



## REPORT

### Planning and Development Council

Meeting Date: July 11, 2022

---

**FROM:** Planning Services Department

**DATE:** June 28, 2022

**SUBJECT:** Public Meeting and Recommendation Report, Temporary Use By-law Extension, Acclaim Health and Community Care Services, File Z.1628.32, By-law 2022-088

**LOCATION:** 2250 Speers Road

**WARD:** Ward 1

Page 1

---

#### RECOMMENDATION:

1. That the Temporary Use By-law Extension application (File Z.1628.32) submitted by Acclaim Health and Community Care Services to permit the lands to be used as a dementia care centre for a period of three years, until July 11, 2025, be approved.
2. That By-law 2022-088 be passed.
3. That notice of Council's decision reflects that Council has fully considered all written and oral submissions relating to this matter and that those comments have been appropriately addressed.
4. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.
5. That staff be directed to draft a modification to OPA 41, in consultation with Halton Region, for an exception policy to apply to 2250 Speers Road to permit the existing dementia care centre, and request that Halton Region add this modification to OPA 41 as part of their review.

---

## **KEY FACTS:**

The following are key points for consideration with respect to this report:

- **Location:** The subject property is  $\pm 0.647$  ha (1.59 acres) in size, has  $\pm 46$  m (150 ft.) of frontage along Speers Road, and is located on the south side of Speers Road, west of the Bronte GO Station (the “**Subject Property**”).
- **Policy Context:** The Subject Property is designated ‘Business Employment’ by Livable Oakville, and is identified on Schedule A1 – Urban Structure as being located within Employment Mixed Use Corridor along Speers Road, (which is also identified as a Regional Transit Priority Corridor). In addition, the Subject Property is located approximately 440m west of the limit of the Bronte GO Station, which is identified as a Regional Transit Node for further study.

This node was studied through the ‘Bronte GO Major Transit Station Area Study’, which developed an Area Specific Plan to create a complete, transit-supportive community which will accommodate future population and employment growth and development. Official Plan Amendment 41 (“**OPA 41**”) was adopted by Council on November 1, 2021, implements the findings of the Area Specific Plan, and has been sent to Halton Region for final approval.

OPA 41, as adopted by Council, would designate the Subject Property as Urban Centre (the northern half within the Speers District and the southern half within the Transition District).<sup>1</sup> The Urban Centre designation, would permit the dementia care centre, in addition to a range of residential, commercial and employment land uses subject to policy requirements including land use compatibility.

- **Zoning:** The Subject Property is zoned E1 and subject to ‘Temporary Use 2’ (“**T2**”), which permitted the existing Dementia Care Facility, on a temporary basis, since it opened in 2021 until August 6, 2022.
- **Proposal:** The applicant is seeking a 3 year extension (until August 6, 2025) to T2.
- **Nature of Application:** This application relates exclusively to a request to extend T2 for an additional 3 years. No changes to the zoning regulations, parking standards or physical changes to the Subject Property are proposed. Staff are also seeking Council direction to endorse a modification to OPA 41, which would facilitate consideration of a future Zoning By-law Amendment

---

<sup>1</sup> Per Schedule S1 – Bronte GO MTSA Land Use. Additional height may be permitted in accordance with Section 27.9.2.

application to recognize the Dementia Care Facility as a legal use, which would nullify the need to return to Council every 3 years to extend the T2 provisions.

- **Public Consultation:** Notice of the public meeting has been provided to property owners within 240m of the subject lands in accordance with the town's current notice requirements. As of the date of this report, no public comments have been received.
- **Timing:** This application was submitted and deemed complete on June 8, 2022. The *Planning Act* provides for a 90 day timeline to make a decision on this application (September 5, 2022) failing which the applicant could file an appeal for non-decision.

## **BACKGROUND:**

At the August 6, 2019 P&D Council Meeting, Council considered a Recommendation Report addressing the proposal by Acclaim Health and Community Care Services (the "**Applicant**") to introduce a sensitive land use, being Acclaim Health Dementia Care, from the perspective of conformance with the Provincial Policy Statement, the Growth Plan, the Regional Official Plan and Livable Oakville. At that time, the findings of the accompanying Air and Noise studies had been inconclusive. On this basis, the Planning Report had recommended denial of the application. Council had adopted the following motion:

*"THAT Recommendation Report, Zoning By-law Amendment, Acclaim Health and Community Care Services, 2250 Speers Road, Z.1628.01 dated July 26, 2019, be received;*

*THAT Planning Staff be directed to bring forward a report in September, 2019 that would allow Council to consider a Temporary Use By-law permitting the proposed Dementia Care facility at 2250 Speers Rd."*

Subsequently, the Applicant commissioned a further assessment of the Air and Noise Feasibility Studies, and also prepared a Planning response to the policy and technical issues raised. Staff reviewed this submission and in a staff report dated September 4, 2019 (appended to this staff report as "**Appendix 'A'**") found that while many of the issues were addressed, additional information was required regarding the impact of the introduction of a sensitive land use, on both the existing and future employment uses situated in proximity to the Subject Property.

At the September 9, 2019 Council meeting, the Applicant provided additional submissions to address staff's comments, and Council subsequently approved the

application and passed temporary use By-law 2019-085. Temporary Use By-law T2 expires on August 6, 2022.

