

Policy 2.5.(d) of the PPS addresses that healthy, integrated and viable rural areas should be supported by using rural infrastructure and public services efficiently. The subject land proposes to use the existing building in a rural setting to provide a long-term care facility with additional retirement home operation. Being able to efficiently accommodate the retirement home use within the existing building located on rural lands, in our opinion is consistent with policy 2.5 (d)

Policy 3.1.2 addresses that existing infrastructure and public service facilities should be optimized and adaptive for re-use before developing new infrastructure. The proposal is optimizing the existing infrastructure to retain the long-term care facility as well and provide assisted living in a retirement home setting.

Policy 3.6 of the PPS identifies that planning for sewage and water services shall optimize the existing private services. The proposed application will not alter the lands physically and the existing private infrastructure will continue to be used to service the existing building and proposed additional use.

The proposed development is also consistent with policy 4.3.5, which reads as follows:

Planning authorities may only permit non-agricultural uses in prime agricultural areas for:

b) limited non-residential uses, provided that all of the following are demonstrated:

- 1. the land does not comprise a specialty crop area;*
- 2. the proposed use complies with the minimum distance separation formulae;*
- 3. there is an identified need within the planning horizon identified in the official plan as provided for in policy 2.1.3 for additional land to accommodate the proposed use; and*
- 4. alternative locations have been evaluated, and i. there are no reasonable alternative locations which avoid prime agricultural areas; and ii. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.*

The proposed development is consistent with policy 4.3.5 for the following reasons:

- the agricultural lands surrounding the subject lands are not identified as a speciality crop area;
- The proposed additional use will be contained in the existing building containing an existing non-agricultural use and the proposed uses is not more sensitive than the existing use. As a result, the minimum distance separation formulae is not applicable in accordance with Guideline #10 of the province's Publication 853 'The Minimum Distance Separation (MDS) Document Formulae and Guidelines for Livestock Facilities and Anaerobic Digester Odour Setbacks;
- The proposal meets the demand to provide additional senior housing, identified in the County's Official Plan; and,

- The subject lands are subject to a special zoning provision to recognize the existing use and are not currently in agriculture. The proposal will not change the existing condition and are highly disturbed and not considered as prime agricultural land

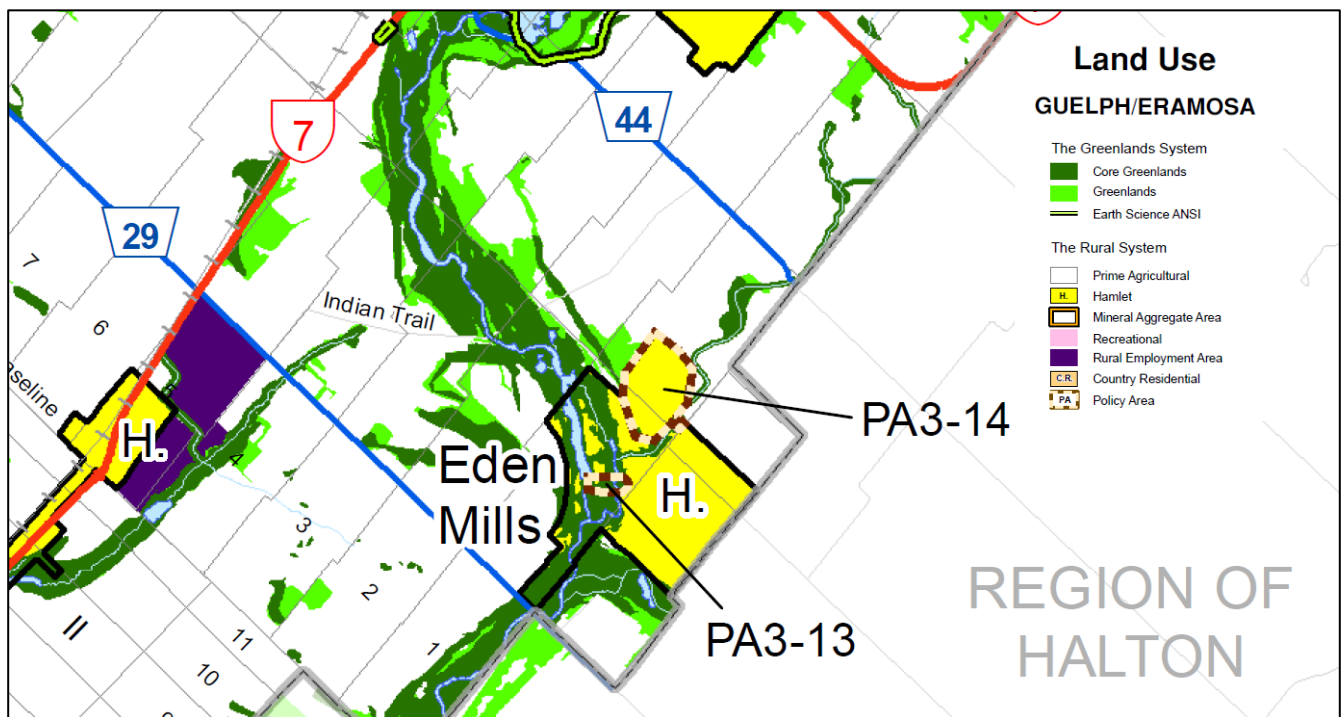
Based on the above, it is our opinion that the proposed Zoning By-law Amendment is consistent with the policies of the 2024 PPS.

