



Town of Newmarket
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Zoning By-law Amendment Application – 17255 Yonge Street – Canadian Mental Health Association York Region South Simcoe

Staff Report to Council

Report Number: 2024-59

Department(s): Planning and Building Services

Author(s): Kaitlin McKay, Senior Planner - Development

Meeting Date: October 21, 2024

Recommendations

1. That the report entitled Zoning By-law Amendment Application – 17255 Yonge Street – Canadian Mental Health Association York Region South Simcoe dated October 21, 2024 be received; and,
2. That the Zoning By-law Amendment, as submitted by Canadian Mental Health Association York Region South Simcoe, be approved; and,
3. That Canadian Mental Health Association York Region South Simcoe be notified of this action; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

An application has been received to amend the Urban Centres Zoning By-law 2019-06 to permit the use of a Mental Health Centre within the existing building located at 17255 Yonge Street.

The application has been reviewed by internal departments and external agencies who have advised that they have no objections to the application, subject to a Holding ('H') provision.

Staff have reviewed the proposal against the relevant Provincial, Regional, and local policy documents and have concluded that the proposal is consistent with and/or is in

conformity with the policy framework as it relates to converting an existing building and allowing for efficient use of existing infrastructure.

This report provides the context of the site, the details of the proposal, a discussion of the relevant planning policies and how the application addresses them, an outline of feedback received, and next steps in the development process.

Should Committee adopt the recommendations of this report, the Zoning By-law Amendment By-law will be brought to Council for approval at a subsequent Council meeting.

Purpose

This report provides recommendations to Council on the Zoning By-law Amendment application for 17255 Yonge Street.

The recommendations of this report, if adopted, would result in an amendment to Urban Centres Zoning By-law 2019-06 to permit the newly defined land use “Mental Health Centre” on the subject property, within the existing building.

Background

Subject Land

The subject land is located on the east side of Yonge Street, south of Gladman Avenue and is municipally known as 17255 Yonge Street (refer to Attachment 1). The subject land consists of the northern portion of a larger parcel as identified in red on Attachment 1.

The subject land is currently occupied by a vacant building. Surrounding land uses include:

- A motor vehicle service shop to the north;
- Residential to the east;
- A garden centre to the south; and,
- Institutional and commercial uses to the west.

Proposal

The Canadian Mental Health Association (CMHA) is proposing a Mental Health Centre within the existing building located at 17255 Yonge Street. Services provided by the Mental Health Centre would include:

- Operational Team Offices;
- Mental Health Crisis Stabilization;
- Non-Clinical Rooms;
- Psychiatry Services;

- Rapid Addictions Management;
- Service Navigation and Support Connections;
- Triage, Intake, and Assessments;
- Withdrawal Management; and,
- Other related uses.

The applicant is proposing to reuse and renovate the existing building for this use. Other minor improvements area also proposed for the exterior elevations and parking area.

Discussion

Planning Policy Context

The high-level policy documents where are applicable to this development review are:

- **The *Planning Act***: The proposal has regard for matters of provincial interest, including contributing to the adequate provision and distribution of health facilities.
- **The Provincial Planning Statement 2024 (PPS)**: The Provincial Planning Statement, 2024 is a policy document that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019. As of October 20, 2024, any decisions must be consistent with the Provincial Planning Statement, 2024. The proposal is consistent with the PPS by permitting the conversion of an existing building within an existing settlement area along a transit corridor, allowing for efficient use of existing infrastructure.
- **The York Region Official Plan (as deemed part of the Town’s Official Plan by Bill 185 on July 1, 2024)**:
The proposal supports and is consistent with York Region Official Plan policies as the proposal is redevelopment on a Regional Corridor within a Major Transit Station Area (MTSA).

Town of Newmarket Official Plan / Urban Centres Secondary Plan

The subject land is located within the Urban Centres Secondary Plan Area. This Plan designates the subject property Mixed Use and is within the Yonge Civic Character Area.

Human services are services that serve the general public including police and emergency services, transit facilities, social services, education, and similar uses. The proposed use is considered social service and therefore is permitted as a Human Services within the existing Mixed Use designation.

Section 11.3.1 iv) of the Secondary Plan states, “Community facilities and human services that directly serve the public will be designed and located in proximity to transit stations and, where feasible, provide for transit facilities such as bus bays or shelters”.

The subject land is located along an existing transit corridor and is in close proximity to existing bus rapid transit stations on Yonge Street.

The subject land is within the Priority Commercial overlay identified in the Secondary Plan. Priority commercial areas are defined areas where priority shall be given to incorporating street related commercial uses or institutional uses on the ground floors of all buildings fronting onto the public street. Institutional uses include non-commercial, non-profit purposes by a public authority, religious group, or community organization. The proposed use is considered an institutional use and meets the intent of this policy.

It is staff's opinion that the proposal conforms to the Town's Official Plan and the Urban Centres Secondary Plan.

Urban Centres Zoning By-law 2019-06

The subject land is zoned Mixed Use (MU-1) by Zoning By-law 2019-06. The Mixed Use zone permits a variety of similar uses, including:

- Hospital;
- Long Term Care Facility;
- Medical Clinic/Medical/Dental Laboratory;
- Medical Office; and,
- Special Needs Housing.

Although the proposed use is similar to several of these existing permitted uses and contains elements of each, the use does not exactly meet the definition of any one specific use. As such, a Zoning By-law Amendment is required to introduce a new land use definition to the By-law for a "Mental Health Centre" and allow this new use on the subject land. A "Mental Health Centre" is proposed to be defined as:

- "Means a building or premises or part thereof that provides mental health and addiction services and treatment to individuals, including temporary and overnight accommodation, spaces for program administration, health care, counselling, social support services, and other related services."