Since then, Regional Official Plan Amendment 48 (“**ROPA 48**”), was approved by Halton Region Council in support of their municipal comprehensive review, and subsequently approved by the Province. ROPA 48 delineated the boundary of the Protected MTSA (“**PMTSA**”) for the Bronte GO Major Transit Station Area, and removed a portion of it from the Regional ‘Employment Area’, including the Subject Property.

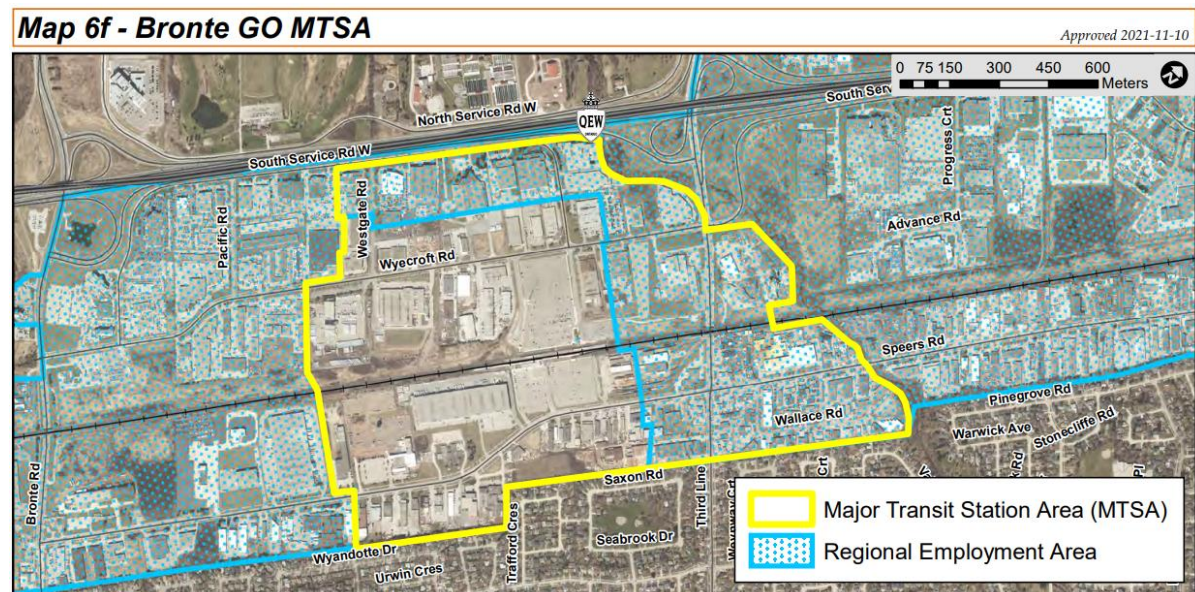


Figure 1: Map 6f Bronte Go MTSA

In addition, OPA 41 was adopted by Town Council on November 1, 2021. OPA 41, as adopted by Council, would introduce a land use, building height, density, transportation, and urban design schedule for the Bronte GO MTSA to provide for the gradual transition of the Bronte GO MTSA into a transit-supportive complete community. This town-initiated study was informed by, amongst other matters, land use compatibility studies, which of particular relevance to this request to extend the temporary use T2 for an additional 3 years.

The purpose of this report is to introduce the current Zoning By-law amendment application, in conjunction with the statutory public meeting and provide a staff recommendation for consideration by Planning and Development Council.

## Proposal

The Applicant seeks approval of a 3 year extension to Temporary Use By-law T2 (until August 6, 2025) to permit the continuance of the existing Dementia Care Facility for an additional three years (the “**Proposal**”).

