



Staff Report

Planning & Development Services – Planning Division

Report To: Council Meeting
Meeting Date: December 12, 2022
Report Number: PDS.22.140 (revised)
Title: 125 Peel Street – Campus of Care Municipal Request to Minister of Municipal Affairs and Housing for Community Infrastructure and Housing Accelerator (CIHA) Order
Prepared by: Shawn Postma, Manager of Community Planning

A. Recommendations

THAT Council receive Staff Report PDS.22.140, entitled “125 Peel Street – Campus of Care Municipal Affairs and Housing for Community Infrastructure and Housing Accelerator (CIHA) Order”;

AND THAT Council of the Town of The Blue Mountains reaffirms its support for development of a Community Campus of Care on a portion of the property municipally known as 125 Peel St., Thornbury;

AND THAT Council hereby supports a Community Infrastructure and Housing Accelerator (CIHA) Order to facilitate expedited zoning approvals required for the Campus of Care project;

AND THAT Council hereby seeks an exemption for other necessary planning related approvals including Site Plan Approval, Plan of Subdivision and/or Plan of Condominium from the Provincial Policy Statement, the County of Grey Official Plan, and Town of The Blue Mountains Official Plan.

AND THAT Council hereby directs staff to forward the Draft CIHA Order to the Ministry of Municipal Affairs and Housing to pursue an CIHA application that permits the development of a Community Campus of Care including the following components;

1. Long Term Care facility for at least 160 beds with a maximum height of six (6) storeys
2. Labour Force housing with a maximum height of six (6) storeys
3. Retirement Home with a maximum of six (6) storeys
4. A variety of housing forms and unit types that include demonstrated innovation in the delivery of attainable housing supply
5. Enhanced naturalized stream corridor
6. Setbacks and road widenings as may be required by the Ministry of Transportation, County of Grey and Town of The Blue Mountains

7. Onsite and connected to community active transportation facilities
8. Day care facilities

B. Overview

The purpose of this report is to receive a resolution from Council regarding the Campus of Care project at 125 Peel Street. Council resolution is required as part of the application to the Province for expedited zoning approvals through the Ministry of Municipal Affairs and Housing Community Infrastructure and Housing (CIHA) Accelerator Tool.

C. Background

In March 2022, the Town considered a number of resolutions to ensure the Campus of Care project is operating by 2026. One of those resolutions passed by Council directed Town Staff to work with the Ministry of Municipal Affairs and Housing to pursue a Minister's Zoning Order (MZO) to facilitate the accelerated planning approvals that are required for the development of the Campus of Care project. Town Staff with support from the Ministry of Municipal Affairs and Housing developed a MZO that included a list of key elements as directed by Council. That MZO was finalized and forwarded to the Province for approval in April 2022.

Since that time, the Province has removed the ability to issue MZO's and replaced them with a new tool called the Community Infrastructure and Housing Accelerator (CIHA) tool. The purpose and effect of a CIHA order is similar to a MZO. A CIHA order is granted by the Minister of Municipal Affairs and Housing who has the authority to make orders to respond to municipal requests for expedited zoning approvals. A CIHA order is considered under the CIHA guidelines as released by the Ministry.

D. Analysis

A community infrastructure and housing accelerator order can be used to regulate the use of land and the location, use, height, size and spacing of buildings and structures to permit certain types of development. The Ministry targets priority developments related to health, long-term care, housing, education, recreation, transportation, and a number of other employment and mixed use developments. Town is required to provide public notice, undertake consultation and ensure the order (once made) is made available to the public.

The Town has provided notice of the Campus of Care project since the project launched in January of 2022. A dedicated website, on-going press releases, and open Council sessions has raised awareness of the project and has allowed the Town to receive comments. In response to the new CIHA guidelines, a new notice of a CIHA application to the Ministry was circulated on November 25, 2022. Notice was provided in accordance with our development circulation list including internal departments, outside agencies and indigenous communities. The purpose of this notice was to seek any additional feedback on the request for CIHA order. It is noted that comments received through the MZO process have been retained and are considered under the new CIHA order. At the time of writing this report, the Town has not received any new comments from this most recent consultation process.

