



Aging in Place Zoning By-law Technical Paper

Final Study

May 2022

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1.0 Introduction

Objectives and Scope

In July 2010, Council adopted the City of Richmond Hill Official Plan, July 2010, (the Official Plan) which was partially approved by the former Ontario Municipal Board (now the Ontario Lands Tribunal). The Official Plan sets out a “new kind of urban” policy direction for the City. Accordingly, the City is presently undertaking a comprehensive City-wide zoning by-law review (zoning review) with the intent of developing one comprehensive modern zoning by-law to implement the Official Plan, and repealing the multiple parent by-laws that were enacted from various periods in the City’s history that presently apply throughout the City. In support of the zoning review, a number of technical discussion papers on specific topical matters are being prepared.

The present Study addresses Aging in Place and seeks to address the concept and implementation of aging in place from land use and zoning perspectives. Aging in place allows seniors to live in their familiar community for as long as possible. As health changes, some seniors may remain in their current home with additional supports, or they may move to a different type of home nearby that better suits their needs. A range of seniors housing and care facilities exist, including:

- Smaller houses or apartments (reduced maintenance and expense)
- Living with others who can provide informal support
- Seniors lifestyle communities (houses or apartments marketed to seniors)
- Retirement homes (independent living with support services like meals and housekeeping available)
- Long-term care homes (24-hour assistance with activities of daily living)
- Hospices (care for those near the end of life)

This Study responds to the reality that there are emerging forms of purpose-built residential and/or institutional developments that provide aging in place options. We will refer to these uses, generally, as “Aging in Place uses” within this Study. The research and recommendations that come from this Study will inform the City on one or more zoning approaches appropriate to implementing the aging in place concept in a manner relevant to the City of Richmond Hill. This Study does not address the mainstream housing market, shared housing, informal supports, or private in-home support services although we recognize that all of these have an impact on aging in place within Richmond Hill’s communities.

The main goal and objective of this Study is to:

- Identify and assess emerging trends in the aging in place concept, including land use and built form;
- Inform a zoning approach appropriate to implement the aging in place concept in a manner relevant to the City of Richmond Hill;

- Inform a zoning approach to the various forms of aging in place, including appropriate development standards and definitions; and
- Consider the implementation of the various forms of aging in place.

Methodology

The work for this Technical Paper will proceed in four (4) phases.

1. Project Kick-off
 - Project initiation meeting
 - Work plan and schedule
2. Information Gathering
 - Research and review
 - Community and stakeholder consultation
 - What We Heard Reports
3. Draft Study Development
 - Draft Study
 - Public open house
 - Meeting with City staff
4. Final Study Development
 - Final Study
 - Council meeting

2.0 Planning Policy

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It states that long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy (part IV). The PPS accommodates a market-based range and mix of residential (including housing for older persons), employment, recreational facilities, parks and open space, and other uses to meet long-term needs (1.1.1b).

Planning authorities shall permit and facilitate all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements (1.4.2b). The PPS states that development should occur at densities that efficiently use land, resources, infrastructure and public service facilities, and support transit and active transportation (1.1.3.2a, 1.4.3d). The PPS seeks to improve accessibility for older persons and persons with disabilities by identifying,

preventing and removing land use barriers which restrict their full participation in society (1.1.1f).

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The Growth Plan promotes forecasted growth in complete communities; mixed-use places including residential and employment uses, and convenient access to local stores, services, and public service facilities (2.2.1.4a).

The Growth Plan directs municipalities to support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime (1.2.1). This plan is about accommodating forecasted growth by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes (2.1). The Growth Plan stipulates to provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes (2.2.1.4c, 2.2.6.1ai).

There is direction to expand convenient access to a range of transportation options, including active transportation, and for public service facilities to be co-located and integrated in community hubs (2.2.1.4d). New public service facilities should be located in settlement areas and preference given to sites that are easily accessible by active transportation and transit (3.2.8.6).

The Growth Plan stipulates that in all employment areas within settlement areas, municipalities will prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment use (2.2.5.7a). The Growth Plans definition of sensitive land uses refers to uses where normal activities at expected times would experience adverse effects due to contaminant discharge from nearby facilities.

York Region Official Plan (2010)

York Region Council adopted the in-force York Region Official Plan (YROP) in 2009; the Minister of Municipal Affairs and Housing approved the Plan in 2010. The YROP was subject to a number of appeals and has a 2019 office consolidation. The policies of the YROP guide new planning and development in York Region.

The YROP seeks to provide safe, comfortable and accessible pedestrian and cycling facilities that meet the needs of York Region's residents and workers, including seniors (7.2.5). It identifies a range of quality human services as essential to achieving the goal

of healthy communities (part of the Region's triple bottom line objectives) because they address social, physical, mental health, cognitive and spiritual needs of residents. Section 3.3 contains policies on the provision of human services, which are summarized below:

- To direct the location of major human services facilities to Regional Centres and Regional Corridors (3.3.3);
- To encourage the co-location of human services with other uses such as recreational, public buildings and arts and cultural facilities (3.3.4);
- To encourage that special needs housing, emergency, affordable, and seniors' housing be located in proximity to rapid transit and other human services (3.5.14); and
- To require that local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community (3.5.4).

The YROP requires health, environmental and cumulative air quality impact studies to assess the impact on human health for development near sensitive uses such as seniors' facilities (3.2.5). It states that seniors' facilities and other sensitive uses not be located near significant known air emissions sources such as controlled access 400 series highways (3.2.6).

The YROP states that a minimum of 25% new housing units across the region be affordable which should include a mix and range of unit types, lot sizes and tenures to provide opportunity for all household types, including seniors (3.5.6).

York Region is currently undertaking a Municipal Comprehensive Review (MCR) of the Region's population and employment forecasts, land budget, and YROP policies. At time of writing, we have been advised that the MCR process is not sufficiently advanced to include it in our analysis. Subsequent to the preparation of this Draft Study, the Region released a draft Regional Official Plan Amendment (ROPA). Given the timing of the draft ROPA, it was not included in this Study's analysis.

Richmond Hill Official Plan (2010, c. 2021)

Official Plan Policies

The Richmond Hill Official Plan was adopted by the Council of the City of Richmond Hill on July 12, 2010. It was endorsed, with modifications, by the Regional Municipality of York on May 19, 2011. There were numerous Ontario Municipal Board appeals. On April 5, 2012 the Ontario Municipal Board partially approved the Richmond Hill Official Plan 2010, and subsequently issued a number of amending Orders. The Ontario Municipal Board's partial approval Order and subsequent amending Orders have brought specific policies of the new Official Plan 2010 into effect.

A strong theme of the Official Plan is “building a new type of urban”, which maintains and enhances the character of Richmond Hill as it evolves through growth and development (2.1). Fostering a complete community is central to this idea. A complete community provides a mix of uses, including a balance of housing, employment, services, amenities, parks and open spaces. It offers amenities in well-designed, pedestrian-oriented places developed at a human scale where public transit, walking, and cycling are viable alternatives to the automobile (3.1).

The Official Plan establishes that most of the City’s future development will happen through intensification. It sets out an Urban Structure Framework and a hierarchy of intensification to guide this development (3.1.3.1). The majority of mixed-use intensification will be directed to the centres and corridors including Richmond Hill Centre, Key Development Areas (KDAs), Regional Corridors, Local Centres, Local Development Areas (LDAs), and Local Corridors (3.1.3.2). Neighbourhoods, Employment Lands, the Greenway System and the Leslie Street Institutional Area are elements of the Urban Structure not anticipated to see as much change.

The Official Plan classifies aging in place uses as either residential uses or community uses. Seniors lifestyle communities, which are residential units marketed to seniors, are considered residential uses and subject to the policies relating to such. Long-term care homes are considered community uses. Retirement homes and hospice are not explicitly considered by the Official Plan but in practice have been treated similarly to long-term care homes and considered as community uses.

The Official Plan dictates that a mix and range of housing types and affordability should be encouraged to meet the needs of the whole community (3.1.5.1); and a certain amount of housing (25%-35% of new development) is required to be affordable, with a variety of types, lot sizes, unit sizes, functions, and tenures, including accessible units and special needs housing (3.1.5.3).

The Official Plan directs a range of community uses to appropriate locations within the City to achieve a complete community (4.1). Long-term care facilities are only permitted within Centres and Corridors in a compact, urban form (4.1.1.2l, 3.1.7.4), and in Neighbourhoods fronting onto an arterial street (4.1.1.3b). Major community uses are to be directed to Richmond Hill Centre and Regional Corridors (3.1.7.3).

