

For Office Use Only:

File Number	BNPL2023123	Application Fee	\$3089.00 - paid by cheque
Related File Number	BNPL2023122	Conservation Authority Fee	N/A
Pre-consultation Meeting	-	Well & Septic Info Provided	N/A
Application Submitted	April 4, 2023	Planner	Hanne Yager
Complete Application	April 4, 2023	Public Notice Sign	-

Check the type of planning application(s) you are submitting.

- Consent/Severance/Boundary Adjustment
- Surplus Farm Dwelling Severance and Zoning By-law Amendment
- Minor Variance
- Easement/Right-of-Way

Property Assessment Roll Number: 49200836800**A. Applicant Information****Name of Owner** Delhi Nursing Home Ltd.

It is the responsibility of the owner or applicant to notify the planner of any changes in ownership within 30 days of such a change.

Address 51 Centre Street, Box 90**Town and Postal Code** Vienna, ON N0J 1Z0**Phone Number** **Cell Number** **Email** **Name of Applicant** Wade Stever (peopleCare Inc.)**Address** 735 Bridge Street West**Town and Postal Code** Waterloo, ON N2V 2H1**Phone Number** 519-998-2394**Cell Number** **Email** wstever@peoplecare.ca

Name of Agent	Heather Price (GSP Group Inc.)
Address	72 Victoria Street South, Suite 201
Town and Postal Code	Kitchener, ON N2G 4Y9
Phone Number	226-243-7320
Cell Number	
Email	hprice@gspgroup.ca

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices in respect of this application will be forwarded to the owner and agent noted above.

Owner Agent Applicant

Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

N/A

B. Location, Legal Description and Property Information

1. Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):

Lots 49–55 of Registered Plan 216 & Part of Block 28 of Registered Plan 189 (Part 1, 37R-706)

Municipal Civic Address: 750 Gibralter Street, Delhi

Present Official Plan Designation(s): Urban Residential

Present Zoning: Community Institutional Zone (IC)

2. Is there a special provision or site specific zone on the subject lands?

Yes No If yes, please specify:

3. Present use of the subject lands:

Long-term care facility

4. Please describe **all existing** buildings or structures on the subject lands and whether they are to be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

The existing building on the subject lands is a one-storey brick building occupying an area of approx. 1,680 sq.m. The building is located on the portion of the subject lands that will be retained as 750 Gibralter Street.

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example a bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe.

N/A

6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

A two-storey long-term care facility with 128 beds will be constructed on the lot created. (This proposed building is the subject of a separate Site Plan Application.) Please see attached drawings.

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes No

If yes, identify and provide details of the building:

8. If known, the length of time the existing uses have continued on the subject lands:

The existing building was constructed in the mid-1980s.

9. Existing use of abutting properties:

Detached dwellings (4), retirement home, hotel/motel, medical/dental office, truck terminal, vacant (2).

10. Are there any easements or restrictive covenants affecting the subject lands?

Yes No If yes, describe the easement or restrictive covenant and its effect:

Instrument No. NR415600Z (restrictive covenant) affecting Lots 54 & 55 in RP 216; expires in April 2023.

C. Purpose of Development Application

Note: Please complete all that apply. **Failure to complete this section will result in an incomplete application.**

1. Site Information (Please refer to Zoning By-law to confirm permitted dimensions)

	Existing	Permitted	Provision	Proposed	Deficiency
Lot frontage					
Lot depth					
Lot width					
Lot area					
Lot coverage					
Front yard					
Rear yard					
Height					
Left Interior side yard					
Right Interior side yard					
Exterior side yard (corner lot)					
Parking Spaces (number)					
Aisle width					
Stall size					
Loading Spaces					
Other					

2. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law:

3. **Consent/Severance/Boundary Adjustment:** Description of land intended to be severed in metric units:

Frontage: _____

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

Proposed final lot size (if boundary adjustment): _____

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: _____

Description of land intended to be retained in metric units:

Frontage: _____

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

Buildings on retained land: _____

4. **Easement/Right-of-Way:** Description of proposed right-of-way/easement in metric units:

Frontage: _____

Depth: _____

Width: _____

Area: _____

Proposed Use: _____

5. Surplus Farm Dwelling Severances Only: List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation

Owners Name: _____

Roll Number: _____

Total Acreage: _____

Workable Acreage: _____

Existing Farm Type: (for example: corn, orchard, livestock) _____

Dwelling Present?: Yes No If yes, year dwelling built _____

Date of Land Purchase: _____

Owners Name: _____

Roll Number: _____

Total Acreage: _____

Workable Acreage: _____

Existing Farm Type: (for example: corn, orchard, livestock) _____

Dwelling Present?: Yes No If yes, year dwelling built _____

Date of Land Purchase: _____

Owners Name: _____

Roll Number: _____

Total Acreage: _____

Workable Acreage: _____

Existing Farm Type: (for example: corn, orchard, livestock) _____

Dwelling Present?: Yes No If yes, year dwelling built _____

Date of Land Purchase: _____

Owners Name: _____

Roll Number: _____

Total Acreage: _____

Workable Acreage: _____

Existing Farm Type: (for example: corn, orchard, livestock) _____

Dwelling Present?: Yes No If yes, year dwelling built _____

Date of Land Purchase: _____

Owners Name: _____

Roll Number: _____

Total Acreage: _____

Workable Acreage: _____

Existing Farm Type: (for example: corn, orchard, livestock) _____

Dwelling Present?: Yes No If yes, year dwelling built _____

Date of Land Purchase: _____

Note: If additional space is needed please attach a separate sheet.