Next, Council by resolution must identify the lands to which the requested order would apply and specify the requested relief from the zoning by-law, and if exemptions are required for other planning-related approvals from having to conform to provincial plans and/or municipal Official Plans. In this case, the resolution does require a statement that exemptions are requested for other required planning approvals related to Site Plan Approval. In this instance, should the CIHA order be issued, Site Plan Approval remains an approval requirement after more detailed design work is completed. This Site Plan Approval will be developed from the CIHA order which may in some instances not conform to the local Official Plan.

Once the Council resolution is finalized and received, Town Staff can provide the Ministry with all the requisite information within 15 days. The Ministry will complete their review and may request additional information such as further studies, reports or consultation. The Minister also has the sole authority to issue an order and impose conditions as necessary. The Minister's decision to issue or not issue an order cannot be appealed.

Importantly, staff have sought to ensure that where feasible, the process to submitting the application to the Ministry is transparent and extends beyond the minimum requirements set forth by the Province. The dedicated website, breadth of agency circulation and studies that are either in draft format or completed are examples of this commitment.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

An Environmental Impact Study and Phase II Environmental Site Assessment are underway to review environmental impacts and to provide recommendations for environmental protection areas and other matters related to the development of this site.

G. Financial Impacts

There may be indirect financial costs incurred if the CIHA order is not issued due to delays associated with facilitating development through the typical process of amending the Official Plan and Zoning By-law. Such delays may impact the feasibility of the proposed development on the property.

H. In Consultation With

Adam Smith, Director of Planning and Development Services

I. Public Engagement

The topic of this Staff Report will be the subject of an open session with Council on December 12, 2022. Written comments are requested to be sent to planning@thebluemountains.ca. Verbal comments can also be provided by way of deputation or during the public comment period. Any comments regarding this report should be submitted to Planning Services at planning@thebluemountains.ca

J. Attached

1. Draft CIHA Order
2. Public Notice – Community Campus of Care

Respectfully submitted,

Shawn Postma
Manager of Community Planning

For more information, please contact:
Shawn Postma, Manager of Community Planning
planning@thebluemountains.ca
519-599-3131 extension 248

Report Approval Details

Document Title:	PDS.22.140 125 Peel Street - Campus of Care Municipal Request to Minister of Municipal Affairs and Housing .docx
Attachments:	- PDS.22.140 Attachment 1.pdf - PDS.22.140 Attachment 2.pdf
Final Approval Date:	Dec 5, 2022

This report and all of its attachments were approved and signed as outlined below:

Adam Smith - Dec 4, 2022 - 2:54 PM

No Signature found

Shawn Everitt - Dec 5, 2022 - 11:59 AM

Report Approval Details

Document Title:	PDS.22.140 125 Peel Street - Campus of Care Municipal Request to Minister of Municipal Affairs and Housing .docx
Attachments:	- PDS.22.140 Attachment 2.pdf - PDS.22.140 Attachment 1 - CIHA Order.pdf
Final Approval Date:	Dec 8, 2022

This report and all of its attachments were approved and signed as outlined below:

Adam Smith - Dec 8, 2022 - 8:48 AM

ONTARIO REGULATION XXX/22

made under the

PLANNING ACT

Made: XXXXXX, 2022

Filed: XXXXXX, 2022

Published on e-Laws: XXXXXX, 2022

Printed in *The Ontario Gazette*: XXXXXX, 2022

ZONING ORDER - TOWN OF THE BLUE MOUNTAINS, COUNTY OF GREY

Definition

1. In this Order,

“Zoning By-Law” means the Town of The Blue Mountains Zoning By-law 2018-65.

Application

2. This order applies to lands in the Town of The Blue Mountains, County of Grey in the Province of Ontario, being the lands on a map numbered XXX filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

Zoning By-law

3. That the Town of The Blue Mountains Zoning By-law 2018-65, as amended from time to time and in its entirety applies to those lands being the lands on a map numbered XXX filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

Hazard Zone

4. (1) This section applies to lands located in the area shown as the Hazard Zone on the map referred to in section 2 of this Order.

(2) Every use of land and every erection, location or use of any building or structure is limited on the lands described in subsection (1) to the following,

(a) uses permitted under table 8.1, Hazard Zone (H) of the Zoning By-law; and

(b) an enhanced naturalized stream corridor.