Table 1. Aging in Place uses permitted in the City of Richmond Hill Official Plan by Urban Structure component.

| Urban Structure Component | Permitted Aging in place uses | Notes |
|---|---|---|
| Centres and Corridors | Hospitals and healthcare centres; Long-term care facilities, Residential uses | Official Plan policies promote higher density housing and community uses in a compact urban form in Centres and Corridors. |
| Neighbourhoods | Long-term care facilities, Residential uses | <p>Long-term care facilities are limited by the type of street (an arterial street) they may front onto.</p> <p>Official Plan policies promote lower density housing in Neighbourhoods.</p> |
| Employment Lands | None | N/A |
| Leslie Street Institutional Area | Long-term care facilities including accessory uses to these facilities | <p>Official Plan policies promote community uses in a compact urban form in the Leslie Street Institutional Area.</p> <p>Residential uses are not permitted in the Leslie Street Institutional Area designation, with the exception of residential uses that are accessory to long-term care facilities</p> |

The Official Plan dictates that campusing or co-location of community uses are encouraged (4.1.2.2). The proposed community uses shall be designed to be compatible and integrated with the surrounding area; and the site is appropriately sized for accommodating sufficient on-site pick-up/drop-off facilities, access, and parking; and sufficient buffering and landscaping, and amenity space (4.1.2.1). Retrofitting existing buildings and facilities shall be encouraged to improve accessibility (3.5.7.3).

The Official Plan states that seniors care facilities are not permitted to locate in hazardous lands, hazardous sites or special policy areas where there is a threat to safe evacuation of vulnerable populations during an emergency (Sections 3.2.2.3.2a, and 3.2.2.4.10b). Sensitive land uses, are defined as any building or amenity area which may be adversely affected by emissions generated by the operation of a nearby industrial facility, are not permitted to locate near significant sources of air pollution (e.g. 400-series highways), and shall not inhibit the development of Employment Area lands (Section 4.8.1.1.4).

Official Plan Definitions

The Official Plan provides definitions for several terms that are relevant for our discussion on aging in place.

Affordable:

means, in the case of ownership housing, the least expensive of:

- a. housing for which the purchase price results in annual accommodation costs not exceeding 30% of gross annual household income for low- and moderate-income households; or
- b. housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the regional market area.

Means, in the case of rental housing, the least expensive of:

- c. a unit for which the rent does not exceed 30% of gross annual household income for low- and moderate-income households; or
- d. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

For the purposes of this definition, “low and moderate-income households” means, in the case of ownership housing, households with incomes in the lowest 60% of the income distribution for the regional market area or, in the case of rental housing, households with incomes in the lowest 60% of the income distribution for renter households for the regional market area.

Dwelling unit: means one or more habitable rooms, occupied or capable of being occupied as an independent and separate housekeeping establishment, in which a separate kitchen and sanitary facilities are provided for the exclusive use of the occupants.

Long term care facility: means a long-term care facility that is licensed under the **Long-Term Care Homes Act**.

Sensitive land uses: means, in relation to an industrial use as described by Ministry of the Environment land use compatibility guidelines, any building or associated amenity area (i.e. may be indoor or outdoor space) which is not directly associated with an

industrial use, where humans or the natural environment may be adversely affected by emissions generated by the operation of a nearby industrial facility. For example, the building or amenity area may be associated with residences, senior citizen homes, schools, day nurseries, hospitals, places of worship and other similar institutional uses or campgrounds. Residential land uses shall be considered sensitive 24 hours/day.

Special needs housing: means a unit that is occupied by, or is made available for occupancy by, a household having one or more individuals with special needs who require accessibility modification or Provincially-funded support services in order to live independently in the community.

Walking distance: means an acceptable distance that a pedestrian would travel between origins and destinations without obstruction, in a safe and comfortable environment, on a continuous network of sidewalks, all-weather-surface footpaths, crosswalks, or alternative equivalent pedestrian facilities.

West Gormley Secondary Plan

The West Gormley Secondary Plan states that applications for amendments to the Zoning By-law to permit seniors residential and institutional developments may be permitted with the following provisions: the development has access to an arterial, major collector or minor collector street; the site is of sufficient size to provide for adequate setbacks, parking, and transition from adjacent uses; and the site is adjacent to other institutional uses or community facilities (Section 8.6.2.5.2).

It states that seniors housing and other uses considered accessory to an institutional use may be permitted without amendment, subject to certain requirements, to the lands located at the north-west intersection of Leslie Street and Stouffville Street that are currently used as a place of worship with recreational and cultural facilities. The requirements include a detailed and comprehensive concept plan; a detailed streetscape plan; the urban design for the development includes consideration of the Hamlet of Gormley Heritage Conservation District; and the development is subject to site plan control including urban design (Section 8.6.4c).

North Leslie Secondary Plan

The North Leslie Secondary Plan states that applications for amendments to the Zoning By-law to permit seniors residential and institutional developments may be permitted subject to the following provisions: the development has access to an arterial, major collector or minor collector street; the site is of sufficient size to provide for adequate setbacks, parking, and transition from adjacent uses; and the site is adjacent to other institutional uses or community facilities (Section 9.6.2.4.2)

Draft Yonge and Carrville/16th Key Development Area Secondary Plan

Draft Yonge and Carrville/16th Key Development Area Secondary Plan states that community services and facilities are encouraged throughout and adjacent to the 16th

Key Development Area to support the needs of the growing centre (Section 11.2.6). Community uses shall be accommodated in a more compact urban form, and shall be encouraged to co-locate on a site or within a building (Section 11.2.6.2). The Secondary Plan states that affordable housing shall comprise a mix and range of housing types, lot sizes, unit sizes, functions, and tenures to provide opportunity for all household types including seniors (Section 11.2.7.2).

The Secondary Plan states that the 16th Key Development Area is envisioned as a pedestrian-oriented, compact, and mixed-use environment; that will create a more walkable block structure. Introducing a finer-grain street network is fundamental to the vision for the 16th Key Development Area and the vision is to provide for a more connected and multi-modal transportation system (Section 11.4). This Plan has been planned to minimize walking distances between the retail, commercial, office, major office, and community uses within the surrounding Neighbourhood (Section 11.4.1f), something that has significant implications for seniors. Schedule 4 of the Secondary Plan shall be designed to incorporate connections to destinations such as public trails, parks, urban squares, transit stations, community uses, and the adjacent Neighbourhood (section 11.4.1.5d).

Since this is a Draft Secondary Plan, it has no status. However, it demonstrates emerging thinking with respect to planning for Key Development Areas within the City.

Yonge/Bernard Secondary Plan

The Yonge/Bernard Key Development Area is an intensification area located at the intersection of Yonge Street and Bernard Avenue. Local Planning Appeal Tribunal (now the Ontario Land Tribunal) has partially approved the Yonge/Bernard Key Development Area Secondary Plan. This brings the majority of the Secondary Plan into effect for the lands on the western side of Yonge Street. Site-specific matters are still under appeal.

The Secondary Plan seeks to enhance the area's mix of uses while maintaining retail and commercial functions. A greater mix of uses combined with the planned fine-grained street grid and pedestrian connections will minimize walking distance between key destinations (including community uses and the adjacent Neighbourhood) for seniors.

A minimum of 35% of new dwelling units shall be affordable and shall include a mix and range of types, lot sizes, unit sizes, functions, and tenures to meet the needs of diverse households, including seniors. Community uses are encouraged to develop throughout the Key Development Area, co-locate on a site or within a building, and to develop in a more compact, urban form.

3.0 Other Relevant Studies

Richmond Hill 2019 Socio-Economic Study

The Richmond Hill 2019 Socio-Economic Study was largely based on 2016 Census data, detail results from the 2021 Census will not be released until later this year. Household types of seniors 65 years and over show that 14.3% of the 65+ population is living alone, while 74.3% is living in census family households (meaning with a spouse and/or with their child or children and/or grandchild or children), 10.4% is living with other relatives and 1.1% is living with non-relatives (Section 2.2.4). It is important to note that this household type breakdown excludes seniors living in institutional collective dwellings such as hospitals or nursing homes.

This report finds that special purpose housing, such as social housing or seniors' housing, represents 3.7% of the total dwelling units in Richmond Hill. This is comprised of 1,431 apartments, 544 townhouses, and 420 units dedicated to seniors (Section 5.7).

This report calculates a profile of low-income households in Richmond Hill, and specifically the low-income distribution in each age cohort. It finds that seniors and children are overrepresented in low-income categories (6.2). There is a demand for social housing among seniors, who are the largest group waiting for subsidized housing and comprising approximately 55% of the applicants on the social housing waiting list (Section 6.3).

York Region's 10-year Housing and Homelessness Plan

York Regional Council is committed to supporting complete communities that offer a full range of housing options and services to meet the needs of residents at all ages and stages of their lives. The intent is for the Region to make sure residents have a range of housing options for all ages and stages of their lives (page16).

A large focus in this report is affordable housing for seniors, with a significant percentage of new construction focusing on large single-detached homes or small condominium units, leaving few affordable housing options for people with low and moderate incomes. This has resulted in a need for more diversity in our housing supply, including more family-sized units in medium and high-density communities and smaller ground-related units (page8). During the consultation for this report, participants discussed the need for affordable housing options that enable seniors to continue to live in their communities, either independently or with support (page 9). As the York Region's population increases, ages and diversifies, there is also a growing need for affordable housing programs that combine housing and support. Offering options for individuals and families at all ages and stages of their lives supports positive economic, social and health outcomes (page 10).

