



March 31, 2023

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
College Park, 17th Floor
777 Bay Street
Toronto, ON M7A 2J3

Dear Minister Clark,

RE: Minister's Zoning Order Request - 4085 Strandherd Drive, Ottawa

Thank you for your correspondence regarding the Minister's Zoning Order (MZO) Request for the property at 4085 Strandherd Drive in the City of Ottawa.

City staff understand that the MZO Request was received via the Ministry of Long-Term Care (MLTC) and that the proponent of the development, Southbridge Care Homes, is seeking a construction funding subsidy from MLTC to help advance the development of new long-term care beds. To qualify for the program, eligible projects are required to have started construction by August 31, 2023.

We appreciate the opportunity to provide technical feedback regarding this request. The City's response regarding this specific MZO request is summarized below:

1. The opportunity to avoid an MZO

City staff held a pre-application consultation meeting with the proponent on September 27, 2022 regarding the development of a 4-storey long-term care home along Strandherd Drive and a 6-storey retirement home along Borrisokane Road. A fulsome instruction on application submission was provided to the proponent shortly after the meeting. Should the proponent have taken necessary actions to prepare for and submit the required development applications, City staff would have treated them as a priority and processed planning approvals timely, with proper public consultation being conducted according to the *Planning Act* and the City's Public Consultation Policies. The MLTC funding timeline would be met and the MZO could be avoided.

2. The proposed long-term care as a land use

The property is designated "Mixed Industrial" in the Official Plan. This designation allows a broad mix of uses including office, light industrial, small-scale commercial, as well as non-residential sensitive uses. However, residential uses are prohibited.

The Official Plan prescribes criteria for site-specific amendments to the Zoning By-law to allow sensitive institutional uses, that there are no health impacts from adjacent uses, the proposed sensitive institutional use does not impede an existing Mixed Industrial use's operation, the site is within 600 metres from a residential zone, and the site is more than 300 metres away from any heavy industrial uses. City staff concludes that these criteria are met for the site and the proposed long-term care use.

City staff also examined the proposal against policies under the Provincial Policy Statement (PPS) regarding the consideration of employment land conversions in the absence of a comprehensive review. The considerations include that the area is not provincially significant, the need for the conversion is identified, the land is not required for employment over the long term, there is no adverse impact on the overall viability of the employment area, and there are existing or planned infrastructure to accommodate the proposed use. City staff concludes that the proposed long-term care facility is generally consistent with PPS policies, however, the examination of sufficient infrastructure typically would be achieved through the review of development applications.

3. Zoning details

The requested General Mixed-Use Zone (GM) allows a wide range of residential, commercial and institutional uses that are often large and serve broader areas and which may generate traffic, noise or other impacts. The GM zone would allow uses such as drive-through facility, large retail store, and service and repair shop, etc., which are incompatible with the proposed long-term care facility at the site. The GM zone would allow a wide range of residential uses which are prohibited in the Mixed-Industrial designation.

City staff recommends the appropriate zoning for the proposed long-term care be the Minor Institutional Zone Subzone A (I1A) exception XX. The Minor Institutional Zone is the primary zone to allow a range of community and institutional uses in the urban area near residential uses ensuring that such uses are of a scale and intensity that is compatible with neighbourhoods. The Minor Institutional Zone reflects the true nature of the MZO request from the MLTC, that it is to allow a long-term care facility with ancillary and supportive uses.

City Staff further recommends a site-specific exception to allow up to 20 metres in building height, to provide sufficient flexibility in the design and construction of the facility. Minor commercial and service uses that are compatible with the long-term care facility, such as bank, bank machine, community health and resource centre, medical facility, office, and personal service business are also recommended to be included as additionally permitted uses. The recommended zoning detail is enclosed to this letter.

4. Site Plan Control

Site Plan Control is an essential tool for the City to properly review the site-specific design of the proposed use and to assess mitigation measures to manage any impacts on the surrounding infrastructure, roads, and uses. It will also allow the City to review and assess site-specific issues such as drainage, fire protection, noise, lighting, accessibility, parking, road widening and modification, streetscaping, garbage, snow storage, liability, and construction management.

City staff strongly recommend that Site Plan Control not be exempt through the MZO and recommend that the development proponent submit a proper site plan control application to the City. City staff is committed to prioritizing the application and supporting the applicant to meet the MLTC funding timeline and will manage the site plan approval expeditiously consistent with recently adopted provisions under Bill 109.

The applicant is encouraged to submit the Site Plan Control application as early as possible to obtain approval timely. City staff is committed to collaborating with the applicant through the post-approval process and assisting them to obtain the required building permits to meet the MLTC funding timeline.

City staff appreciate MZOs can be a valuable tool, especially when used judiciously, in consultation with the City and communities. City staff recommend certain forms of public engagement be taken for the use of the MZO, especially during the early stage of the project initiation, to inform the residents and generate broader support for the decision.

While it is recognized that Bill 257, *Supporting Broadband and Infrastructure Expansion Act*, provides that MZOs are not required to be consistent with provincial policy statements (PPS), City staff recommend that the PPS be respected in land use planning decisions, including the MZO decision for this particular proposal, as the PPS is the foundation of the planning policy system. Compliance with the PPS is critically important to ensure consistency in planning decisions and achieve the protection of provincial, municipal, and public interests.

Staff intend to bring the MZO request to Planning and Housing Committee and Council on April 19 and April 26, 2023 respectively. We commit to forwarding Council's response on the request promptly.

Once again, thank you for bringing this matter to our attention. Please accept our best wishes.

Sincerely,



Don Herweyer, MCIP, RPP
Interim General Manager
Planning, Real Estate and Economic Development Department
City of Ottawa

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Enclosures: Ottawa's edits to the draft MZO 4085 Strandherd

cc. Mike Elms, Manager Community Planning and Development, MMAH
Derrick Moodie, Manager, Planning Services, PRED