D. All Applications: Previous Use of the Property

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? Yes No Unknown

If yes, specify the uses (for example: gas station, or petroleum storage):

The building on an adjacent property (724 James Street) was formerly operated as an auto maintenance shop.

2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? Yes No Unknown
3. Provide the information you used to determine the answers to the above questions:
An analysis of soil samples taken from subject property during a Phase II ESA reported all concentrations of tested parameters below applicable standards.

4. If you answered yes to any of the above questions in Section D, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed. Is the previous use inventory attached? Yes No (See response to No. 3 above)

E. All Applications: Provincial Policy

1. Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act, R.S.O. 1990, c. P. 13*? Yes No

If no, please explain:

2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? Yes No

If no, please explain:

A review of potential endangered or threatened species or species at risk is underway (as part of the related Site Plan Application) but has not yet been completed.

3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection? Yes No

If no, please explain:

Note: If in an area of source water Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. All Applications: Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

Livestock facility or stockyard (submit MDS Calculation with application)

On the subject lands or within 500 meters – distance _____

Wooded area

On the subject lands or within 500 meters – distance _____

Municipal Landfill

On the subject lands or within 500 meters – distance _____

Sewage treatment plant or waste stabilization plant

On the subject lands or within 500 meters – distance _____

Provincially significant wetland (class 1, 2 or 3) or other environmental feature

On the subject lands or within 500 meters – distance _____ 400 m

Floodplain

On the subject lands or within 500 meters – distance _____

Rehabilitated mine site

On the subject lands or within 500 meters – distance _____

Non-operating mine site within one kilometre

On the subject lands or within 500 meters – distance _____

Active mine site within one kilometre

On the subject lands or within 500 meters – distance _____

Industrial or commercial use (specify the use(s))

On the subject lands or within 500 meters – distance _____ 0 m (adjacent)

(See response to No. 1 in Section D above.)

Active railway line

On the subject lands or within 500 meters – distance _____

Seasonal wetness of lands

On the subject lands or within 500 meters – distance _____

Erosion

On the subject lands or within 500 meters – distance _____

Abandoned gas wells

On the subject lands or within 500 meters – distance _____

F. All Applications: Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

Municipal piped water Communal wells
 Individual wells Other (describe below)

Sewage Treatment

Municipal sewers Communal system
 Septic tank and tile bed in good working order Other (describe below)

Storm Drainage

Storm sewers Open ditches
 Other (describe below)

Infiltration galleries.

2. Existing or proposed access to subject lands:

Municipal road Provincial highway
 Unopened road Other (describe below)

Name of road/street:

Existing: Gibralter Street / Proposed: Gibralter Street (lot severed) & Dalton Road (lot retained)

G. All Applications: Other Information

1. Does the application involve a local business? Yes No

If yes, how many people are employed on the subject lands?

There are currently 80 employed staff.

2. Is there any other information that you think may be useful in the review of this application? If so, explain below or attach on a separate page.

Please see cover letter accompanying this application.

H. Supporting Material to be submitted by Applicant

In order for your application to be considered complete, folded hard copies (number of paper copies as directed by the planner) and an **electronic version (PDF) of the site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

1. Concept/Layout Plan
2. All measurements in metric
3. Existing and proposed easements and right of ways
4. Parking space totals – required and proposed
5. All dimensions of the subject lands
6. Dimensions and setbacks of all buildings and structures
7. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
8. Names of adjacent streets
9. Natural features, watercourses and trees

In addition, the following additional plans, studies and reports, including but not limited to, **may** also be required as part of the complete application submission:

- On-Site Sewage Disposal System Evaluation Form (to verify location and condition)
- Environmental Impact Study
- Geotechnical Study / Hydrogeological Review
- Minimum Distance Separation Schedule
- Record of Site Condition

Your development approval might also be dependent on Ministry of Environment Conservation and Parks, Ministry of Transportation or other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

All final plans must include the owner's signature as well as the engineer's signature and seal.

I. Transfers, Easements and Postponement of Interest

The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor's responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.

Permission to Enter Subject Lands

Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

Freedom of Information

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act, R.S.O. 1990, c. P. 13* for the purposes of processing this application.



04 / 04 / 2023

Owner/Applicant/Agent Signature

Date

J. Owner's Authorization

If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner must complete the authorization set out below.

I/We _____ am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize _____ to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

Owner

Date

Owner

Date

***Note: If property is owned by an Ontario Ltd. Corporation, Articles of Incorporation are required to be attached to the application.**

K. Declaration

I, Heather Price of the City of Kitchener

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

THE CITY OF KITCHENER

Heather Price

Owner/Applicant/Agent Signature

In THE REGION OF WATERLOO

This 4th day of April

A.D., 20 23

A Commissioner, etc.

Natasha Wilson, a Commissioner, etc.
Province of Ontario, for GSP Group Inc.
Expires August 25, 2024.

DELHI NURSING HOME LTD.

750 GIBRALTER STREET | DELHI ON N4B 3B3

January 10, 2023

County of Norfolk
Robinson Administration Building
185 Robinson Street, Suite 100
Simcoe, ON
N3Y 5L6

Attn: Mr. Brandon Sloan, BES, MCIP, RPP
General Manager
Community Development Division

Dear Mr. Sloan:

RE: Authorization for PeopleCare Inc.
750 Gibralter Street, Delhi, ON

I, William Gheysen, confirm that I am the Registered Owner of 750 Gibralter Street, Delhi, ON under the companies, Delhi Nursing Home Ltd. and 384088 Ontario Limited.