York Region Seniors Strategy

The York Region Seniors Strategy looks at the changing senior population, defines the Region's role in serving seniors and sets the course for action to best support the aging population. It guides work with other levels of government and community partners to better target seniors programming and services where there is the greatest need.

The Seniors Strategy states that under provincial legislation, the Region is required to deliver long-term care, paramedic services and social housing - three services that will be heavily affected by growth in the senior population (page 9).

The Strategy outlines the facts related to seniors in York Region, stating that there will be no provincial funding for new institutional long-term care beds, future provincial funding will focus on home and community care models, increased adult day programs, congregate living, long-term care in the community, that existing long-term care beds will be for the most complex cases, that seniors prefer to age in place (meaning staying in their current home or, if they must move homes, within their community), that there is a need for affordable housing for seniors and for a variety of housing options for seniors to age in place, including rentals, and finally that there is a need for better integrated services to respond to seniors needs holistically (page 24).

The Strategy outlines an approach to support age-friendly, complete communities (page 14). It states that there is a need for better integrated services, which includes working with local municipalities, community agencies, private sector and Central Local Health Integration Network to design and implement community hubs/co-location, by initiating discussions with transit providers and by coordinating community outreach and communication activities.

It seeks to support age friendly communities by establishing an internal and external joint planning table to explore age-friendly options, to reduce complexities and costs associated with additional housing units, to leverage inclusionary zoning, which requires that a certain percentage of affordable housing units be included in new developments, to develop a variety of housing and transportation options, and to implement a communications campaign to raise awareness of the need for housing that is affordable, including rental for seniors (page 14).

Lastly, to support age-friendly, complete communities, York Region seeks to advocate for the provincial government to provide infrastructure funding for housing services and a variety of housing options and for increased funding from the Central Local Health Integration Network for home and community care services to support seniors (page 14).

Beyond offering appropriate housing options, communities need to provide easy access to public transit, shops and restaurants, health and community services, recreation and leisure space. York Region must continue to invest in transit and in networks for walking and other forms of active transportation. The Region must also offer innovative options

that respond cost-effectively to the needs of seniors with social, physical and accessibility challenges (page 26).

4.0 Other Relevant Provincial Legislation

Long Term Care Homes Act, 2007

The Long-Term Care Homes Act, 2007 came into force in Ontario on July 1, 2010. This legislation replaced the Charitable Institutions Act, the Homes for the Aged and Rest Homes Act and the Nursing Homes Act. The Act governs long-term care homes in Ontario.

Per the Act, the fundamental principle to be applied in its interpretation is that a long-term care home is primarily the **home** of its residents and is to be operated so that it is a place where they may live with dignity and in security, safety and comfort and have their physical, psychological, social, spiritual and cultural needs adequately met.

The Act includes the following definition of long-term care home:

Long-Term Care Home means a place that is licensed as a long-term care home under this Act, and includes a municipal home, joint home or First Nations home approved under Part VIII.

Subsection 10 (1) of the Act requires long-term care home operators to maintain a program of social and recreational activities, which suggests the need for indoor and outdoor amenity space. The Resident's Bill of Right includes "the right to be given access to protected outdoor areas in order to enjoy outdoor activity unless the physical setting makes this impossible".

A Long-Term Care Home Design Manual (updated in 2015) contains some standards relevant to this Study, summarized below. The Design Manual is applicable to long-term care homes being developed or redeveloped where the applicable Development Agreement and/or Director's work approval under Sections 305(3) and (3) of Regulation 79/10 specifies that this Design Manual applies.

- Requirements for indoor amenity space
 - The minimum total required space for resident lounge and program/activity space in each Resident Home Area (RHA) is 2.5 square metres per resident.
 - The minimum required usable space for dining area(s) in each RHA is 2.8 square metres of floor area per resident of the RHA.
 - There must be at least one lounge or program/activity space located outside of RHAs to provide residents an opportunity to meet and interact in a larger community setting.
- Requirements for outdoor amenity space

- Outdoor space must be provided on every floor where there is a Resident Home Area (RHA)
- There must be outdoor space that is accessible at grade level, including at least one space that is enclosed to prevent unauthorized exit/entry.
- Standards for receiving/service space
 - The receiving/service space must be located away from the main entrance of the long- term care home and from all other resident and public areas so as not to expose residents and the public to noise, vehicle exhaust and safety hazards.
 - There must be a separate area for garbage storage and pick-up in the receiving/service space.

Retirement Homes Act, 2010

The Retirement Homes Act, 2010 received Royal Assent on June 8, 2011. It regulates retirement homes in Ontario and creates mandatory care and safety standards for retirement home residents.

The Act includes the following definition of retirement home:

Retirement Home means a residential complex or the part of a residential complex,

- a. that is occupied primarily by persons who are 65 years of age or older,
- b. that is occupied or intended to be occupied by at least the prescribed number of persons who are not related to the operator of the home, and
- c. where the operator of the home makes at least two care services available, directly or indirectly, to the residents, but does not include,
- d. premises or parts of premises that are governed by or funded under the **Homes for Special Care Act, the Long-Term Care Homes Act, 2007, the Ministry of Community and Social Services Act, the Private Hospitals Act, the Public Hospitals Act or the Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008.**
- e. premises at which emergency hostel services are provided under the **Ontario Works Act, 1997**, or
- f. the other premises that are prescribed.

The Act does not prescribe any locational or design standards relevant to this Study.

5.0 Richmond Hill's Current Zoning Approach

A number of parent zoning by-laws currently cover the City of Richmond Hill:

| | | | |
|---------|--------|--------|--------|
| 986 | 181-81 | 184-87 | 312-96 |
| 1275 | 183-82 | 190-87 | 313-96 |
| 1703 | 251-82 | 256-88 | 235-97 |
| 2523 | 273-82 | 434-88 | 42-02 |
| 2325-68 | 108-85 | 329-89 | 85-02 |
| 39-71 | 232-85 | 76-91 | 128-04 |
| 66-71 | 88-86 | 38-95 | 91-13 |
| 3-74 | 107-86 | 213-96 | 54-15 |
| 150-80 | 356-86 | 255-96 | 55-15 |
| 109-81 | 365-86 | 278-96 | 111-17 |

The approach to aging in place uses has been analyzed for a sample of these parent by-laws created in different eras. This analysis looked at by-law numbers 1703, 2523, 2325-68, 66-71, 190-87, 313-96, 42-02 and 55-15.

Definitions

An overall analysis finds that in the 1990s parent zoning by-laws began to provide definitions for seniors housing and care facilities such as long-term care, nursing home, retirement residence, etc. Previously, these aging in place uses may have been covered under hospitals, institutional use or boarding/rooming houses. Earlier definitions assume aging in place uses to be provided by government or non-profit organizations, rather than private companies. Many definitions refer to definitions provided in other legislation, including some statues which are now repealed.

Dwelling, Senior Citizens: means an apartment dwelling that is occupied by senior citizens and which is sponsored and/or administered by public agency or any service club, place of worship, or other non-profit organizations, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or public subscription or donation, or by any combination thereof, and may include accessory uses such as recreation, dining, medical, pharmacy, personal service shop and lounge facilities, usually associated with senior citizens developments (zoning by-laws 42-02, 55-15, 313-96).

Hospice: means a residence to accommodate persons with a life-threatening illness who can no longer remain at home, whether by choice or necessity, and where supervisory care of the [resident] in the hospice is provided. A hospice is not a clinic, treatment facility or nursing home (By-law 38-04).

Institutional Use: means the use of land, building or structure or part thereof by any organization, group, or association for government, religious, charitable, educational,

benevolent, health or welfare purposes and not for profit or gain (zoning by-laws 42-02, 55-15, 66-71, 190-87, 313-96).

Long Term Care: means a nursing home under the Nursing Homes Act, an approved charitable home for the aged under the Charitable Institutions Act or a home under the Homes for the Aged and Rest Homes Act (zoning by-laws 42-02, 55-15).

Nursing Home: means a building or structure used as a nursing home within the meaning of the Nursing homes Act, R.S. 1990, as amended (zoning by-laws 42-02, 55-15).

Retirement Residence: means a building or structure that provides living accommodation primarily to retired persons or couples where each living unit has a separate entrance from a common hall and contains sanitary facilities, and where common facilities are provided for the preparation and consumption of meals. Common lounges, recreation facilities and medical care facilities may also be provided (zoning by-laws 42-02, 55-15).

Permissions

Aging in place uses (with specific terminology and definitions varying between by-laws) are permitted in some medium- to high-density residential zones, commercial zones, institutional zones and agricultural zones. Zoning by-laws 66-71, 190-87 and 313-96 do not permit aging in place uses in any zone, unless it is a use by a Public Authority. For the purpose of this review, we considered aging in place uses to encompass the following: seniors citizen dwelling, nursing home or rest home, home for the aged, retirement residence, long-term care facility, public building (where the definition would allow municipally-run aging in place use), and institutional use (where the definition would allow aging in place uses).

