

Beaverton Supportive Housing

Project Update – November 25, 2021



Timeline of Events

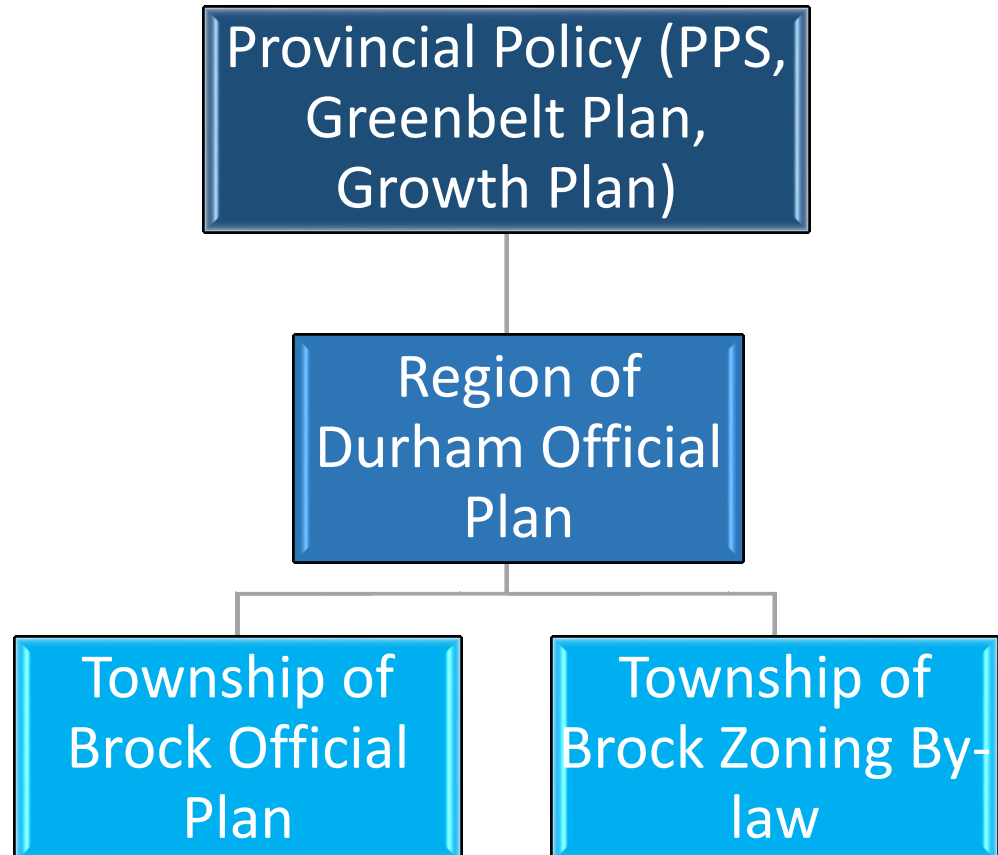
Timing	Event
August 2020	<ul style="list-style-type: none">• Approval of project by Regional Council
November 23, 2020	<ul style="list-style-type: none">• Passing of Interim Control By-law (ICBL)
December 2020	<ul style="list-style-type: none">• Receipt of Site Plan Application from the Region
January 2021	<ul style="list-style-type: none">• Letter from the Township advising that the project is captured by the ICBL so the application will not be processed
February 2021	<ul style="list-style-type: none">• Appeal to Ontario Land Tribunal (OLT) by the Region for non-decision by the Township on the Site Plan application• Release of Official Plan Review Study Request for Proposal

Timeline of Events

Timing	Event
March 2021	<ul style="list-style-type: none">• Award of OP study to WSP with SHS consultants as the housing specialists
September 2021	<ul style="list-style-type: none">• OLT settlement reached• Superior Court Challenge Received
October 2021	<ul style="list-style-type: none">• Receipt of Minor Variance Application• Township staff and legal representatives prepare for the Superior Court Challenge regarding the ICBL
November 2021	<ul style="list-style-type: none">• Legal preparation for Superior Court Challenge• Township staff preparation for Minor Variance Hearing• ICBL Expiration• Signing of Minutes of Settlement clarifying Regional commitments

Land Use Planning Context

Land use planning is a set of policies that must be conformed to. When an application is received, it is evaluated against the approved set of rules directed by the levels of policy



What Land Use Planning Can and Can't Do



Planning Can't	Planning Can
Speak to who is housed in a building	Limit the physical form of buildings through zoning (R1 = single detached dwelling, R3 = apartments)
Speak to the number of people in a building	Can limit the size of buildings through zoning (e.g. a 9m height maximum limits to 3 floors)
Stop any project that meets the policies and zoning by-law (i.e. opinion plays no part)	Require such processes as Site Plan control to ensure developments meet technical standards such as parking, lighting, sidewalks, lot coverage, snow storage etc.