(3) The zoning requirements for the uses permitted under clause (2) (a) are the zoning requirements for the Hazard Zone (H) set out in table 8.2 of the Zoning By-law, with the zone exceptions as noted in section 6 of this Order.

(4) That the boundary of the Hazard Zone may be refined by an environmental impact study and in consultation with the local Conservation Authority, and that minor revisions to the boundaries of the Hazard Zone shown on the map referred to in section 2 of this Order may be revised without an amendment.

Community Campus of Care Zone

5. (1) This section applies to lands located in the area shown as the Community Campus of Care Zone on the map referred to in section 2 of this Order.

(2) Every use of land and every erection, location or use of any building or structure is limited on the lands described in subsection (1) to the following,

(a) uses permitted under table 6.1, Residential One Zone (R1) of the Zoning By-law;

(b) uses permitted under table 6.1, Residential Two Zone (R2) of the Zoning By-law;

(c) uses permitted under table 6.1, Residential Three Zone (R3) of the Zoning By-law;

(d) uses permitted under table 8.1, Institutional Zone (I) of the Zoning By-law;

(e) business office;

(f) commercial fitness centre;

(g) commercial school;

(h) dry cleaning depot;

(i) laundromat;

(j) medical office;

(k) parking area;

(l) personal service shop;

(m) retail store that retails local convenience goods;

(n) retail store that retails pharmacy related goods, and

(o) outdoor recreation use.

(3) The zoning requirements for the uses permitted under clause (2) (a) are the zoning requirements for the Residential One Zone (R1-3) set out in table 6.2.1 of the Zoning By-law, with the zone exceptions as noted in section 6 of this Order.

(4) The zoning requirements for the uses permitted under clause (2) (b) and clause (2) (c) are the zoning requirements for the Residential Two Zone (R2) and the Residential Three Zone (R3) set out in table 6.2.2 of the Zoning By-law, with the zone exceptions as noted in section 6 of this Order.

(5) The zoning requirements for the uses permitted under clause (2) (d) and clause (2) (e) are the zoning requirements for the Institutional Zone (I) set out in table 8.2 of the Zoning By-law, with the zone exceptions as noted in section 6 of this Order.

(6) The zoning requirements for the uses permitted under clause (2) (e) through (n) inclusive are the zoning requirements for the Village Commercial Zone (C1) set out in table 7.2 of the Zoning By-law, with the zone exceptions as noted in section 6 of this Order.

Zone Exceptions

6. (1) This section applies to lands located in the area shown as the Hazard Zone and the Community Campus of Care Zone on the map referred to in section 2 of this Order.

(2) Despite the zone requirements of the Hazard Zone in section 4 of this Order, and the Community Campus of Care Zone in Section 5 of this Order, the following zone exceptions shall apply:

1. That provision 1.5 (g) of the Zoning By-law does not apply.
2. That general provision 4.1 of the Zoning By-law is amended by permitting one accessory apartment unit in a single detached, semi-detached, duplex or townhouse dwelling and/or one accessory apartment unit within a detached accessory building to a single detached, semi-detached, or duplex dwelling.
3. That general provision 4.15 of the Zoning By-law does not apply.
4. That general provision 4.20 of the Zoning By-law is amended by removing the requirements for a “Draft Plan of Subdivision or Condominium”.
5. That general provision 4.27 of the Zoning By-law does not apply. However, a 3.0 metre-wide landscaping strip is required adjacent to the full length of a lot line that abuts Highway 26, County Road 113 and Peel Street South. Furthermore, a 4.0 metre-wide landscaping strip is required adjacent to the full length of a lot line that abuts 139 Peel Street South and 208048 Highway 26.
6. That general provision 4.34.1 of the Zoning By-law shall also include Peel Street South, and that no building or structure shall be located any closer than 12.5 metres to edge of the existing right-of-way of Peel Street South.
7. That provision 5.1.8 (a) through (d) inclusive of the Zoning By-law does not apply.
8. That provision 5.3.6, table 5.2 of the Zoning By-law is amended as follows:

single detached, semi-detached, rowhouse and townhouse dwelling unit	1.5 parking spaces
apartment building dwelling unit or multiple dwelling unit	0.8 parking spaces per studio/bachelor or 1-bedroom unit 1 parking space per 2-bedroom unit or larger Plus 0.25 parking spaces per unit for visitor parking