3.3 County of Wellington Official Plan

The County of Wellington Official Plan (the "Official Plan") was adopted by the Wellington County Council on September 24, 1998 and approved by the Ministry of Municipal Affairs and Housing on April 13, 1999 and came into effect on May 6, 1999. Official Plan Amendment 119 and 120 have since been approved in April 2023 and July 2024 to identify the County's growth structure and population and employment forecasts for area municipality allocations up to the year 2051.

The Official Plan supports sustainable development that balances the protection of natural resources and enhancing economic competitiveness. The subject lands are identified within the Rural System and designated Prime Agricultural Area on Schedule B3 of the Official Plan, as shown on **Figure 17**.

Figure 17- County of Wellington Official Plan Schedule B3 Land Use



Source: County of Wellington Official Plan

The Official Plan seeks to protect Prime Agricultural Areas while permitting a broader range of uses within secondary agricultural areas.

Policy 4.3.3 of the Official plan addresses that limited non-residential uses, may only take place in Prime Agricultural Areas if the need for the use can be demonstrated, and alternative locations have been evaluated to avoid prime agricultural areas. The following needs can be justified for the proposal to conform with this policy:

- Currently there is an existing building designated for the proposed use
- There is existing servicing to accommodate the use.
- The proposed retirement use meets the County's need to satisfy demand for senior housing

This proposal is also in keeping with Policy 4.4.8, which reads "The County will provide opportunities for special needs housing to address the needs of seniors and persons with physical, sensory and mental health disabilities. Special needs housing is defined in the official plan as *"housing that includes, but are not limited to, housing for persons with disabilities such as physical, sensory, or mental health disabilities, and housing for the elderly"*. Retirement housing is a type of housing for elderly people.

Under Policy 6.4.3, the permitted uses within Prime Agricultural areas include single detached homes, accessory residence, group homes and agricultural **and existing uses**. The Long-term Care Home is considered an existing use on the subject lands. The use has existed here for many years pre-dating the current Official Plan. Adding a retirement home use is in keeping with the current existing use on the subject lands which is currently permitted. The additional retirement use would also not alter or remove existing agricultural lands as it would be contained in the existing building, which would be in keeping with the County's Official Plan intent of protecting designated Prime Agricultural Areas.

Policy 13.8.2 of the County of Wellington Official Plan, identifies that council may consider zoning a property to allow for a similar or more compatible use. They must take into consideration the need for the change or extension of use, the use does not affect noise, vibration, smoke and odour, the use is compatible, the need for landscaping buffers and setbacks, is traffic, parking, natural environment and servicing impacted by the use.