I hereby authorize PeopleCare Inc. and its employees and agents to take full carriage of all planning related matters with respect to the above referenced property. This is your sole and irrevocable direction with respect to such authorization.

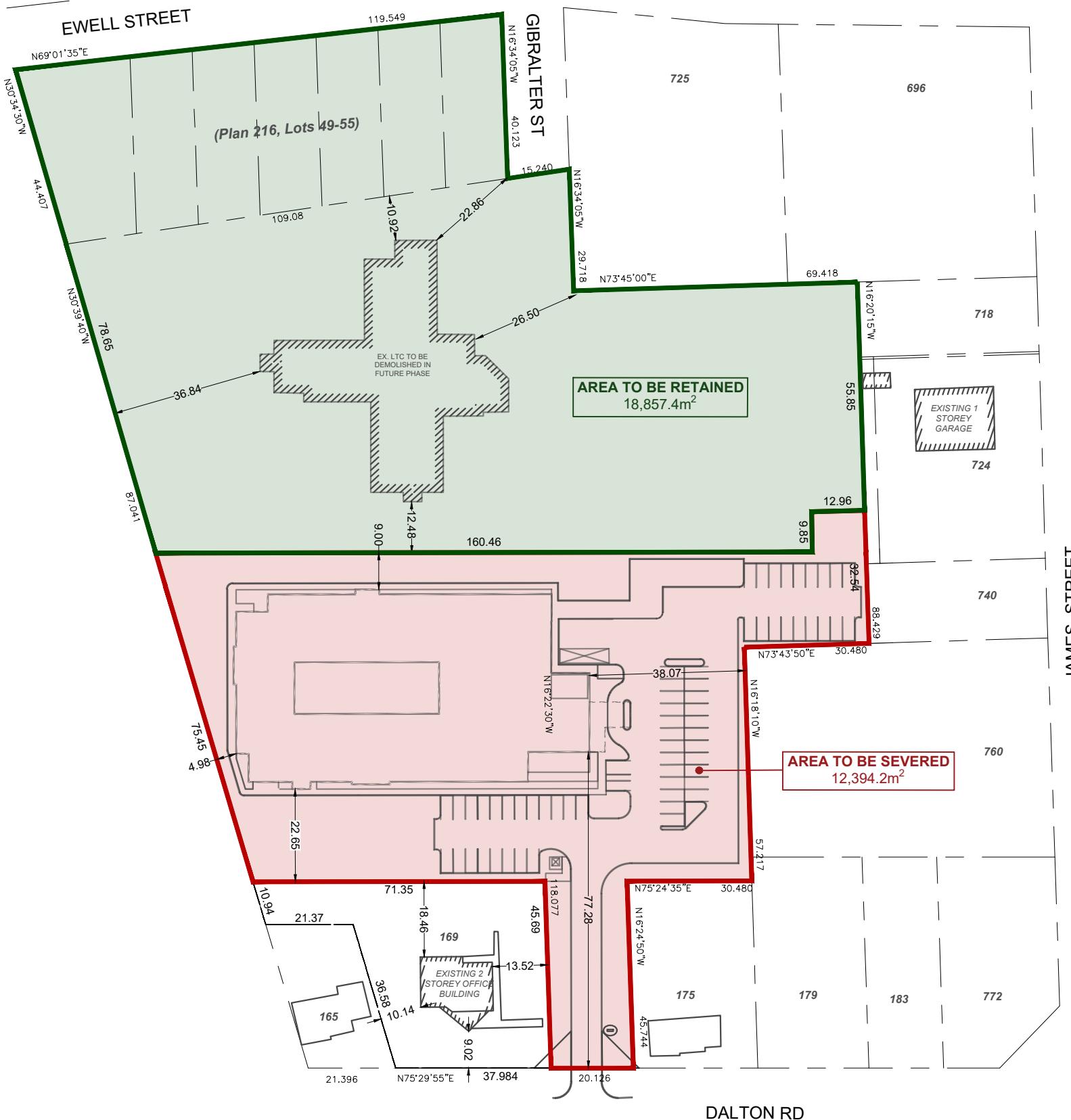
Yours truly,

DELHI NURSING HOME LTD and 384088 ONTARIO LIMITED



Signatory

"I have the authority to bind the Corporations"



April 4, 2023

File No. 22267

Norfolk County Committee of Adjustment
185 Robinson Street, Suite 200
Simcoe, ON
N3Y 5L6

Attn: Jodi Pfaff-Schimus
Secretary-Treasurer, Committee of Adjustment

Re: Consent Applications
169 Dalton Road (Delhi), 750 Gibralter Street (Delhi), 724 James Street (Delhi)
peopleCare Inc.

Dear Committee Members:

On behalf of our client, peopleCare Inc., GSP Group is pleased to submit the enclosed applications to the Committee of Adjustment in relation to development proposed on the property currently known by the municipal address of 750 Gibralter Street in Delhi (the “Subject Property”). A pre-submission consultation meeting regarding these applications was held on March 1, 2023.

The overall purpose of the applications being submitted is to create a new lot (to be assigned the civic address of 173 Dalton Road) for the development of a two-storey, 128-bed long-term care facility. peopleCare Inc. is proposing to build this new facility to replace the existing long-term care facility on the Subject Property, which was constructed in the mid-1980s. A Site Plan Application regarding the proposed development was submitted to Norfolk County on March 17, 2023.