9. That provision 5.4.3, table 5.3 of the Zoning By-law is amended as follows:

business office, commercial fitness centre, commercial school, dry cleaning depot, laundromat, medical office, personal service shop, retail store	1 space per 33m ²
long term care facility	1.5 spaces per 4 beds

10. That provision 5.7, table 5.6 of the Zoning By-law shall also include the following:

apartment building dwelling unit or multiple dwelling unit	0.7 parking spaces per dwelling unit to a total maximum of 15 parking spaces
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11. That provision 5.8, table 5.7 of the Zoning By-law is amended whereas the number of loading spaces is a minimum of one (1) for a long term facility and a minimum of one (1) for a community centre.
12. That despite any provisions of the Zoning By-law to the contrary a maximum building height of 6 storeys and 25.0 metres is permitted for the following uses:

long term care facility

retirement home

apartment building or multiple dwelling containing employee housing

Terms of use

7. (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.

(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased and its original use is not altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

Deemed By-law

8. This Order is deemed for all purposes, except the purposes of section 24 of the Act, to be and to always have been a by-law passed by the council of the Town of The Blue Mountains.

Commencement

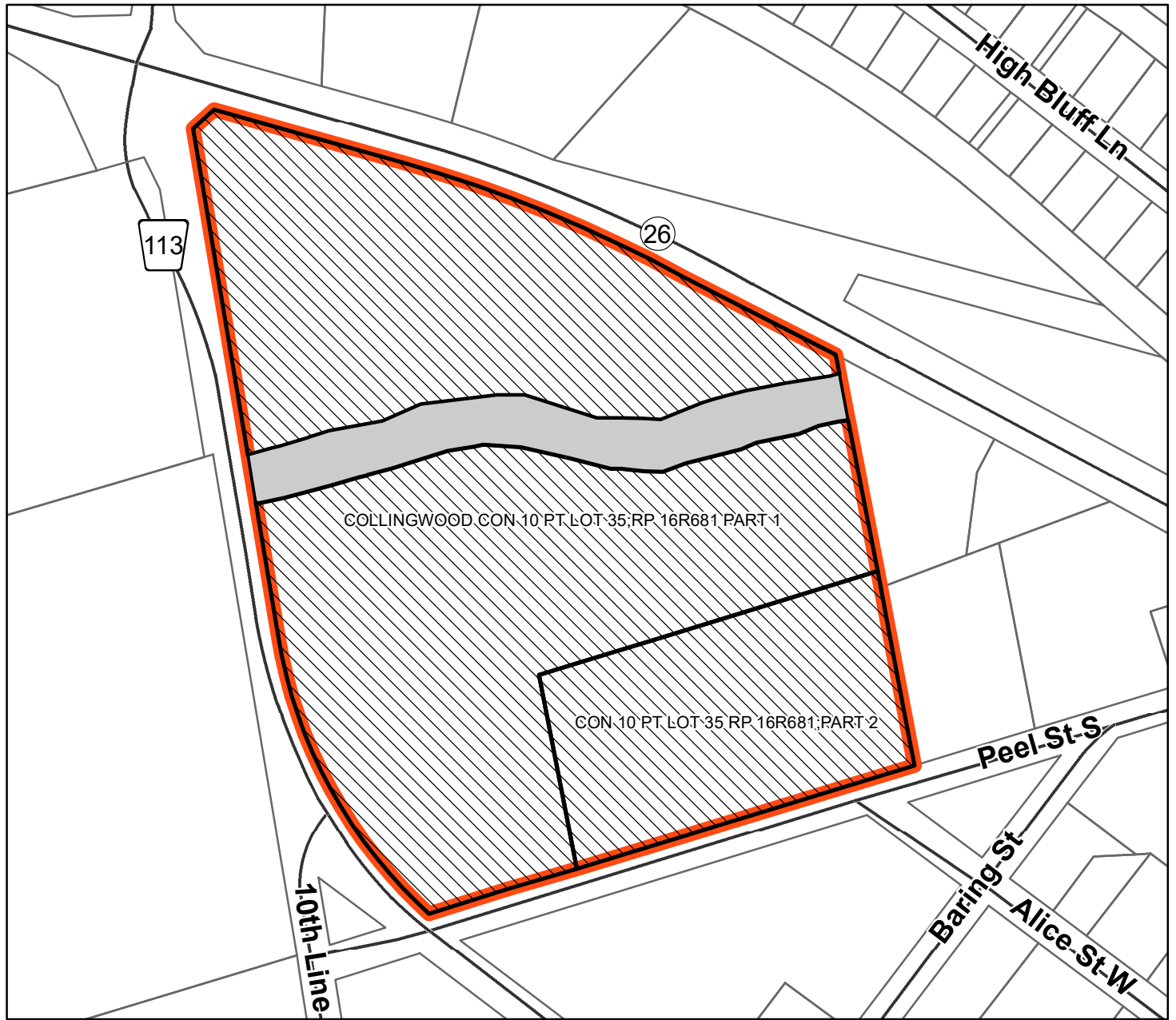
9. **This Regulation comes into force on the day it is filed.**