Land Use Planning Analysis

- The lands are owned by the Region of Durham
- The Zoning is Community Facility (CF) and is appropriate for this type of use
- A Site Plan Approval process is required on the site and to be registered on title
 - This is the process that will begin now that the ICBL has expired
 - Engineering, planning and building evaluation are part of this process

Interim Control By-law (ICBL)

- An ICBL is a powerful land use planning tool that allows a municipality to pause a land use in order to study its impact.
- Council directed staff to use this planning tool to allow the municipality time to study supportive housing as an issue.
- The housing study was undertaken as part of the larger Official Plan Review study process so that the township could strategically use this work in that process to allow a fulsome understanding of housing in Brock.

ICBL cont'd

- The Planning Act allows a municipality to enact an ICBL for one year, with the possibility of extending it for another year.
- Enacting an ICBL has no means of appeal, but extending it can be appealed to the Ontario Land Tribunal (OLT – formerly LPAT, formerly OMB)
- Following the completion of the Housing Study, it was demonstrated that there is no planning justification for extending the ICBL.
- By not extending the ICBL, the Site Plan application received from the Region of Durham for this project must be processed.

Housing Study

- In February 2021, the Township released a Request for Proposal (RFP) for the Official Plan Review Study.
- In April 2021, WSP was awarded the project.
- In May 2021, SHS (a consultant sub-contractor to WSP and housing specialist) began the housing study.
- The draft Housing Study is now ready to be released for public consultation (the same way all of the other studies are being released)

Housing Study cont'd

- The housing study resulted in a 186-page Housing Discussion Paper that made 28 policy recommendations
- The key recommendations relating to this project are:
 - Encourage and support the practice of shared living, regardless of tenure, affordability, and the need for support services and allow shared living or shared housing in all areas where dwellings are permitted and in all dwelling types.

Housing Study cont'd

- Consider removing all references to special needs housing, supportive housing, group homes, and assisted housing in the Official Plan and replacing this with “shared housing” and adding a definition in the Official Plan and Zoning By-law.
- Establish site plan control guidelines for residential developments with more than fifteen units.
- Remove minimum distance separation requirements in the Zoning By-law for crisis care residences and group homes.

Next Land Use Planning Steps

- The policy recommendations from the Housing Study will be released to the public for consultation.
- Final policy recommendations will be included in the Official Plan update.
- The Zoning By-law will be updated accordingly after the OP update is complete.
 - The Housing Study confirms that small changes are needed to our zoning by-law to remove discriminatory language and separation distances as per the Ontario Human Rights Commission.

Next Project Steps

- The Site Plan approval process can begin again with Township and consultants providing technical input to the Region of Durham on the original application accepted February 2021.
- The result of the Site Plan Approval process is a technical and legal document between the Region and the Township that is registered on the title of the property to document and ensure compliance with the agreed upon technical requirements.

Summary of Land Use Conclusions



- Land use planning is a tool that must follow provincial and regional policies. Those policies encourage supportive housing.
- Land use planning cannot “people zone”.
- The location of this development is owned by the Region and conforms with the existing zoning on-site.
- The Township of Brock has no tool to say no to this project.
- Operational issues of the development are not within the Township’s authority.
- Many hours of research, three additional Professional Planners and the full legal resources of Loopstra Nixon have been used to reach the above conclusions.

Regional Commitments to the Project

- Adjusting the resident split to 30 residents from the Region's By-Name Homeless list and 17 residents that are improperly housed in Durham, with priority being given to residents of north Durham, for the first 4 years;
- Residency based on occupancy agreements that require supportive services to be utilized;
- On-site twenty-four hour security and CCTV system within the development;
- On-site mental health and support services with twenty-four hour staffing;

Regional Commitments to the Project cont'd

- A commitment to help source a permanent doctor for Beaverton in conjunction with Lakeridge Health with a contribution of up to \$100,000 should the collaborated recruitment effort not be successful;
- Community services will be permanently provided from the hub portion of the facility, with services for facility residents and Brock residents;
- Advocacy for a full-time police officer in Beaverton;
- Occupancy limit with one resident per unit;

Regional Commitments to the Project cont'd

- An intake policy based on supports needed and staggered over the first year;
- Baseline supports onsite 24/7 such as a minimum staff to resident ratio of 1:10, two resident assistants, two mental health and addiction counsellors, and a shift leader; and
- Open communications between Durham Region, Brock Council, senior staff and the Community Liaison Committee.

Council Additions

Additional comments from members of
Council



Future Project Questions

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