Aging in place uses are permitted in the following residential zones per the parent zoning by-laws:

- Multiple Residential 4 (RM4) in zoning by-laws 42-02 and 55-15
- Multiple Residential 10 (RM10) in zoning by-law 55-15
- Residential Third Density/Third Density Residential (R3) in zoning by-laws 1703 and 2523
- Fourth Density Residential (R4) in zoning by-law 2523
- Suburban Residential (RS) in zoning by-law 2523

Aging in place uses are permitted in the following commercial zones per the parent zoning by-laws:

- Yonge Street Centre (YSC) in zoning by-law 42-02
- Commercial General (CG) in zoning by-law 1703
- Restricted Commercial (C1) in zoning by-law 2523
- General Commercial (C2) in zoning by-law 2523

Aging in place uses are permitted in the following institutional zones per the parent zoning by-laws:

- Institutional One (I1) in zoning by-laws 42-02 and 55-15
- Institutional (INST) in zoning by-law 2325-68

Aging in place uses are permitted in the following agricultural zones per the parent zoning by-laws:

- Agricultural (A) in zoning by-law 2523

Standards

Overall, the parent zoning by-laws do not strongly regulate minimum or maximum size of aging in place uses. Typically, maximum heights (articulated in metres or storeys) apply to all uses within the zone, including aging in place uses. Maximum heights for the zones permitting aging in place uses ranged from 10.5 metres to 36.0 metres. The greatest heights are permitted in RM4 in zoning by-law 42-02 (36.0 metres) and RM10 in zoning by-law 55-15 (10 storeys).

Other development standards such as front/rear/side yard setbacks, minimum lot frontage, and minimum lot area are provided per zone and apply to all uses within the zone, with a couple exceptions. R3 in zoning by-law 1703 provides a specific rear yard setback of 25 feet or the height of the building, whichever is greater, for nursing homes. Zoning by-law 2523 provides a set of specific development standards (minimum lot frontage, minimum lot

coverage, maximum height, and front/rear/side yard setbacks) for institutional and recreational uses located in all zones.

Parking standards are set based on the specific use. Long-term care facilities require 0.25 parking spaces per unit, 25% of which shall be for visitor parking. Retirement residences require 0.5 parking spaces per unit, 25% of which shall be for visitors parking. Senior citizen dwellings have different requirements across zoning by-laws, in some cases requiring 1.25 parking spaces per unit, 25% of which shall be for visitors parking and others requiring 0.33 of a parking space per dwelling unit with 20% of which shall be for visitors parking. Nursing homes require 1 parking space for each 2 beds. The standards developed for more recent zoning by-laws would be a good starting point for setting parking standards for the City's new comprehensive zoning by-law. We are also aware that a Parking Study is underway, which will address this issue in greater detail.

All parent zoning by-laws stipulate that where multiple uses occur on a single lot, the development standard for all uses must be followed. If there is a conflict, the more stringent standards apply.

6.0 Comparison to Area Municipalities

Official Plan Policies of Area Municipalities

Summary

Table 2. Summary of aging in place uses permitted/provided for in different land use designations in the Official Plans of comparable area municipalities.

| Municipality | Description | Permitted/Provided for in |
|--------------|--|--|
| Toronto | “Local institutions” such as Senior homes, Homes for the aged, Nursing homes, LTC facilities | Neighbourhoods – low scale Apartment Neighbourhoods Institutional Areas Mixed Use Areas – single use or mixed-use buildings Regeneration Areas |
| Guelph | “Special needs housing” (housing for seniors, rest homes, palliative care homes, nursing homes) | Land use designations where residential uses are permitted Major Institutional |
| Barrie | Senior citizen housing, assisted and special needs housing for seniors | Mixed-Use Nodes and Corridors Low-Density Residential provided they are located on major collector or arterial roads Medium/High Density Residential |
| Markham | <p>Community services and facilities including... “Shared housing” is a form of housing where individuals share accommodation for long term care or other reasons, such as Seniors housing.</p> <p>Shared housing is categorized by the scale of the building type and the level of support services, with shared housing categorized into small scale, large scale, long term care, and supervised.</p> | Residential Low Rise- shared housing small scale Residential Mid-Rise- shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised Residential High-Rise- shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised Mixed-Use Low Rise- shared housing small scale Mixed-Use Mid Rise- shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised Mixed-Use Office Priority- shared housing large scale, shared housing long term care and shared housing supervised |

| Municipality | Description | Permitted/Provided for in |
|--------------|-------------|--|
| | | Mixed-Use Heritage Main Street- shared housing small scale, shared housing long term care and shared housing supervised |

City of Toronto

The Toronto Official Plan (consolidated version 2019) puts nursing homes and homes for the aged in the category of local institutions (Section 4.8). It states that the quality of the Downtown will be improved by local institutions (Section 2.2.1.3) and that each secondary plan will assess the adequacy of local institutions and establish a strategy for the timely provision of service and facility enhancements and new facilities to meet the needs of the growing population (Section 2.2.2.1g). Low-scale local institutions which includes seniors and nursing homes and long-term care facilities are provided for in stable residential Neighbourhoods (Section 4.1.1), Apartment Neighbourhoods (Section 4.2.1), Institutional Areas (Section 4.8), and mixed-use areas such as the Downtown, Centres and Avenues. Secondary plans in Regeneration Areas will guide the revitalization of local institutions (Section 4.7.2e). In the Community Services and Facilities section, it states that adequate and accessible access to community services and local institutions will be encouraged by providing and preserving local institutions across the City dedicated to this purpose (Section 3.2.2.1a), improving and expanding local institutions in established neighbourhoods that are under or poorly served (section 3.2.2.1b) and ensuring that an appropriate range of local institutions are provided in areas of major or incremental physical growth (Section 3.2.2.1c).

The Official Plan outlines that the transportation system will be developed to be inclusive of seniors by ensuring that new transit facilities and vehicles are accessible, modifying existing transit stations to become accessible, supplementing the conventional transit system with specialized services, requiring a minimum of off-street parking spaces for the disabled, and taking accessibility into account from the design stage onwards (Section 2.4.15).

City of Guelph

The Guelph Official Plan (2018) includes housing for seniors, such as rest homes, palliative care and nursing homes in the definition of special needs housing (Section 12). Special needs housing may be permitted within all land use designations where residential uses are permitted (Section 9.2.2.1) and in the Major Institutional designation (9.6). The zoning by-law will specifically define the various types of special needs housing and will establish regulations regarding performance standards such as minimum distances between facilities, minimum standards for occupancy or site development (Section 9.2.2.4). The Official Plan states that a range and mix of housing will be planned, considering affordable housing needs and encouraging the creation of accessory apartments throughout the built-up area (Section 3.7.3v). The Official Plan

encourages and supports special needs housing through low density residential, low density greenfield residential, medium density residential, and high density residential (Section 9.3c).

Community Facilities includes institutional health care facilities and should be co-located to promote cost-effectiveness and facilitate service integration where feasible (Section 7.1). The Official Plan states that the City shall provide for the creation of accessory apartments in low density residential designations and that the zoning by-law will provide specific regulations for accessory apartments (Sections 9.2.3.1 and 9.2.3.2). It also states that the City's transportation system shall be developed to be inclusive of the needs of persons with disabilities, seniors and those with reduced mobility (Section 5.2.1).

The Guelph Official Plan outlines that the City's transportation system shall be developed to be inclusive of the needs of seniors by ensuring that new transit facilities, transit stops and vehicles are accessible and use barrier free design principles, ensuring that sidewalks are accessible and accommodate people with impaired or reduced mobility, encourage the use of voice signals at crosswalks, modify existing transportation facilities over time, and require a minimum off-street parking spaces for persons with disabilities (Section 5.2.1).

Developments designed exclusively for occupancy by senior citizens may be permitted to exceed the maximum unit density allowed without bonusing provided that the applicable residential policies are met (Section 9.2.1.2).

City of Markham

The City of Markham has an interesting approach that can offer insight to this Study. Seniors housing is encompassed within "shared housing" which includes housing that accommodates long term care or other forms of support (Section 4.1.3). Shared housing is categorized by scale and level of support, with the following categories: shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised (Section 4.1.3.7). This approach provides for shared housing in all areas that accommodate residential, with appropriate forms located in relevant residential and mixed-use designations (Section 8.2). All forms of shared housing are permitted in Residential Mid-Rise designation (Section 8.2.4.2), Residential High-Rise designation (Section 8.2.5.2) and Mixed-Use Mid-Rise designation (Section 8.3.3.2g). Shared housing small scale is permitted in Residential Low-Rise designation (Section 8.2.3.1) and Mixed-Use Low-Rise designation (Section 8.3.2.2). Shared housing large scale, long term care and supervised are permitted in Mixed-Use Office Priority designation (Section 8.3.5.2g) and Mixed-Use Heritage Main Street (Section 8.3.7.2d). By categorizing seniors' housing by scale and support offered, these forms of housing are able to be provided for in zoning categories that currently may exclude seniors' housing due to its considered institutional nature.