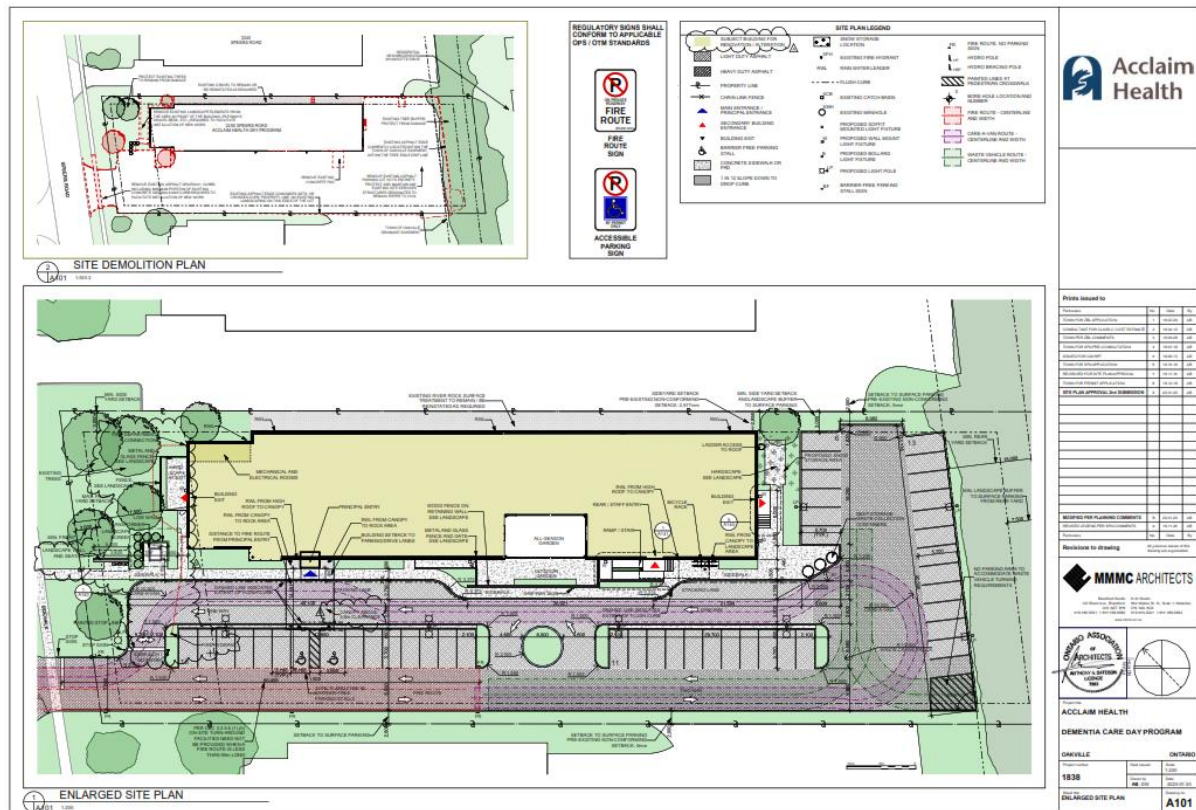


Figure 2: Approved Site Plan

As part of approval of the site plan application on June 26, 2020, modifications to the existing building and site improvements were approved, then subsequently constructed. The Dementia Care Facility opened in 2021 and includes: administrative offices and staff area; adult day program (daycare) area and respite care. Approximately 80% of the building is used as the Adult Day Program providing care for up to 30 clients. The administrative office area includes meeting rooms and a caregiver lounge, to provide for family support and education. The respite care area includes eight beds for clients to use for up to a maximum two weeks consecutively up to 24 days per year, per client. The Dementia Care Facility is operated by a non-profit organization.

No physical change to the existing building, site layout, site-specific zoning regulations or parking regulations are proposed.

## Location & Site Description

The subject property is  $\pm 0.647$  ha (1.59 acres) in size, has  $\pm 46$  m (150 ft) of frontage along Speers Road, and is located on the south side of Speers Road, west of the Bronte GO Station.