The enclosed applications consist of three Consent Applications and one Minor Variance Application, for the following purposes:

- a consent for a lot boundary adjustment (hereafter referred to as “Consent #1”) for the purpose of severing a portion of 169 Dalton Road and adding it to the parcel currently known as 750 Gibralter Street;
- a consent to sever the southerly portion of 750 Gibralter Street (hereafter referred to as “Consent #2”);
- a consent to grant an 8-metre-wide easement over the lot known municipally as 724 James Street (hereafter referred to as “Consent #3”) to provide the proposed long-term care facility with municipal water services; and

- a minor variance to address a deficiency in the number of parking spaces provided on the lot known as 169 Dalton Road.

Payment of the required fees for the applications listed above has been provided in the form of two cheques, sent under separate cover, each in the amount of \$3,089.00 payable to Norfolk County, along with further payments of \$3,089.00 (No. BNPL2023116) and \$1,711.00 (No. ANPL2023120) by credit card, made separately by the applicant.

Each of the three Consent Applications is accompanied by a preliminary drawing showing the dimensions of each existing lot and the setbacks to existing buildings, as well as illustrating the area to be added to 750 Gibralter Street by Consent #1, the area to be severed by Consent #2, and the easement requested through Consent #3. These preliminary drawings are provided on the understanding that any consents given will be conditional on the submission of a plan of survey to confirm property boundaries and all setbacks.

In consideration of the somewhat complex nature of the applications being submitted, a table has been provided below to summarize the current and proposed areas for the lots involved:

Municipal Address	Current Lot Area	Proposed Final Lot Area
169 Dalton Road	8,082.6 m ²	2,231.5 m ²
173 Dalton Road ^(a)	---	12,394.2 m ²
750 Gibralter Street	25,400.5 m ²	18,857.4 m ²
724 James Street	2,188.2 m ²	2,188.2 m ²

^(a)Address to be assigned to the lot created by Consent #2.

Consent #1 (Boundary Adjustment)

The purpose of Consent #1 is to sever approximately 5,851.1 m² of land from the lot known municipally as 169 Dalton Road and to add the severed land to the existing lot known municipally as 750 Gibralter Road, thereby increasing that lot's area to approximately 31,251.6 m².

The lot known as 169 Dalton Road is occupied by an existing two-storey medical centre with a building footprint of approximately 240 m². The property is adjacent to three other lots: 750 Gibralter Street; 165 Dalton Road, occupied by a detached dwelling; and 161–163 Dalton Road, occupied by a trucking terminal.

Off-street parking for the existing medical centre is currently provided in a gravel parking lot on the north and east sides of the building. As the existing parking area has no pavement markings, the Site Information provided in response to Question No. 1 in Section C of the application form gives

“N/A” for existing parking facilities. The estimated number of parking spaces required for the existing medical centre is based on the total area occupied by the building ($240\text{ m}^2 \times 2\text{ storeys} = 480\text{ m}^2$, which at a rate of 1 parking space per 15 m^2 requires a minimum of 32 spaces). The number of parking spaces provided on the property at 169 Dalton Road is the subject of the Minor Variance Application, discussed in further detail below.

Consent #2 (Consent to Sever)

The purpose of Consent #2 is to create a new lot by severing approximately $12,394.2\text{ m}^2$ from the lot currently known as 750 Gibralter Road. The portion to be severed includes the $5,851.1\text{ m}^2$ of land added by way of Consent #1. The lot created is to be assigned the civic address of 173 Dalton Road, while the lot retained (with an area of approximately $18,857.4\text{ m}^2$) will continue to be known municipally as 750 Gibralter Road.

The lot created will serve as the site for the proposed long-term care facility. This proposed development is the subject of a Site Plan Application that was submitted to Norfolk County on March 17, 2023.

Consent #3 (Easement)

The third application being made to the Committee requests an easement over the property known as 724 James Street, in favour of the lot to be known as 173 Dalton Road, to provide the proposed long-term care facility with municipal water services by connecting to the watermain beneath James Street. This connection will be used only to provide the proposed new facility with municipal water services, and will not be used to service the existing facility or to provide services to any other properties in the future.

The requested easement is 8 metres wide and runs along the southerly boundary of the property between James Street and the lot created by Consent #2. (The lot to be created includes a small “tab” at the northeasterly corner to accommodate the servicing infrastructure.) The easement will not affect the existing building on the property.

Minor Variance

The three Consent Applications described above are accompanied by a fourth application for a Minor Variance to provide relief from the number of parking spaces required for the medical centre located at 169 Dalton Road.

Section 4.9.dd of the County’s Zoning By-law (No. 1-Z-2014) requires that a medical or dental clinic provide 1 parking space for every 15 square metres of usable floor area. As the existing two-storey building occupies approximately 240 m^2 , we have estimated the required amount of parking at 32 spaces. As shown on the “Parking Concept” drawing that accompanies the Minor Variance Application, the placement of the existing building on the lot provides enough space for 17 spaces:

because of where the existing building is situated, there is not enough space for the required number of parking spaces at the required minimum dimensions of 3 m x 5.8 m while also providing a two-way access aisle at the required minimum width of 7.3 m.

It should be noted that our estimate of 32 parking spaces is based on the total area on the site occupied by the existing building, and is very likely higher than the actual number of spaces that will be required. The minimum requirement in Section 4.9.dd of the Zoning By-law is based on the *usable* floor area, which is defined in Section 2.170 as “the total area of all floors of a building, outdoor patio or cafe, or dwelling unit,” including hallways, aisles, and stairways within a unit or suite but not areas “occupied by a common area in a multi-tenant building including but not limited to a public stairwell, public or shared corridor and lobby.”