The Official Plan continues to state that there is a need to increase affordable housing options for seniors (Section 4.1.3.1c), to encourage that these options can accommodate persons with special needs (Section 4.1.3.3), and to encourage that these affordable and shared housing to be located close to rapid transit and human services (Section 4.1.3.5).

City of Barrie

The Barrie Official Plan (2018) provides for senior citizen assisted housing, and special needs housing for seniors and people requiring supportive housing in the Mixed-Use Nodes and Corridors designation (Section 8.5.7b). Institutional uses and retail and commercial uses located primarily on the ground floor are also permitted and may contribute to age-friendly communities. This designation is guided by a number of provisions, some of which being: a minimum density of 0.5 FSI and a maximum of 2.5 FSI, buildings should be located on or close to the street line and massed at intersections to establish a strong street edge, and development shall be designed to facilitate access to public transit (Sections 8.5.7.3d, 8.5.7.3f and 8.5.7.3i).

Within the Residential designation, senior citizen housing and assisted and special needs housing for seniors and people requiring supportive housing is permitted as long as they are located on major collector or arterial roads (Section 8.5.10.2). Places of worship and local convenience commercial facilities located along major collector or arterial roads are also permitted which may contribute to age-friendly communities (Section 9.5.8.2). This use is also permitted in Medium/ High Density Residential Areas which also permits a number of residential uses, and day care facilities.

Zoning By-laws of Area Municipalities

This section compares the as-of-right zoning permissions for aging in place uses in the area municipalities of the City of Toronto, City of Markham, and the City of Guelph.

Many municipalities in the Greater Toronto Area (GTA) are undertaking similar reviews of their zoning by-laws as the City of Richmond Hill. This complicates comparison between municipalities, since many of the zoning by-laws are recognized as outdated and no longer reflect best practices. As the City of Richmond Hill continues to work towards a new comprehensive zoning by-law, knowledge sharing activities with area municipalities is advised to reduce duplication of work and to allow for reasonable consistency within the Region.

City of Toronto

Zoning By-law 569-2013 refers to seniors' housing as a Seniors Community House, a Retirement Home, or a Nursing Home. A Seniors Community House is defined as a premise operated by a non-profit organization providing living accommodation for up to ten senior citizens. Seniors Community Houses are permitted in the Residential Zone (R), Residential Detached Zone (RD), Residential Semi-Detached Zone (RS),

Residential Townhouse Zone (RT), Residential Multiple Dwellings Zone (RM), Residential Apartment Zone (RA), Residential Apartment Commercial Zone (RAC), Commercial Residential Zone (CR), with conditions that it complies with specific use regulations.

There are use requirements for Seniors Community Houses, such as it must not occupy the entire building, may not be combined with another use, must be a minimum distance of 250 metres from a lot with a Seniors Community House. Parking spaces for Seniors Community Houses must be provided at a minimum rate of 1.0 parking space per building.

Retirement Homes and Nursing Homes are treated similarly in this zoning by-law. A Retirement Home is defined as premises used for semi-independent living accommodation for senior citizens [...] and a Nursing Home is defined as premises used to provide living accommodation and regular nursing care for persons of any age and which has personal and medical care facilities, common lounges and dining areas.

Retirement Homes and Nursing Homes are permitted in the Residential Multiple Dwelling Zone (RM), Residential Apartment Zone (RA), Residential Apartment Commercial (RAC), Commercial Residential Zone (CR), Institutional Zone (I) (no conditions), and Institutional Hospital Zone (IH). Permission in these zones have use conditions with the exception of the Institutional Zone. These uses in all residential zones must be on a lot that has a front lot line or side lot line abutting a major street on the Policy Areas Overlay Map or a street which intersects a major street on the map and the lot is located within 80.0 metres of that intersection. In the IH Zone, these uses must be in a building operated by or on behalf of a hospital.

City of Markham

Markham's Zoning By-law 177-96 (c.2020) refers to seniors' housing as Retirement Homes, Nursing Home and Long-Term Care Facilities and are considered an institutional use.

- A Retirement Home means a building or part of a building that is designed and used to provide accommodation primarily to retired persons or couples [...].
- A Nursing Home means a building or part of a building used as a nursing home within the meaning of the Nursing Home Act of Ontario, as amended.

Long Term Care Facility means a use in a building or part of a building that is licensed pursuant to Provincial legislation, where a broad range of personal care, support and health services are provided for the elderly, disabled or chronically ill occupants in a supervised setting [...].

Retirement Homes, Nursing Home and Long-Term Care Facilities are not permitted in any residential zones, although shared seniors housing is permitted. The aforementioned facilities are considered institutional in this zoning by-law. Institutional

uses are permitted within Community Amenity Zones, specifically the Community Amenity One (CA1) and Community Amenity Two (CA2) Zone.

There are a number of site-specific exceptions to the zoning by-law which permit institutional uses in residential zones, specifically Swan Lake Retirement Communities, Nursing Home on Bur Oak Avenue in Cornell, northwest corner of Highway 7 and the Town Centre Boulevard (Seniors Retirement Home, Nursing Home and Office Building), and Amica Corporation at 6380 16th Avenue.

The Swan Lake Retirement Communities permits retirement and nursing homes, which are considered institutional uses. In addition, residential, retail and service uses are permitted, as well as other institutional and recreational uses. There are a number of zone standards which apply to seniors' housing, such as a maximum number of retirement or nursing home beds (180), maximum height (24.0m) and minimum setback from a public street (6.0m), among other standards.

Another exception is the Nursing Home Site on Bur Oak Avenue in Cornell, which permits nursing homes and retirement homes and accessory uses, such as business offices, fitness centres, community centres, child care centre, medical offices, and personal service shops. There are a number of zone standards that apply, such as maximum number of nursing beds (200), maximum number of retirement home units (150), minimum yard adjacent to a public street (1.0m), and maximum floor space index (1.5). The parking provisions require 0.5 parking spaces per nursing home bedroom and 0.5 parking spaces per unit in retirement home plus one parking space per four units for dedicated visitors.

Amica Corporation at 6380 16th Avenue permits Retirement Homes and a range of other uses, such as business and medical offices, personal service shops, retail stores and restaurants. There are a number of zone standards, such as maximum number of storeys (3), maximum height (13.0m), maximum number of suites including dwelling units (120), among other standards.

The Milliken Development Corporation is permitting only institutional uses on the site, as a provincially regulated retirement home, a provincially regulated long term care facility and accessory uses associated with permitted uses. There are zone standards associated which range across parcels, with provisions on maximum height, lot area, FSI, and landscaping, among others. Parking provisions require 0.4 parking spaces per retirement home unit plus 0.25 parking space per unit for visitor parking and 0.5 parking spaces per bed for long term care facilities.

City of Guelph

The Guelph Zoning By-law (1995-14864) categorizes seniors' housing into Nursing Homes, Homes for the Aged, and Retirement Residential Facilities.

- Nursing Home means a place for the aged in which the resident is provided food, lodging, nursing or similar care and treatment [...].

- Homes for the Aged means a building for the aged licensed under the Homes for the Aged and Rest Homes Act, R.S.O. 1990 [...].

Retirement Residential Facility means a building containing dwelling units providing for accommodation primarily for retired persons, and where support and health services may be provided for persons requiring these services in a supervised setting [...].

Nursing Homes, Homes for the Aged and Retirement Residential Facilities are permitted in the General Apartment Zone (R4A), Central Business District Apartment Zone (R4C), and Infill Apartment Zone (R4D). There are regulations for each of these zones, such as minimum distances between buildings, maximum building height, and minimum lot frontage, among others.

Nursing Homes are permitted in Residential zones with a minimum parking requirement of one parking space per three beds and in institutional zones as occasional uses, insofar as the use is subordinate, incidental and exclusively devoted to a permitted use. Nursing homes and homes for the aged are permitted in the Downtown 1 and 2 zone with provisions such as heights, building tower separation, and parking standards which require Nursing Homes to have one parking space per unit.

There have been specialized Institutional Zones identified that have site-specific provisions. Homes for the Aged, Retirement Residential Facilities and Nursing Homes are permitted in many of these zones. Seniors' apartments and seniors' rest homes are discussed and permitted in these zones.

7.0 Review of Recent Development Applications

We reviewed four recent development applications for aging in place uses (identified by staff to provide insight into the common issues) to learn about Richmond Hill's experiences with these types of applications and the implementation challenges.

At the time of the review (February 2020), there were no active applications and some of the applications we reviewed had been abandoned. The recent applications for aging in place uses showcased a variety of approaches and none had significant issues. The applications demonstrate trends of continuum of care (offering different levels of care), life leases, and community hubs (integration with community uses).