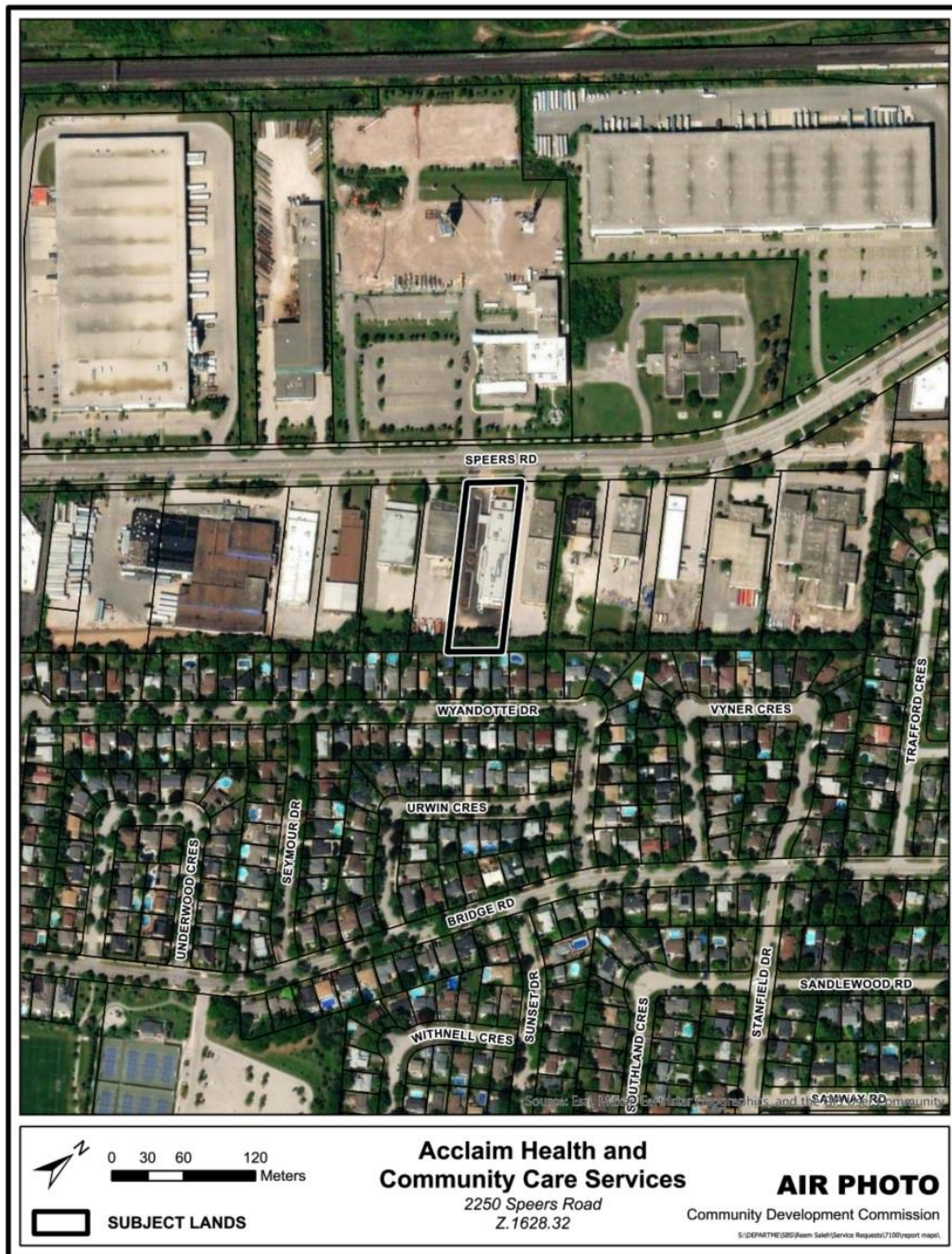


Figure 3: Air Photo

The Subject Property is occupied by an existing one storey building, as described above.

## **Surrounding Land Uses**

The surrounding land uses are as follows:

East & West: Office and industrial uses

South: Low Density Residential detached dwellings

North: Multi-tenant office building

## **PLANNING POLICY & ANALYSIS:**

The Subject Property is subject to the following policy and regulatory framework:

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2019)
- Halton Region Official Plan
- Livable Oakville
- OPA 41 (Council-adopted Bronte MTSA)
- Zoning By-law 2014-014

## **Provincial Policy Statement**

The Provincial Policy Statement (2020) (“**PPS**”) is intended to promote a policy led system, which recognizes that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient compact development form by directing growth to settlement areas, and encourages planning authorities to permit and facilitate a range of housing options, to sustain healthy, liveable and safe communities.

The PPS promotes the integration of land use planning, growth management and transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

The Subject Property is located within an ‘employment area’<sup>2</sup>, until such time as OPA 41 in force. Subject to consistency with land use compatibility (detailed in the ‘technical and public comments’ section of this report), staff are of the opinion that continuation of the existing dementia care centre for an additional three years would continue to support a healthy, liveable and safe community.

---

<sup>2</sup> **Employment area:** means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (PPS)

There are no significant built heritage resources or significant cultural heritage landscapes located on or adjacent to the Subject Property and the review of the site plan application fully addressed other policy requirements such as stormwater management, functional servicing, environmental suitability of lands, archaeological potential, transportation, natural hazards and natural heritage.

On this basis, the Proposal is consistent with the PPS.

## **Growth Plan**

The Growth Plan for the Greater Golden Horseshoe (2019) ("**Growth Plan**") is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, and expand convenient access to transportation options. The Growth Plan acknowledges the significance of high quality compact urban form, an attractive and vibrant public realm and access to public open spaces through site design and urban design standards.

The Subject Property is located in a settlement area, within the "Built-Up Area" and within major transit station area on a priority transit corridor. Within the context of the Growth Plan, the Subject Property is also located within a 'strategic growth area'.<sup>3</sup> Pursuant to Policy 2.2.1 2) c) growth is to be focused in delineated built up areas, strategic growth areas, locations with existing or planned transit, with a priority on higher order transit where it exists or is planned, and areas with existing or planned public service facilities are areas where growth is to be focused. Policy 2.2.1 4) of the Growth Plan provides that applying the policies of the Plan is to support the achievement of complete communities that:

*a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*

---

<sup>3</sup> **Strategic Growth:** Areas Within settlement areas, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas. (Growth Plan, 2019)



- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*

Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities (Policy 2.2.4 10)).

The Subject Property is located within an 'employment area'<sup>4</sup>, until such time as OPA 41 in force. Policy 2.2.5 (7) a) provides policy direction regarding planning for employment areas by: prohibiting residential uses and prohibiting or limiting other sensitive land uses that are not ancillary to the primary employment use; prohibiting major retail uses or establishing a size or scale threshold for any major retail uses that are permitted and prohibiting any major retail uses that would exceed that threshold; and providing an appropriate interface between employment areas and adjacent non-employment areas to maintain land use compatibility.

Subject to consistency with land use compatibility (detailed in the 'technical and public comments' section of this report), staff are of the opinion that continuation of the existing dementia care centre for an additional three years would continue to make a contribution to achieving complete community objectives.

There are no significant built heritage resources or significant cultural heritage landscapes located on or adjacent to the subject lands and the review of the site plan application fully addressed other policy requirements such as stormwater management, functional servicing, environmental suitability of lands, archaeological potential, transportation, natural hazards and natural heritage.

On this basis, the Proposal is consistent with the Growth Plan.

## **Halton Region Official Plan**

Regional Official Plan Amendment 48 ("**ROPA 48**") was approved by the Ministry of Municipal Affairs and Housing, with modifications, on November 11, 2021 and implements components of the Regional Urban Structure to establish a hierarchy of strategic growth areas in the Regional Official Plan. It is the first amendment to be adopted by Regional Council as part of the Regional Official Plan Review.