Thus, while the relief requested by this application is for a deficiency of 15 parking spaces, the actual deficiency will most likely be lower. Our estimate of 32 parking spaces is deliberately conservative, in the absence of more detailed information regarding the interior layout of the building on the property.

The four applications being submitted to the Committee, whose overall purpose is to facilitate development within an existing settlement area, are consistent with the Provincial Policy Statement, 2020, particularly with regard to the efficient use of land and infrastructure and with respect to the provision of a full range of housing options “to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements,” as directed in Policy No. 1.4.3.b.

We therefore respectfully request that the enclosed applications be accepted and circulated for review. Should you have any questions about this submission, or should you require anything further, please do not hesitate to contact me.

Yours truly,
GSP Group Inc.



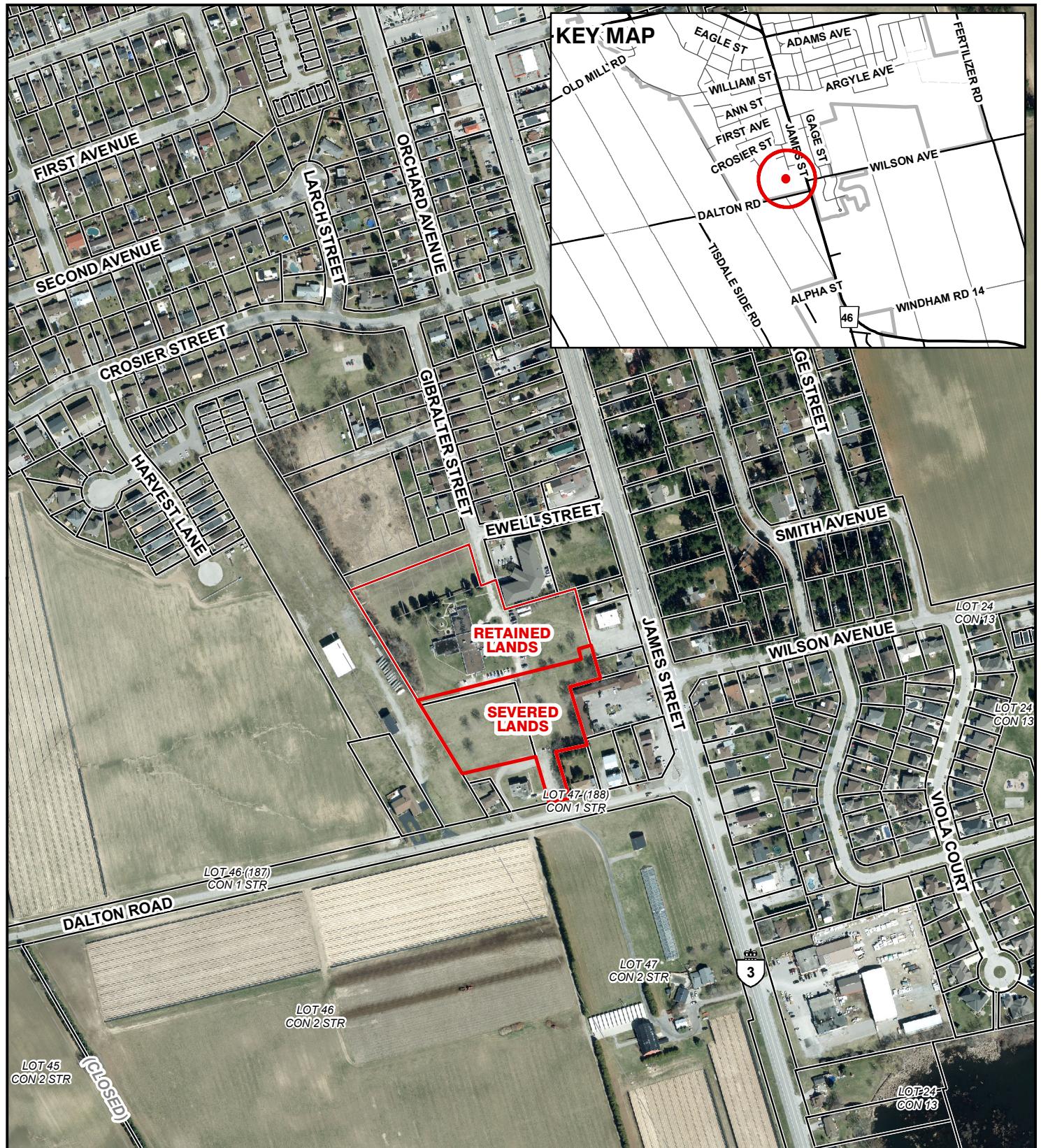
Heather Price, MCIP, RPP
Vice President, Development Planning Manager

cc. Wade Stever – Project Manager, peopleCare Inc.

Encl.: Committee of Adjustment Application Forms (x4)
Authorization Letter from Registered Owner of 169 Dalton Road, 750 Gibralter Street & 724 James Street
Parcel Register (Abbreviated) for Property Identifier 50165-0164
Parcel Register (Abbreviated) for Property Identifier 50165-0171
Parcel Register (Abbreviated) for Property Identifier 50165-0172