Our analysis of these applications highlights a few issues to be addressed through this Study:

- There are concerns about pedestrian safety for older residents where these uses are located on arterial roads and there are no nearby pedestrian crossings.
- Reduced parking rates are typically offered for retirement residences and long-term care homes because older adults are less likely to own vehicles. If buildings with mixed populations (older and younger) are proposed, how should parking rates be addressed?

- Aging in place uses that provide accommodation plus varying levels of care to residents may not fit neatly into the definitions of dwelling room or dwelling unit, which creates confusion when applying different zoning standards.

8.0 Consultation Findings

Online Public Survey

An online survey, prepared and advertised in partnership with the City Manager's Office Age-Friendly Community Initiative, gathered residents' opinions on how the City's zoning could support and enhance aging in place. The survey had a large number of respondents (n=839), indicating public interests in this topic. The survey was promoted to residents aged 55+. Most respondents were older adults and more than half have lived in Richmond Hill for over 25 years. Of the respondents, 86% of people think it is important or very important to remain in Richmond Hill as they age.

Respondents identified Richmond Hill's amenities and services, accessibility, and access to green space and nature as reasons why the city is a great place to age. A lack of appropriate housing for seniors was identified as a weakness. Although home support services, adult lifestyle communities, retirement homes and long-term care homes were all considered to be very important in Neighbourhoods, many residents were unsure if these services and facilities were available in their neighbourhood.

When locating aging in place uses in Neighbourhoods, the public thought that outdoor spaces, scale of use, design of building, traffic circulation, connectivity, parking and noise were all important factors to consider. In terms of co-location of services within aging in place uses, the public thought that health services, recreation space, libraries, personal services, and arts and entertainment were the most appropriate. There was the lowest support (about 50%) for places of worship and child care centres within aging in place facilities. Based on comments from respondents, it seems many people want to accommodate services seniors will use frequently within aging in place facilities. Integration with the community and grade-level animation were either not a priority or not considered by respondents.

Stakeholder Workshop

A stakeholder workshop was hosted on August 3, 2021 with attendance by four organizations that own and/or operate aging in place uses in Richmond Hill (and beyond). The feedback from stakeholders has been summarized by theme.

Campus of Care

Much of the stakeholder consultation focused on seniors' facilities as campuses of care that provide other community service components such as medical centres, community hubs, intergenerational programs, vocational training programs related to seniors care programs, and gyms, among others. This approach promotes connectivity and

connectedness and allows for a mix of services and uses within both the community of seniors and the larger community. Stakeholders observe that seniors don't want to be isolated and want connection to others and to day-to-day activities. Accordingly, they indicate that development can compliment the facility to allow for multifunctionality and strengthening of existing City infrastructure.

When considering what specific services or amenities should be included within seniors' communities, stakeholders said that almost all would be attractive and support integrated communities. With the communities of care approach, any services or amenities that are available to the public should be available to seniors. Segmenting uses is not helpful and a holistic approach is needed.

Built Form: Large Facilities

The stakeholders stated that their organizations typically have larger facilities. One of the stakeholders has large facilities (12+ storeys) that are located on busy thoroughfares and often focus on the town square concept with commercial uses serving onsite and area residents. One stakeholder stated that retirement homes previously needed 120 suites (approximately 4-6 storeys and 3-4 acres) to be sustainable, but with rising costs there now needs to be 150-175 suites.

These large facilities can accommodate activities and programs for seniors and with trends towards campuses of care, including space for services and amenities. Campuses of care facilitate aging in place since they provide multiple different levels of care. One stakeholder anecdotally stated that often seniors will benefit from living in seniors' facilities given that they can attend programs, connect with others and participate in ways that their previous single-detached home does not allow for.

At a smaller scale, one stakeholder discussed their experience in supporting seniors in their own residences (ranging from bungalows to multi-storey retirement homes) and providing a full range of services such as home care, nursing, friendly visitors, transportation to a wellness centre, etc. While at home, it is crucial that design features are updated to accommodate changing needs, most importantly with bathrooms (e.g. support bars, door widths).

Official Plan Considerations

To encourage seniors' care and living facilities, stakeholders identified a need for flexibility in the Richmond Hill Official Plan. The Official Plan's requirement to allow for long-term care homes in neighbourhoods along arterial streets is appropriate given the size of the facilities and need for transit, however one stakeholder identified that there is not always sufficient space on arterials for such large facilities. In these situations, parking is also an issue as underground parking is expensive and there is limited space for ground-level parking.

When considering a campus of care or integrated seniors' facilities, participants felt that Official Plan policies should not be too restrictive and needs to be flexible. Retirement homes and components of long-term care homes often require Official Plan Amendments (OPAs) as the Official Plan only specifically identifies residential use and Long-term Care facilities as permitted uses, whereas there is a range of seniors housing

and care facilities that fall within a spectrum between these two permitted uses. The campus approach supports seniors and caregivers and City policies should encourage this approach through flexibility.

Some participants considered the term compact urban form as too restrictive for the needs of seniors' facilities and neglected the need for seniors to access ample open space. It was however acknowledged by another stakeholder that not all seniors want to be in the countryside and facilities should be in urban areas so they are not isolated from their community, and vice versa. In this regard, multi-storey built form can work well for seniors' facilities.

Municipalities in Ontario vary in considering aging in place uses as residential or institutional uses. Traditionally, long-term care facilities are under institutional zoning and a retirement home is considered residential. One stakeholder finds themselves between definitions, as they are a retirement home under law but they operate similar to a long-term care facility given the high level of care and activities they provide. They prefer to use the term "assisted living community". Often facilities are a blend of traditional categories related to seniors' facilities, and the Official Plan should consider this spectrum.

Zoning Considerations

To encourage seniors' care and living facilities, stakeholders identified a need for flexibility in the Zoning By-law, specifically related to accessory uses which often cause zoning issues. These secondary uses are generally more ancillary in nature in an integrated facility. One stakeholder recently dealt with a Ministerial Zoning Order where they had to be very specific in regards to accessory uses and they would prefer to be more generic. Stakeholders felt that the zoning by-law could restrict creativity and innovation as planning approvals require time, costs and cause delays.

Parking rates in the zoning by-law should reflect the needs of seniors' facilities as many providers find it difficult to meet the requirements. In many cases, few residents drive and parking is used mostly by staff and visitors. Zoning by-laws often require 1 parking space per resident, which is not necessary. A rate of 0.3 spaces/ retirement unit is more reasonable from the stakeholder's perspective. Another stakeholder stated that especially in rural locations and those not easily accessible by transit, parking is important. Further, parking at grade is important as underground parking becomes cost prohibitive for such developments.

Public Information Centre

A joint Public Information Centre (PIC) was held on Monday, December 6 from 6:30-8:30pm to provide members of the Richmond Hill community with information on the Draft Zoning By-law Technical Papers on Aging in Place Uses and Community Uses. In accordance with public health guidelines related to COVID-19, the PIC was held virtually on Zoom. Opportunities for public input included poll questions, a question and answer period, and comments submitted via the chat function. Four (4) community members (excluding City staff and consultants) attended the PIC. One of these

community members was the Member of Provincial Parliament (MPP) for Richmond Hill, Daisy Wai.

Key findings through the polling and discussion were:

- In response to proposed Official Plan policies and definitions, some participants were unhappy with the use of the term “Special Needs Housing” to describe housing for seniors needing additional supports (i.e. retirement homes, long-term care homes and hospice). There seems to be a negative connotation for the term “special needs”. The term “Inclusive Housing” was suggested as an alternative.
- Half of participants thought aging in place uses should be treated similarly to residential uses in the Official Plan and Zoning By-law. The other half indicated they were unsure.
- Three out of four participants thought the proposed planning framework will make it easier to develop aging in place uses in Richmond Hill.

9.0 Recommended Policy and Zoning Framework for Aging in Place Uses in Richmond Hill

Official Plan Policy Approach

The recommendations related to Official Plan policies are described below. These recommendations suggest changes to the existing Official Plan policies to optimize the existing policy framework. These recommendations are informed through reviewing of Richmond Hill’s Official Plan in comparison to other area municipalities, stakeholders and public consultation, reviewing recent development applications, and our professional expertise. In some instances, we suggest specific policy language, but typically we recommend policy directions for City staff to explore further. We understand that Richmond Hill is currently reviewing its Official Plan and this work will help inform the policy framework.

Define aging in place uses by level of care rather than age

The City of Markham and the City of Guelph in their recently updated Official Plans have removed the terms for specific aging in place uses (e.g. long-term care homes, retirement residences, etc.) instead grouping them under umbrella terms of “shared housing” or “special needs housing”, respectively. These terms focus on the level of care provided (i.e. the use) rather than the age of the population served (i.e. the users), which is generally preferable in planning policy and regulation. This also provides flexibility for the providers of aging in place uses to serve younger populations that may benefit from housing that includes additional care services, such as young adults with physical, mental or cognitive disabilities or those who are very ill.

Adapted from the City of Guelph’s Official Plan, we recommend the City of Richmond Hill adopt the following definition of Special Needs Housing:

Special Needs Housing means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, housing for the elderly, and palliative care.