The Subject Property is designated "Urban Area" and are located with a Major Transit Station Area. Lands within the "Urban Area" are intended for residential and

---

<sup>4</sup> **Employment Area:** Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (Growth Plan)

employment growth. Policy 76 notes that the range of permitted uses is to be in accordance with Local Official Plans and Zoning By-laws. All development, however, is subject to the policies of the Regional Plan.

It is the policy of Halton Region to direct development with higher densities and mixed uses to Regional Nodes in accordance with a hierarchy of Strategic Growth Areas, and based on the level of existing and planned transit service. The Subject Property is located within the Bronte Go MTSO, which is centred on the Bronte Go Station.

Staff reviewed the Proposal in the context of the approval of ROPA 48, and are of the opinion that the proposal for continuation of the existing dementia care centre for an additional three years is in conformity with the Halton Region Official Plan.

In a letter dated June 27, 2022, Halton Region also reviewed the Proposal in the context of the Halton Region Official Plan and had no objections.

## **Livable Oakville Plan**

### OP Objectives

Section 2, Policy Framework of the Livable Oakville Plan identifies a mission statement and a number of guiding principles that establishes the basis for the LOP including:

#### *2.2.1 Preserving and creating a livable community in order to:*

- a) preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods;*
- b) direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated; and,*
- c) achieve long term economic security within an environment that offers a diverse range of employment opportunities for residents.*

### Urban Structure

The Subject Property is identified on Schedule A1 – Urban Structure as being located within Employment Mixed Use Corridor along Speers Road, (which is also identified as a Regional Transit Priority Corridor). In addition, the Subject Property is located approximately 440m west of the limit of the Bronte GO Station, which is identified as a Regional Transit Node for further study. Nodes and Corridors are key areas in the Town identified as the focus for mixed use development and intensification.

## Land Use Policies

The Subject Property is designated “Business Employment” by Livable Oakville, until OPA 41 is approved by Halton Region and in effect.

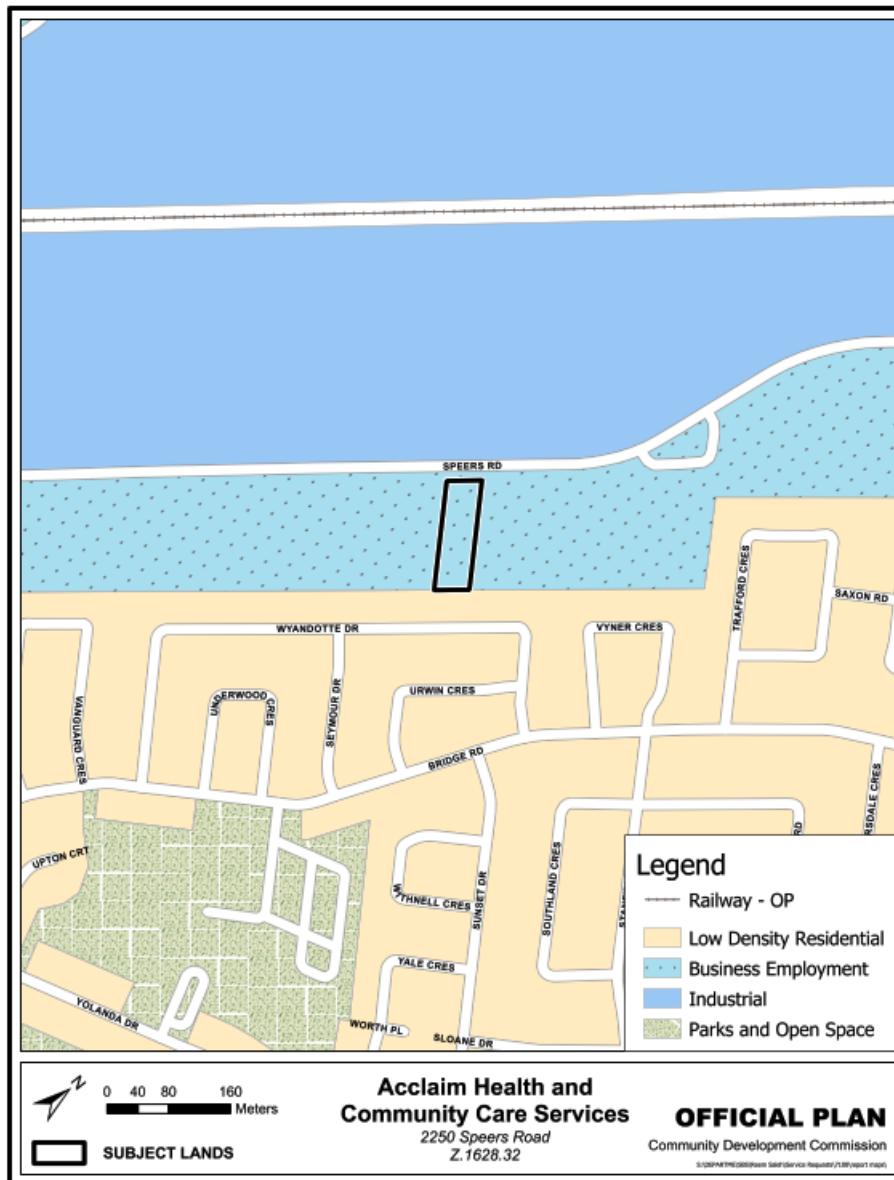


Figure 4: Livable Oakville

Business Employment areas are intended to provide for a wide range of business and industrial uses. The uses in the Business Employment areas are intended to be predominantly within enclosed buildings and provide for office uses and light and service industrial operations with minimal impacts on the surrounding areas.