CONTEXT MAP

Urban Area of DELHI

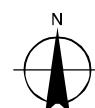


Legend

- Subject Lands
- Lands Owned

2020 Air Photo

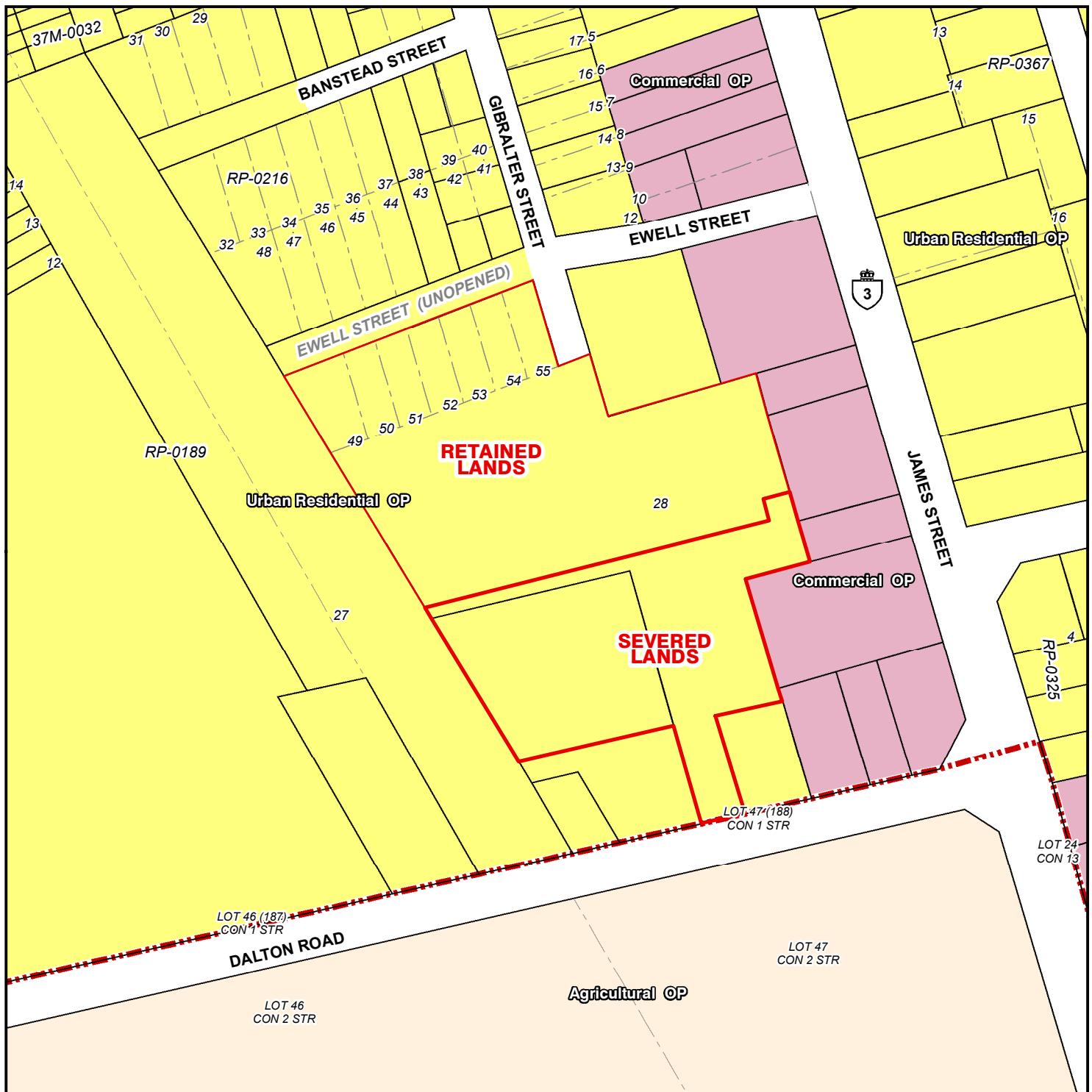
4/11/2023



40 20 0 40 80 120 160 Meters

OFFICIAL PLAN MAP

Urban Area of DELHI



Legend

Official Plan Designations

4/11/2023

- Subject Lands
- Lands Owned

Agricultural

Urban Residential

Commercial

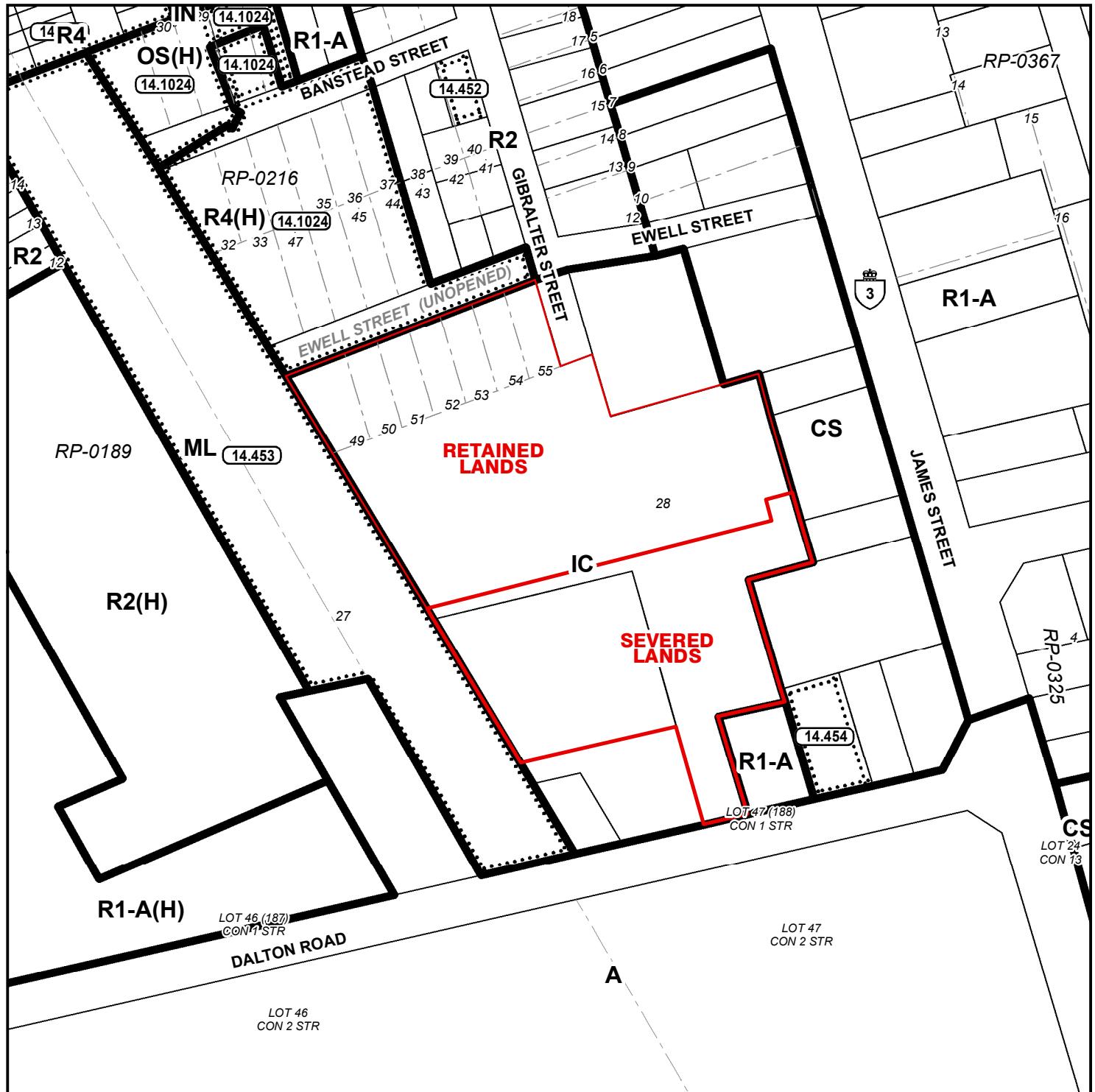
Urban Area Boundary