This definition is broader than the City's current Official Plan definitions for special needs housing.

Less prescriptive approach to aging in place uses in the Official Plan

Overall, we recommend the City take a less prescriptive approach to aging in place uses in the Official Plan. More flexible Official Plan policies reduce the burden of OPAs for aging in place uses. This makes the economics of the development more favourable and is intended to facilitate the construction of more aging in place uses.

We recommend removing locational policies for long-term care homes from the Official Plan. Our review of area municipalities' Official Plan policies and analysis of recent development applications for aging in place uses in Richmond Hill indicates that prescriptive Official Plan policies are generally not required to achieve the desired outcomes, and that technical site issues can be adequately addressed during site plan review and where necessary, zoning by-law amendments.

As an Official Plan is a policy document and not a regulatory document, it is our opinion that Richmond Hill Official Plan policies should encourage certain uses to be "provided for", rather than "permitted". This updated language would align with best practices from area municipalities.

Provided for within all land use designations that permit residential uses

Aging in place uses are first and foremost homes. We recommend that aging in place uses be provided for within all land use designations that permit residential uses. Opening up more land use designations to aging in place uses may contribute toward an equitably-distributed and diverse housing stock in the city.

Continue to encourage co-location in Community Hubs

Community Hubs are locations where multiple health and social services (including aging in place uses) are co-located. The Community Hub model creates efficiencies and synergies that reduce costs while enhancing service for communities.

In Ontario, provincial planning policy encourages community hubs. In this Study, we learned that the co-location of community uses and other services with aging in place

uses is preferred by the public and stakeholders in Richmond Hill. Richmond Hill's Official Plan already contains policies in support of community hubs, these should be maintained and strengthened, if possible. The Official Plan review may consider if additional implementation tools are available.

Do not discourage small-scale aging in place uses

The group of stakeholders joined the consultation process are mostly of large service providers. From this consultation, it appeared that the trend is towards large developments. While this is one trend, previous reports from York Region recognize that a concurrent trend is home and community care. Official Plan policies should not preclude small-scale developments of seniors housing in neighbourhoods, which contribute to housing choice for older adults. The categories of special needs housing proposed above can be applied at small, medium or large scales.

The Zoning Technical Paper on Short-term and Shared Accommodation (also authored by Gladki Planning Associates) outlines a recommended policy and zoning approach to rooming houses, which offer an affordable, shared living arrangement that may be attractive to some seniors. The Zoning Technical Paper on Additional Dwelling Units (also authored by Gladki Planning Associates) provides insight on how this housing form benefits seniors and should be encouraged.

Enhance road safety policies

Richmond Hill's Official Plan does not contain road safety policies, except possibly by referencing the City's Pedestrian and Cycling Master Plan in Section 3.5.2 Active Transportation. Road safety for older pedestrians is a concern shared by the public, stakeholders, City staff, and the consultants authoring this Study. In many ways, arterial streets and collector streets are excellent locations for aging in place uses. Properties fronting these streets are well-suited to address transportation concerns. These streets typically have superior access to public transit, commercial uses, community uses, and other uses. Major drawbacks, however, include high-speed vehicular traffic, air pollution, wide rights-of-way, and long distances between pedestrian crossings.

Within the scope of this Study, we have considered restricting aging in place uses to locations within 80 metres of an intersection, a standard that has been applied in the City of Toronto. The rationale is that this would ensure a safe pedestrian crossing easily within walking distance for older residents. We determined, however, that this policy would limit the availability of suitable sites for aging in place uses, and would likely work against our overall policy objective to build a diversity of aging in place facilities throughout Richmond Hill. Instead, the Official Plan could contain road safety policies in order to protect vulnerable road users such as seniors.

Sample policy languages

Below we recommend some new, additional policy language for Official Plan Section 3.1.5 Housing. The sample policy language implements some of our recommendations.

It sets policy directions but provides the City and landowners with flexibility. The objective is to reduce the number of Official Plan Amendments for aging in place uses, and to ensure important forms of housing is available and accessible to all Richmond Hill residents as they age and their needs changes. To be clear, these are additional policies relating to Special Needs Housing and they are not intended to replace the existing policies in Section 3.1.5.

Further, we recommend that mention of aging in place facilities (i.e. long-term care facilities) be removed from Section 4.1 Community Uses, in line with recommendations from the Technical Zoning Paper on Community Uses.

3.1.5 Housing

The City of Richmond Hill will encourage and support an adequate supply, range and geographic distribution of Special Needs Housing throughout the city.

The campusing or co-location of Special Needs Housing offering different levels of care and/or community uses shall be strongly encouraged, as appropriate.

Special needs housing shall be provided for within land use designations where residential uses are permitted.

Definitions in Zoning By-law

For the Official Plan, we recommend using “special needs housing” as the defined term to encompass aging in place and other specialized residential uses. The zoning by-law will need to specifically define the various types of Special Needs Housing and establish regulations. There are two potential approaches for creating zoning by-law definitions for Special Needs Housing:

1. Define these uses based on the level (intensity) of care supports offered to residents.
2. Define specific aging in place uses.

These two approaches are described in detail in the sections that follow.

Option #1: Use defined by level of care

This approach would align terminology between the Official Plan and zoning by-law. This approach assumes that it is the capacity of residents and their needs for higher or lower levels of care, rather than their age, that distinguishes between uses. This approach avoids the potential pitfall of “people zoning” but lacks precision. Level of care

is a continuum, which could lead to disagreements between landowners and the City about which definition should apply to particular development projects at the margins of the three categories of Special Needs Housing described below.

Special Needs Housing 1 means housing designed and constructed to meet the special needs of residents without the provision of additional support services to facilitate independent living in the community. E.g. housing that is accessible for people with disabilities, adult lifestyle communities.

Special Needs Housing 2 means housing designed and constructed to meet the special needs of residents plus the provision of part-time support services (including but not limited to meals, housekeeping, supervision, personal support and medical services) to facilitate independent living in the community. E.g. retirement homes, assisted living. Special Needs Housing 2 may include accessory commercial uses and ancillary community uses.

Special Needs Housing 3 means housing designed and constructed to meet the special needs of residents plus the provision of full-time (24-hour) support services (including but not limited to meals, housekeeping, supervision, personal support and medical services) to enable the activities of daily life. E.g. long-term care, palliative care. Special Needs Housing 3 may include accessory commercial uses and ancillary community uses.

Note: The exact terminology could be adjusted as the City prefers, possibly referring to low, medium and high support instead of a numbering system illustrated above.

Option #2: Definitions for specific aging in place uses

The second option involves providing definitions for specific aging in place uses, such as seniors housing, retirement residence, long-term care home and hospice. This is the approach of Richmond Hill's parent by-laws and many comparable municipalities, although it remains to be seen if the City of Guelph and the City of Markham revise their zoning by-law definitions during their ongoing reviews.

Although there may be no material difference between Special Needs Housing provided for younger and older populations, using the familiar, industry-recognized terms may make the zoning by-law more user-friendly. It would also allow Richmond Hill to reduce parking requirements for seniors residences, based on evidence that car ownership rates are significantly lower for this segment of the population. However, the list of permitted uses and development standards for each zone would be less succinct. Additional definitions for Special Needs Housing for younger populations would need to be developed; this work is out of scope for this Study.

If this option is preferred, we propose the following definitions for aging in place uses.

Seniors Housing means dwelling units for adults 65 years or older that are sponsored and/or administered by a non-profit organization or government agency. The units may include accessibility features and there may be access to common amenity spaces or care services. Accessory commercial uses and ancillary community uses may also be provided. Seniors Housing is not a Retirement Home or a Long-term Care Home.

The following definition of Retirement Home combines the definition from zoning by-laws 42-02 and 55-15 with the definition from the **Retirement Homes Act, 2010**.

Retirement Home means a residential complex that provides living accommodation primarily to retired persons or couples where the operator of the home makes at least two care services available to the residents (including but not limited to meals, housekeeping, supervision, personal care, and medical services) that is licensed under the Retirement Homes Act, 2010. Each suite must have a separate entrance from a common hall and must contain sanitary facilities. Common lounges, dining areas, accessory commercial uses and ancillary community uses may also be provided.

The following definition of Long-term Care Home references the **Long-Term Care Homes Act, 2007**. This legislation regulates the design, licensing and operation of long-term care homes in Ontario to ensure high quality care for residents.

Long-term Care Home means a place that is licensed as a long-term care home under the Long-Term Care Homes Act, 2007 and may include accessory commercial uses and ancillary community uses.

The following definition of hospice aligns with the definition provided by Hospice Palliative Care Ontario, a provincial association for hospices and palliative care providers, professionals, and volunteers throughout Ontario.

Hospice means a building or part of a building that provides living accommodation and palliative care for people near the end of life and may include accessory commercial uses and ancillary community uses.