Pursuant to Section 7 of Livable Oakville, 'community uses', such as the Dementia Care Facility, are intended to serve and support the health, educational, religious, recreational and cultural needs of the Town and may be permitted in the business employment area subject to criteria. The detailed criteria was assessed as part of the staff report dated September 4, 2019 ("**Appendix 'A'**"), and implemented as part of the site plan approval (SP.1628.001/01) issued on June 26, 2020.

When considering the enactment of a temporary use by-law, Section 28.7.2 of Livable Oakville provides that the Town shall be satisfied that the temporary use:

- a) is in general conformity with the intent and policies of this Plan;
- b) is compatible with adjacent land uses;
- c) is temporary in nature, appropriate for a limited time span and can be terminated when the authorizing by-law expires;
- d) has sufficient services such as water, sewage disposal and roads; and,
- e) does not adversely impact traffic or transportation facilities in the area and provides for adequate on-site parking facilities.

All of the above criteria was considered through enactment of temporary use by-law T2 (see "**Appendix 'A'**") and related site plan application. Subject to consistency with land use compatibility (detailed in the 'technical and public comments' section of this report), staff are of the opinion that continuation of the existing Dementia Care Facility for an additional three years would continue to conform to Livable Oakville.

#### OPA 41

As part of the town's Official Plan Review, the town conducted a study of the Bronte GO Station and surrounding area, known as a "Major Transit Station Area" or "**MTSA**". The study developed an Area Specific Plan to create a complete, transit-supportive community which will accommodate future population and employment growth and development. OPA 41 was adopted by Town Council on November 1, 2021 which implements the findings of the Area Specific Plan. OPA 41 has been sent to Halton Region for final approval.

OPA 41, as adopted by Council, would designate the Subject Property as Urban Centre (the northern half within the Speers District and the southern half within the Transition District).<sup>5</sup> The Urban Centre designation, would permit the dementia care centre, in addition to a range of residential, commercial and employment land uses. However, the following policy direction is of particular importance to the continuation of the dementia care land use:

---

<sup>5</sup> Per Schedule S1 – Bronte GO MTSA Land Use. Additional height may be permitted in accordance with Section 27.9.2.

- i. **Land Use Compatibility:** Currently, the entire Bronte GO major transit station area is within a potential influence area of one or more existing major facilities. Land use compatibility considerations may influence the ability for residential and other sensitive land uses from being introduced. All development is required to have regard for existing major facilities in the vicinity, and the development of sensitive land uses will be mitigated and/or phased accordingly to ensure land use compatibility can be maintained as the mixed use areas transition over time. The land use compatibility policies of Section 27.4.5 would apply, including provision of a land use compatibility assessment, which demonstrates that:
- a. there is an identified need for the proposed use;
  - b. alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
  - c. adverse effects to the proposed sensitive land use are minimized and mitigated; and,
  - d. potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

To protect the operational and economic viability of existing major facilities, a new sensitive land use is not permitted within the minimum separation distance of a major facility, in accordance with Provincial and Regional guidelines.<sup>6</sup>

- ii. **Building Height and Density:** The northern portion of the Subject Property would permit a building height of between 3-8 storeys with a minimum Floor Space Index (“FSI”) of 1.5 and the southern half of the Subject Property, adjacent to low density residential, would permit a building height of 2-4 storeys with a minimum FSI of 1.0.<sup>7</sup>
- iii. **Future Local Roads:** In the fullness of time, to accommodate planned future growth within the Bronte Go MTSA, redevelopment of the Subject Property would be necessary to facilitate provision of the proposed local road network, as shown on Schedules S4 and S5.

Land use compatibility, as it relates to the requested 3 year temporary use extension of the dementia care centre, is detailed in the ‘technical and public comments’ section of this report.

While policies 27.9.1 f), states that uses and buildings that legally existing prior to the adoption of OPA 41 (November 1, 2021) may be permitted to continue, however, the area is intended to be redeveloped in conformity with this Plan. In staff’s opinion,

---

<sup>6</sup> Section 27.4.5 d), Livable Oakville

<sup>7</sup> Schedule S2 – Bronte GO MTSA Building Heights and Schedule S3 – Bronte GO MTSA Density



this policy would technically not extend to the dementia care centre, since its legal status on November 1, 2021 was a 'temporary use'. Staff is recommending for Council to direct staff to draft a modification to OPA 41, in consultation with Halton Region, for an exception policy to apply to 2250 Speers Road to permit the existing dementia care centre, and request that Halton Region add this modification to OPA 41 as part of their review.