The proposed retirement use meets the intent of policy 13.8.2, as the use will broaden the senior housing options that are currently lacking to the aging population in the Township of Guelph/Eramosa. It is the intent of the rezone to use the existing building and infrastructure including water and waste servicing. Minimal impact on traffic and noise pollution is expected with the additional use, as well as no impact on the surrounding natural environment as the existing landscaping and buffering would remain unchanged. The rezoning would also maintain the current setbacks resulting in no impact on the surrounding community or land uses.

In our opinion, the proposed Zoning By-law Amendment conforms to the overall policy direction of the County of Wellington Official Plan.

3.4 Township of Guelph/Eramosa Zoning By-Law 40/2016

Existing Zoning

The subject lands are currently zoned Agricultural (A) special provision (21.60) in the Township of Guelph/Eramosa By-Law 40/2016, as shown on **Figure 18** below. Special provision (21.60) permits a

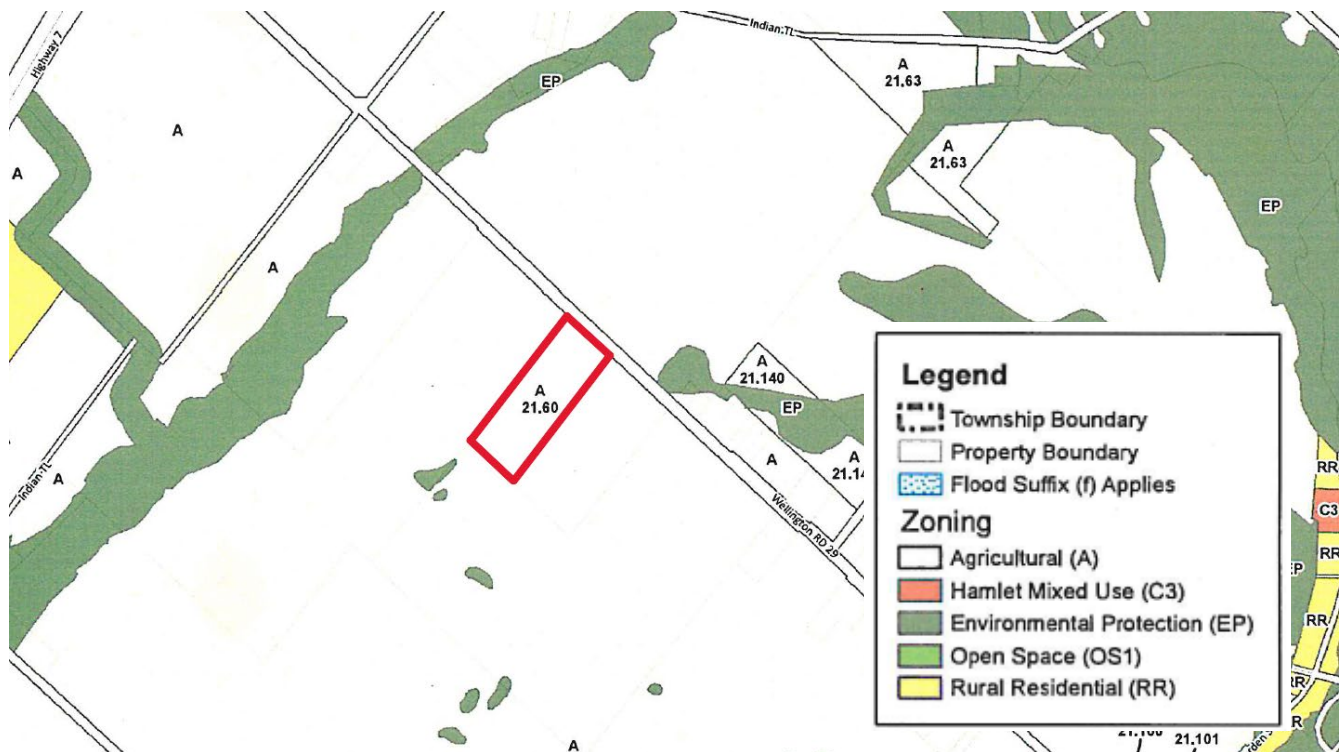
Long-Term Care Facility. To permit the proposed retirement home use on the subject lands, a Zoning By-law Amendment is required.