Accessory and Ancillary Uses

It is important for seniors' homes to be located close to community uses, shops, services, open space and public transit. Access to community uses and commercial uses can be addressed by increasing permissions for accessory and ancillary uses within aging in place uses. The Zoning Technical Paper on Community Uses also

recommends for expanded permissions for community uses in residential areas so residents can access these services and facilities close to home. Regarding open space and public transit, we recommend that as the City reviews their Official Plan and zoning by-law they look for additional ways to increase access and distribution of these resources across the city.

Approach to Aging in Place Permissions in Zoning By-law

Legal non-conforming uses

When the new comprehensive zoning by-law comes into force, there are concerns from stakeholders and City staff about existing aging in place uses no longer being in conformity. It is advisable to allow for the continued natural evolution of aging in place uses on these sites. We recommend that existing aging in place uses that were originally constructed for that purpose, continue to have legal status in the new by-law. This may allow aging in place uses to avoid a Planning Act process for future expansion of their buildings.

The City of Richmond Hill may include a general provision in its zoning by-law that addresses all existing uses that do not conform to the by-law provisions.

Pre-zoning

There is an issue regarding pre-zoning to preserve space for aging in place uses in the changing urban environment. Given the unpredictability of the market, emerging needs of communities, the uniqueness of context and the availability of sites, our conclusion is that it is not desirable to pre-zone specific sites for aging in place uses in built up areas. It is preferable in our view to permit the uses, as appropriate, in various zones, with the provision that they meet the other development standards for that zone. The sum of our recommendations in the Study create a policy and regulatory framework that is more relaxed toward aging in place uses. Providers of aging in place uses will have greater choice when locating in Richmond Hill therefore pre-zoning to reserve space will not be necessary.

Aging in Place Uses in Mixed Use Zones

In Section 8, we recommend Official Plan policies that provide for aging in place uses in all land use designations that allow residential uses including Centres & Corridors. Mixed Use zones should therefore permit all aging in place uses, specifically:

- Special Needs Housing 1 / Adult Lifestyle Communities & Seniors Housing
- Special Needs Housing 2 / Retirement Homes
- Special Needs Housing 3 / Long-Term Care Homes & Hospices

Mixed use zones will be the contextually appropriate location for medium- and large-scale aging in place uses.

Aging in Place Uses in Residential Zones

To implement the recommended Official Plan policies that provide for aging in place uses in all land use designations, we recommend broad permissions for aging in place uses in residential zones to improve access for Richmond Hill residents. We suggest that all aging in place uses be generally permitted in Residential zones:

- Special Needs Housing 1 / Adult Lifestyle Communities & Seniors Housing
- Special Needs Housing 2 / Retirement Homes
- Special Needs Housing 3 / Long-Term Care Homes & Hospices

Zoning performance standards will regulate that aging in place uses in residential zones will typically be small-scale local institutions.

Zoning Performance Standards

Based on our review, where specific standards for aging in place uses are provided, the Richmond Hill parent by-laws most frequently regulate height and parking. However, often these uses are subject to the standards applicable to the zone and receive no special attention under the by-law.

Based on our review of recent development applications and public consultation, the major concerns with aging in place uses which can be addressed through zoning are:

- Outdoor amenity space
- Parking
- Co-location of community uses and commercial uses
- Scale of use
- Compatibility and harmony with adjacent uses

The following sections describe a proposed approach to development standards to respond to these concerns.

General approach to performance standards for aging in place uses

Our recommended approach to performance standards for aging in place uses in different zones is summarized in Table 3.

Table 3. Recommended approach to performance standards for aging in place uses.

| Zone | Recommended Approach |
|-------------|---|
| Residential | Conform to residential performance standards; minor variance or zoning by-law amendment required for applications that do not conform |

| Zone | Recommended Approach |
|------------------|---|
| Mixed Use | Conform to residential performance standards; minor variance or zoning by-law amendment required for applications that do not conform |

Subjecting aging in place uses to the same general lot and building configuration requirements as residential uses (e.g. dwellings) is a simple method to achieve compatibility and consistency of built form throughout the zone. Minor variances to the standards can potentially be addressed through the Committee of Adjustment. Significant deviations from the residential standards to permit aging in place use in these zones would require a zoning by-law amendment. Zoning by-law amendments allow for context-specific consideration of compatibility and harmony between aging in place uses and adjacent properties.

Reduced Parking Rates

Our stakeholder consultation revealed that parking is an issue critical to the financial viability of aging in place development projects. Stakeholders felt that the parking rates for retirement homes and long-term care homes were too high. Stakeholders reported that parking spaces are underutilized by residents. Underground parking is expensive to build but constrained sites could not accommodate adequate at-grade or structured parking.

Recognizing that housing for seniors is essential and the supply is currently inadequate to meet the growing demand (per numerous Regional and City reports), we observe that it may be appropriate to reduce the parking rates to incentivize the development of aging in place uses in Richmond Hill.

Parking rates should be flexible to be further reduced in higher density growth areas to make it easier to meet the parking requirements. However, as the long-term parking rates are reduced, the visitor parking component should not be reduced proportionally. This is important to maintain a critical supply of visitor parking.

We understand that a Parking Study related to the zoning by-law review is underway in Richmond Hill. The Parking Study should consider the policy basis and technical feasibility for reduced parking rates for aging in place uses in their analysis of the issue city-wide.

Minimum Indoor and Outdoor Amenity Space for Retirement Homes

The Long-Term Care Homes Act (through the Design Standards Manual 2015) requires indoor and outdoor amenity space for residents. However, the Retirement Homes Act does not contain similar regulations. Therefore, it is advisable to regulate minimum indoor and outdoor amenity space for retirement homes. The draft Yonge & Carville/16th Key Development Area Zoning By-law proposes to require 2.0 square metres per

dwelling unit for a high-rise, mid-rise or low-rise building with 20 or more dwelling units irrespective of whether it is intended for an aging place use. This is lower than the provincially-regulated amenity space requirements for long-term care homes.

Where appropriate, higher zoning requirements than the minimum 2 square metres referenced above would help facilitate the provision of communal gardens and/or raised garden beds as recreation and amenity space for the occupants. Promoting community gardens and local food opportunities – especially in higher density areas and vulnerable populations is consistent with sustainable community and climate resiliency goals of the Environment Strategy, Community Garden Policy and the Parks Plan. The City's updated Parks, Recreation and Culture Plans may provide technical guidance on the appropriate amount of amenity space required.

Co-location of community uses and commercial uses

The public considered co-located uses that would serve the older residents more favourably than co-located uses that would serve the broader community or provide animation to the property. The stakeholders we consulted, operators of aging in place uses, were enthusiastic about the full range of possible co-located uses and recognized the immense value of community integration for their older residents. Considering both perspectives, the academic literature supporting community integration for aging in place uses, and the value of increasing access to community uses and commercial uses for the broader public, we recommend broad permissions for co-located uses with aging in place uses. We recommend that, at minimum, the following uses be permitted to co-locate, either in an accessory or ancillary function, with aging in place uses. We recognize that in mixed-use zones there may be greater permissions.

- Health Services
- Social Services
- Recreation Space
- Personal Services
- Professional Services
- Retail
- Libraries
- Government Services
- Places of Worship
- Child Care Centres (not including private home daycare)
- Arts and Entertainment

Table 4 summarizes our recommendation about the accessory or ancillary function of the above uses, by zone.

Table 4. Recommendations for types of accessory and ancillary co-located uses by zone.

| Zone | Type of Community Uses Permitted | Type of Commercial Uses Permitted |
|--------------------|---|--|
| Residential | Ancillary* & Accessory | Accessory |
| Mixed Use | Ancillary & Accessory | Ancillary & Accessory |

* In residential zones, ancillary community uses are permitted subject to the development standards regulating community uses, for example the locational requirements to abut certain street classifications.

10.0 Conclusion

This Study explored the central question of how the City of Richmond Hill can help its older residents age in place, staying in their familiar community as their needs change. We considered issues such as: incentivizing the building of aging in place uses, co-located uses, pre-zoning sites, and large scale vs. small scale facilities. This Study has offered options to address these key issues through changes in the Richmond Hill Official Plan and Zoning By-law.

In general, we recommend that Richmond Hill adopt flexible policies for aging in place uses and permit them everywhere that residential uses are permitted. We suggest that aging in place uses are generally subject to the same zoning standards as residential uses, with the exceptions of ensuring adequate amenity space in Retirement Homes, and reducing parking requirements as a means of incentivizing the development of housing for seniors.

Specifically, our proposed policies and regulations:

- Reduce restrictions on aging in place uses in the Official Plan, which will reduce unnecessary Official Plan Amendments
- Expand where aging in place uses are allowed to locate
- Encourage co-location and community hubs
- Modernize aging in place use definitions in the zoning by-law
- Protect legal non-conforming uses
- Support both large-scale and small-scale facilities
- Prioritize road safety for older pedestrians

Collectively, these policies and regulations aim to build a diverse, affordable, geographically-distributed housing supply to meet the needs of Richmond Hill’s aging residents now and in the future.