This would facilitate consideration of a future Zoning By-law Amendment application to recognize the Dementia Care Facility as a legal use, which would nullify the need to return to Council every 3 years to extend the T2 provisions. In the fullness of time, the intent for the Subject Property to be redeveloped in conformity with OPA 41 to accommodate planned future growth through intensification, and conveyance of planned local roads would be maintained.

### Zoning By-law

The Subject Property is zoned E1 and subject to T2, which permits the existing Dementia Care Facility. The Applicant is seeking a 3 year extension (until August 6, 2025) to T2. No other change to T2 is proposed.

<b>T2</b>	<b>2250 Speers Road</b> <b>(CON 3 SDS PT LOT 28)</b>		Parent Zone: E1
Map 19(5)			(2019-085)
			Expires: <b>August 6, 2022</b>
The lands subject to Temporary Zone 2 may be used for the <i>uses</i> permitted in Section 10.2 of this By-law subject to the regulations provided for such <i>uses</i> and, in addition, the following <i>uses</i> subject to the regulations set out herein:			
<b>18.2.1 Additional Permitted Uses</b>			
The following additional <i>uses</i> are temporarily permitted until the expiry date identified above:			
a)	Respite Care in association with a <i>Day Care</i>		
<b>18.2.2 Zone Regulations</b>			
The following regulations apply to the additional <i>uses</i> permitted in Section 18.2.1 above:			
a)	Footnotes 5 and 17 of Table 10.2 shall not apply.		
b)	Maximum <i>net floor area</i> for Respite Care	410 sq. m	
c)	Minimum easterly interior side yard	2.8 m	
d)	Maximum number of <i>lodging units</i> for Respite Care	8	
e)	Minimum width of <i>landscaping</i> along the westerly <i>interior side lot line to surface parking area</i> within an Employment zone	2.0 m	
<b>18.2.3 Parking Regulations</b>			
The following parking regulations apply to the additional <i>uses</i> permitted in Section 18.2.1 above:			
a)	Minimum number of <i>parking spaces</i>	1.0 per 40.0 sq. m <i>net floor area</i>	

## **TECHNICAL & PUBLIC COMMENTS:**

### Land Use Compatibility

As part of the Bronte Go MTSA, an Air Quality Impact Assessment was conducted to identify air emission impacts from industrial and transportation sources. The assessment found several Class II and Class III facilities operating in the MTSA that could cause compatibility concerns with introducing sensitive land uses.

Based on air quality guidelines from the Region of Halton and the Ministry of Environment, Conservation and Parks, minimum separation distances of 70 metres (Class II facilities) and 300 metres (Class III facilities) were applied to identify areas where sensitive land uses can and cannot be introduced. Figure 5 identifies the minimum required air quality buffers if all existing industrial facilities continue operations.