Made by:

STEVE CLARK
Minister of Municipal Affairs and Housing

Date made: XXXXXXXX, 2022

Legal Description:
COLLINGWOOD CON 10 PT LOT 35;RP 16R681 PART 1
CON 10 PT LOT 35 RP 16R681;PART 2



Legend

- Subject Lands
- Community Campus of Care Zone
- Hazard Zone
- Road Network
- Assessment Parcels



Town of The Blue Mountains

Public Notice

Community Campus of Care

The Town has been working with the Province and Ministry of Long Term Care since January 2022 to develop a new 160 bed long-term care facility in the Town. The **Community Campus of Care** project includes the 160 bed long-term care facility, retirement living accommodation focused on healthy seniors' living, and a variety of attainable housing units and dwellings to support the staff working at the Campus of Care.

The Town of The Blue Mountains is providing Notice of a proposed Community Infrastructure and Housing Accelerator (CIHA) application to the Minister of Municipal Affairs and Housing. The purpose of the CIHA application is to obtain an order from the Minister for the expedited zoning approval of the Community Campus of Care project. In issuing an order, the Minister is able to provide an exemption from other planning related approvals such as Provincial Policy Statement and Municipal Official Plans. Previously, the Town was working with the Province to develop a Minister's Zoning Order (MZO) for the same purpose. Since the approval of Bill 109, *The More Homes for Everyone Act, 2022*, the MZO process has been removed and replaced with the CIHA process. The Town wishes to continue to work with the Province and the Minister for the approval of the Campus of Care Project through a CIHA order. In April of this year, Council supported the former MZO by resolution and is now proceeding to obtain a similar resolution for the CIHA process.

Council will consider a resolution at the December 12, 2022 Council Meeting requesting that the Minister consider the Campus of Care CIHA order, the Council resolution will identify the requested relief from the Zoning By-law, including the permitted uses, and the location, use, height, size and spacing of buildings and structures proposed for the project. A Location Map is attached to this Notice. A Draft CIHA Order is available for download on the project website. (website provided below)

Since January 2022 Town Council has considered the development of the Campus of Care site through a number of Staff Reports, Press Releases, Meetings and Council direction. In support of the project a Stage 1-2 Archaeological Analysis was completed by Archaeological Services Inc. and an Environmental Impact Study is underway by Cambium Inc. Additional work including surveys, concept plans and constraint analysis are also being prepared.

The Town is requesting written comments on the proposed CIHA order to forward with the Council Resolution for consideration by the Minister of Municipal Affairs and Housing. It is noted that if the Town is successful in obtaining a CIHA order, that additional work will be required to finalize the Campus of Care project in accordance with the Order and prior to construction commencing.

Questions and Comments can be submitted by email or mail to:
Town of The Blue Mountains
RE: Community Campus of Care
PO Box 310 – 32 Mill Street
Thornbury, ON N0H 2P0
planning@thebluemountains.ca

Further information on the Community Campus of Care project can be found on the Town website here: <https://www.thebluemountains.ca/planning-building-construction/current-projects/planning-development-projects/125-peel-street>

Location Key Map: 125 Peel Street South, Thornbury, ON
(Roll No. 4242000015001000000, 4242000015001010000)