20 10 0 20 40 60 80 Meters

ZONING BY-LAW MAP

Urban Area of DELHI



LEGEND

Subject Lands
 Lands Owned

ZONING BY-LAW 1-Z-2014

(H) - Holding

A - Agricultural Zone

CS - Service Commercial Zone

IC - Community Institution

ML - Light Industrial Zone

IN - Neighbourhood Inst

OS - Open Space Zone

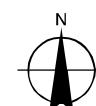
B1-A - Residential B1-A Zone

R2 Residential R2 Zone

R4 Residential R4 Zone

III Residential Areas

4/11/2023

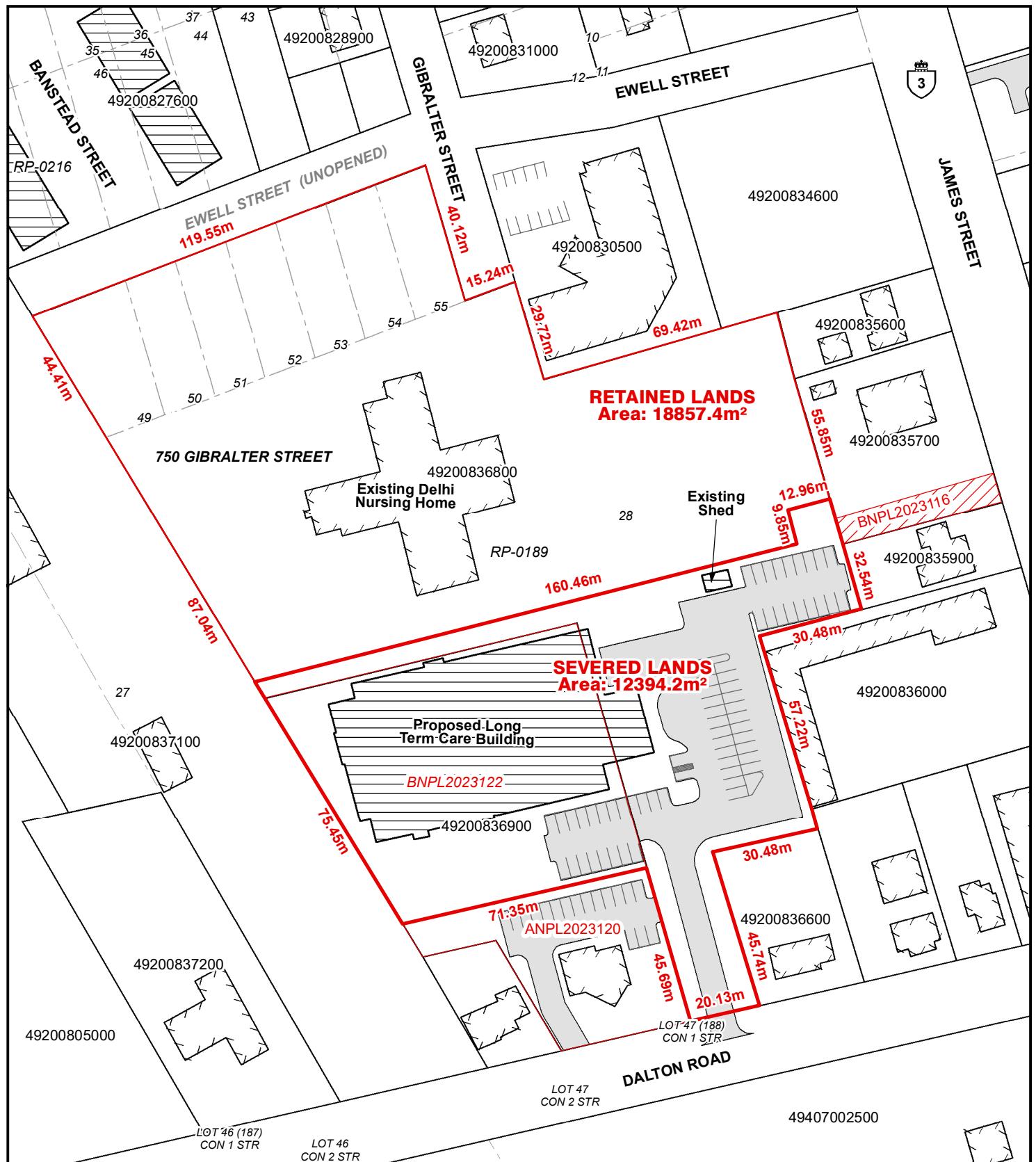


30 10 0 30 40 60 80

20 10 0 20 40 60 80 Meters

CONCEPTUAL PLAN

Urban Area of DELHI



Legend

- Subject Lands (Red Box)
- Lands Owned (Red Box)

4/11/2023



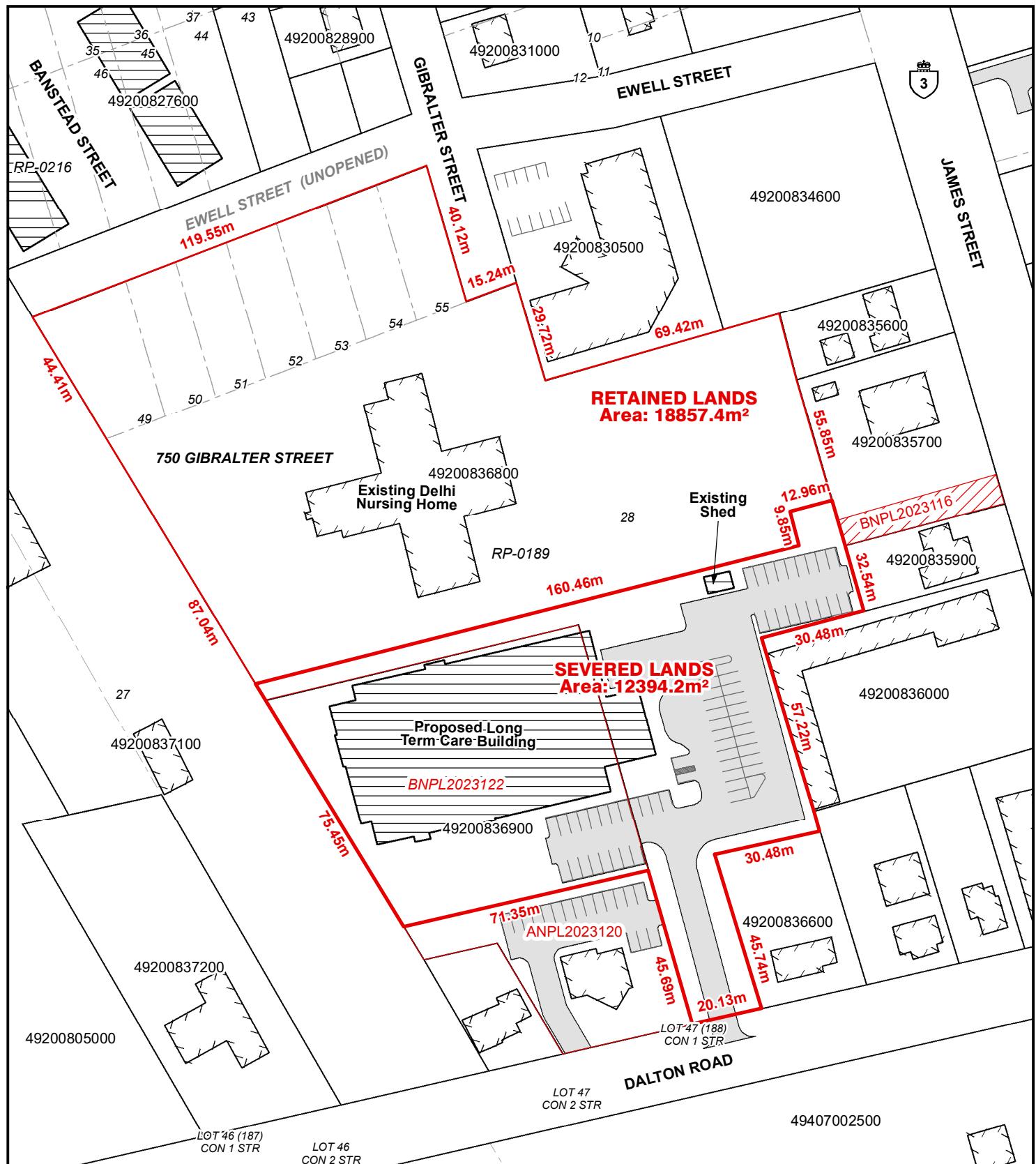
10 5 0 10 20 30 40 Meters

LOCATION OF LANDS AFFECTED

BNPL2023123

CONCEPTUAL PLAN

Urban Area of DELHI



Legend

4/11/2023

- Subject Lands
- Lands Owned



10 5 0 10 20 30 40 Meters