Proposed Zoning

The proposed zoning by-law amendment is to add retirement home use to special provision 21.60. Adding an additional use that is compatible with the current use will provide for an additional type of senior housing, that is becoming a vital need with the current aging population.

The proposed draft Zoning By-Law is included as **Appendix A** of this report.

Figure 18- Township of Guelph/Eramosa Zoning By-Law No. 40.2016 Schedule A, Map 25



Source: Township of Guelph/Eramosa Zoning By-Law No. 40.2016

4.0 Summary and Conclusions

MHBC has prepared this Planning Justification Report in support of the Zoning By-law Amendment for 5016 Wellington County Road 29. The application to add a retirement use to the subject lands will address the growing demand for senior housing within the Township of Guelph/Eramosa (and the County more broadly), cater to the needs of the aging population and provide additional housing options for the elderly. The proposal optimizes the use of existing infrastructure in this area and does not impact the surrounding area.

Based on the analysis of this report, we conclude that the Proposal is in the public interest and represents good planning for the following reasons:

1. The proposal has regard to relevant matters of provincial interest under Section 2 of the Planning Act.
2. The Proposal is consistent with the policies of the 2024 PPS.
3. The Proposal conforms to the applicable policies of the County of Wellington Official Plan.
4. The Proposal will permit development that will not cause any environmental or public health and safety concerns.
5. The Proposal will support the optimization of existing infrastructure.
6. The proposal caters for the aging population and provides housing options that are currently limited in the Township of Guelph/Eramosa.

For the above reasons, we conclude that the proposed Zoning By-law Amendment as contained in **Appendix A** is appropriate and constitutes good planning.


We certify that this report was prepared jointly by the identified authors and under the supervision of a Registered Professional Planner (RPP) within the meaning of the Ontario Professional Planners Institute Act, 1994.

Respectfully submitted,

MHBC

A handwritten signature in black ink, appearing to read 'P. Chauvin', with a large, sweeping flourish at the end.

Pierre J. Chauvin, BSc(Agr), MA, MCIP, RPP

A handwritten signature in black ink, appearing to read 'Emily McShane', written in a cursive style.

Emily McShane, BA, MPLAN

A

Appendix A: Proposed Draft Zoning By-Law Amendment

APPENDIX A – DRAFT ZONING BY-LAW AMENDMENT

**AMENDMENT NO. XX
TO ZONING BY-LAW
OF THE
TOWNSHIP OF GUELPH/ERAMOSA**

THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSA

BY-LAW NO. XX/XXXX

**A By-Law to amend
Township of Guelph/Eramosa Zoning By-Law 40/2016**

WHEREAS the Council of the Corporation of the Township of Guelph/Eramosa deems it expedient to enact this By—law to amend Zoning By—law Number 40/2016;

AND WHEREAS Council is empowered to enact this By—law under the authority of Section 34 and 36 of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Guelph/Eramosa hereby enacts as follows: 1. That Zoning By—law Number 40/2016 is hereby amended as follows:

THAT Special Provision 21.60 to the Zoning By-law for the Township of Guelph/Eramosa, be amended as follows: **21.60** Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 3, Concession 1, in the former Township of Eramosa, illustrated on Schedule “A”, a Long Term Care Facility or Retirement Home shall be permitted. The minimum lot area and minimum lot frontage shall be as existing on the date of the amending by-law.

For this provision, the definition of “retirement home” is in accordance with the Retirement Homes Act, as amended, which is defined as a residential complex or the part of a residential complex that is a retirement home and must be occupied or be intended to be occupied by at least six persons who are not related to the operator of the home.

1. THAT this By-law shall come into force:
 - a) Where no notice of objection has been filed with the Township’s Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the expiration of the prescribed time; or
 - b) Where notice of objection has been filed with the Township’s Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the approval of the Ontario Land Tribunal.

READ a FIRST, SECOND and THIRD time and PASSED _____

CLERK

MAYOR



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