The proposed zoning by-law amendment will also include site-specific zone provisions to account for elements such as number of loading spaces, location of landscape buffers, and to recognize the location of existing parking areas.

Section 16.1.1, Policy 3 of the Town's Official Plan sets out the criteria for considering Zoning By-law Amendments. The intent of this criteria is for Council to be satisfied that:

- The proposed use would be compatible, and buffering is provided to ensure visual separation and compatibility between uses;
- Potential nuisance effects upon adjacent uses would be mitigated; and,

- The lot would be appropriate for the use (including considering lot size, road access, servicing, parking, loading, etc.).

The surrounding land uses include mixed use, commercial, institutional, and residential uses. Although the property abuts residential properties to the east, there is a significant setback (~40 metres) from the existing parking area to the shared lot line. This area is zoned Open Space (OS-1) and would be retained as landscaped area. CMHA has committed to work with adjacent residents to provide landscape buffers, fencing, and/or lighting to minimize any possible impacts. Additional details are outlined in the consultation section of this report.

It is the opinion of staff that the proposed development meets the criteria for considering a zoning by-law amendment and the lot and site specific provisions are appropriate for the proposed change of use of the existing building.

Development Considerations

Parking

The subject land is located within the Eagle Street Protected Major Transit Station Area (MTSA). Bill 185 restricts Official Plans and Zoning By-laws from imposing minimum vehicle parking requirements for development within major transit station areas.

The applicant is proposing to resurface and reline the existing parking area to provide 70 parking spaces. The applicant has advised that the provided parking is sufficient for the proposed use and the provided parking exceeds the minimum amount of parking that is required for similar uses, including hospitals and medical clinics.

Servicing and Stormwater Management

Town of Newmarket Engineering Services and York Region Development Services have reviewed the application and have no objections to its approval, subject to a holding provision. Comments related to servicing and stormwater management would be addressed through the subsequent site plan application. An application to lift the Holding ('H') provision would be required once the conditions have been addressed.

Phase One ESA

The applicant has submitted a Phase One ESA as part of the application. The Phase One report indicates that a Phase Two report is required. The submission of a Phase Two ESA and/or Record of Site Condition has been included as a condition of the Holding ('H') provision.

Holding Provision

In accordance with Section 36 of the Planning Act, Council may impose Holding provisions ('H') on a Zoning By-law Amendment to limit the use of land until the

conditions to remove the holding provisions have been met. In this application, the proposed Zoning By-law Amendment will include Holding provisions for:

- Execution of a Site Plan Agreement;
- Addressing servicing comments to the satisfaction of the Town's Engineering Services Division;
- Addressing stormwater management on site to the satisfaction of the Town's Engineering Services Division; and,
- A Phase Two ESA and a Clean Record of Site Condition (RSC) to be acknowledged by the Ministry, if required.

Future Applications

Further refinement of the proposal may take place through detailed design as part of a future Site Plan Application, within the parameters of the proposed zoning.

An application to remove the Holding Provision ('H') would also be required in the future once the application has addressed the conditions noted above.

Conclusion

The proposed Zoning By-law Amendment has been circulated to the Town's internal departments and external agencies and they have provided comments indicating that they have no objections to the approval of the application.

The application is consistent with the Provincial Planning Statement and conforms to or does not conflict with the Town's Official Plan.

Further refinement may take place through the detailed design as part of a future Site Plan application and within the parameters of the proposed site-specific zoning.

Staff recommend approval of the application, subject to a Holding provision.

Business Plan and Strategic Plan Linkages

- Extraordinary places and spaces
- Diverse, welcoming, and inclusive community

Consultation

A Statutory Public Meeting was held on September 9, 2024. This meeting provided the public and interested persons an opportunity to comment on the application. Notice of this Committee of the Whole meeting with the Recommendation Report has been provided to persons and public bodies in accordance with the *Planning Act*.

Concerns raised by the public prior to and during the public meeting are described below. The following section outlines the various comments received and how they have been addressed.

Adjacent residential neighbourhood

Concerns were received regarding the centre's impact on the adjacent residential neighbourhood. CMHA has advised that 24-hour security would be provided for the facility and on the premises. Should the application be approved, CMHA has committed to organizing a community liaison committee with area residents and would continue to work with neighbouring properties to provide appropriate fencing, landscaping, and lighting. These details would also be reviewed further through a subsequent site plan application.

Services provided

Questions were received regarding the services that would be provided by the Mental Health Centre. The services proposed by CMHA are outlined above and within the applicant's Planning Justification Report. CMHA has also advised that the centre would not be a homeless services facility or safe consumption site. Treatment would be focused on mental health services and providing transition for clients to appropriate next steps.

Emergency vehicles and traffic

Concerns were received from the public related to how emergency vehicles would access the subject land and noise impacts from sirens. CMHA has advised that the Mental Health Centre would be a non-urgent and voluntary community facility and would not be a location for acute or emergency medical care. Emergency vehicles accessing the subject land would not be using emergency vehicle lights and/or sirens. As the proposed centre is voluntary and non-urgent, CMHA does not anticipate that there would be a large volume of emergency vehicles accessing the centre. It is anticipated that emergency and non-emergency vehicles would access the subject land from the Gladman Avenue entrance/exit. Should the application be approved, the applicant would explore options to request that emergency vehicles access the subject land from Yonge Street and rather than Gladman Avenue.

Human Resource Considerations

None.

Budget Impact

The applicant has submitted a request that Council waive the planning processing fee for the Zoning By-law Amendment application. This request will be considered by Council through a separate report.

Attachments

Attachment 1 – Location Map

Attachment 2 – Applicant’s Concept Site Plan

Attachment 3 – Proposed Zoning By-law Amendment

Submitted by

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Approved for Submission

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