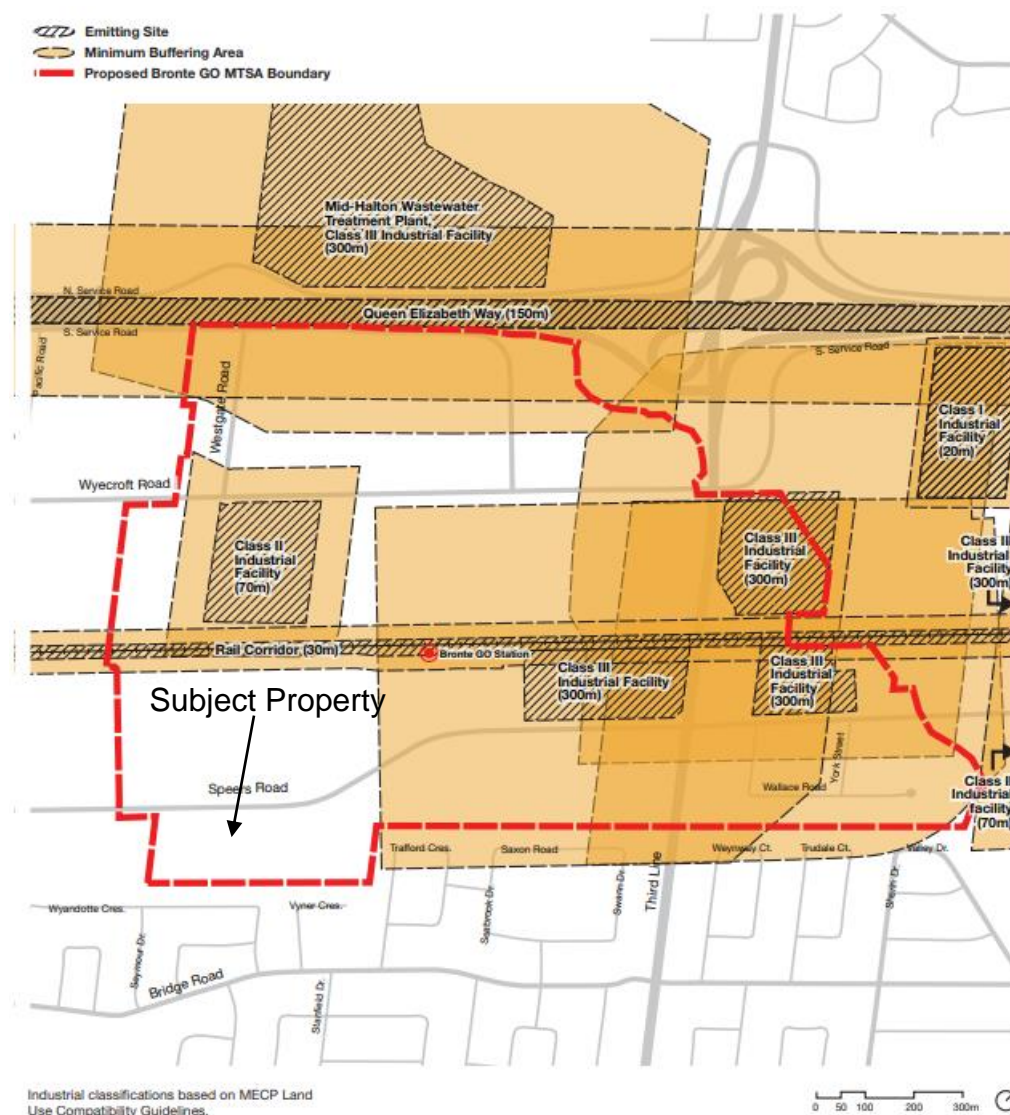


Figure 5: Minimum Air Quality Buffers

Accordingly, the Subject Property is not located within the minimum separation distance of a major facility, and as such the Proposal has regard to policy 27.4.5 d) of OPA 41 regarding land use compatibility.

Through the Site Plan Approval process and through the initial Zoning By-law Amendment application, Air Quality and Noise Studies, and their respective updates, were completed and the reports ultimately determined that compatibility was achieved in accordance with the D-6 guidelines and there would be no land use compatibility concerns with respect to the, now existing, Community Use.

Since then, the Council adopted policies of OPA 41 which would designate the entire Bronte GO MTSA as a Class 4 area under the Provincial NPC-300 guidelines which permits slightly higher noise levels and allow for a wider range of receptor and source-based mitigation measures.

The Applicant has made submission to the Town that *'since opening of the Dementia Care Facility in 2021, there have been no concerns from Acclaim Health in terms of noise, dust, or odour with respect the surrounding employment area and no complaints have been received from Acclaim Health or the City in terms of impacts on the surrounding employment area'*.

In a letter dated June 27, 2022, Halton Region reviewed both air quality and noise and noted that appropriate studies were undertaken, mitigation measures were noted as part of the site plan application (SP.1638.001/01), and that they have no further comments.

Based on the foregoing, staff are satisfied that the Proposal to extend the temporary use By-law for an additional 3 years to permit the Dementia Care Facility would not present land use compatibility concerns, and would conform to, and be consistent with, applicable policy.

## **CONCLUSION:**

Staff recommends approval of the extension to the temporary use by-law T2, as the application is consistent with the Provincial Policy Statement, does not conflict with Provincial plans or to the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning. Further the application is consistent with the Livable Oakville Plan and has regard for OPA 41. In addition, the following requirements have been satisfied:

- Permitting the Dementia Care Facility for an additional 3 years would support a healthy, liveable and safe community, complete community and would support provide specialized health care for residents of the Town which are important planning objectives.

- No land use compatibility concerns were raised in relation to permitting the existing Dementia Care Facility on a temporary basis for 3 additional years.
- Site plan matters were fully addressed through approval of site plan approval (SP.1628.001/01) issued on June 26, 2020.
- A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved; and,
- No comments have been received from the public.

### **IMPLEMENTATION:**

Should this temporary use by-law be approved by Council, the Dementia Care Facility would be permitted to operate for an additional 3 years. No other changes are proposed.

In the longer-term, if the Applicant intends to permit the dementia care centre for more time (3 + years), the appropriate approval route would be a Zoning By-law amendment application, after OPA 41, as modified, is in full force and effect. Should Council approved staff's recommendation to modify OPA 41, it would facilitate submission of a future Zoning By-law Amendment application to recognize the Dementia Care Facility as a legal use, and nullify the need to return to Council every 3 years to extend the T2 provisions.

In the fullness of time, the intent for the Subject Property to be redeveloped in conformity with OPA 41 to accommodate planned future growth through intensification, and conveyance of planned local roads would be maintained.

### **CONSIDERATIONS:**

#### **(A) PUBLIC**

Notice of complete application was provided 21 days in advance of this meeting to all properties within 240 m of the Subject Property. As of the date of this report, no comments have been received from the public in response to the notice.

#### **(B) FINANCIAL**

None arising from this report.

#### **(C) IMPACT ON OTHER DEPARTMENTS & USERS**

None of the circulated departments/agencies raised any issues with respect to the proposal.

#### **(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal(s) to:

- be the most livable town in Canada

**(E) CLIMATE CHANGE/ACTION**

The extension of the temporary use generally complies with the sustainability objectives of Livable Oakville.

**APPENDICES:**

Appendix “A” – Recommendation Report Dated June 5<sup>th</sup>, 2019

Appendix “B” – By-law 2022-088

Prepared by:

Paul Barrette, MCIP, RPP

Senior Planner, Current Planning

Recommended by:

Charles McConnell, MCIP, RPP

Manager, Current Planning - West

Submitted by:

Gabe Charles, MCIP, RPP

Director of Planning