

REPORT

Commissioners Delegated Authority Meeting

Meeting Date: August 6, 2025

FROM: Planning and Development Department

DATE: July 16, 2025

SUBJECT: Public Meeting and Recommendation Report, Temporary Use By-law Extension, Acclaim Health and Community Care Services, File No.: Z.1628.32, By-law 2025-136

LOCATION: 2250 Speers Road

WARD: Ward 1

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RECOMMENDATION:

1. That comments from the public with respect to the Temporary Use Zoning By-law Amendment application, File No. Z.1628.32, be received;
2. That the Temporary Use Zoning By-law Amendment application, File No. Z.1628.32, be approved on the basis that the application is consistent with the Provincial Planning Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and Livable Oakville Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning and Development Department dated July 16, 2025;
3. That By-law 2025-136, an amendment to Zoning By-law 2014-014, as amended, be passed; and,
4. That notice of the Commissioner's decision reflects that the Commissioner of Community Development has fully considered all written and oral submissions related to this matter and that these comments have been appropriately addressed.

KEY FACTS:

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

- An application was submitted in June 2025 to allow for an extension of the Temporary Use By-law to permit the continued operation of a dementia care facility on the subject lands for a period of an additional three years.
- These lands have been used as a dementia care facility since 2021.
- The existing Temporary Use By-law lapses on August 6, 2025.
- The lands are designated Urban Centre in the Livable Oakville Plan and zoned E1 (Office Employment) and subject to Temporary Use 2 (T2).
- The subject property is located approximately 440 metres west of the limit of the Bronte GO Station, which is identified as a Regional Transit Node. 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, implementing the findings of the Area Specific Plan, and came into full force and effect in 2022. The Plan now includes site-specific policies that permit the existing one-storey dementia care facility on the subject lands.
- The continued use of the lands as a dementia care facility for an additional three years is appropriate. It is staff's understanding that within this time period the applicant intends to submit a Zoning By-law Amendment application to recognize the facility as a legal use.
- Staff recommends that Zoning By-law 2025-136 to permit the dementia care facility as a temporary use for an additional three years, until August 6, 2028, be passed.

BACKGROUND:

At the August 6, 2019 Planning and Development Council Meeting, Council considered a Recommendation Report addressing the proposal by Acclaim Health and Community Care Services 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 department's Recommendation 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 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 lands.

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. Since then, Regional Official Plan Amendment 48 was approved, which delineated the boundary of the Protected MTSA for the Bronte GO Major Transit Station Area, and removed a portion of it from the Regional Employment Area, including the subject property. In addition, OPA 41 was adopted by Town Council on November 1, 2021, and came into full force and effect in 2022. The Plan now includes site-specific policies that permit the existing one-storey dementia care facility on the subject lands.

Temporary Use By-laws have been in effect for the subject lands since 2019 with the previous extension occurring in 2022. The current three-year time period for the subject land's temporary use permissions lapses on August 6, 2025.

The purpose of this report is to introduce the current Temporary Use Zoning By-law Amendment extension application, in conjunction with the statutory public meeting and provide a staff recommendation for consideration by the Commissioner of Community Development.

Proposal

The applicant seeks approval to permit the continuance of the existing dementia care facility for an additional three years.

The current application to permit a temporary use on the subject lands does not change the previous permissions or regulations, and would remain consistent with the most recently approved extension of the temporary use under By-law 2022-088. Additionally, the current application to allow the lands to continue to be used as a dementia care facility was deemed complete on July 7, 2025.

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 family support and education. The respite care area includes eight beds for clients to use for up to a maximum of 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.

The continued use of the lands as a dementia care facility for an additional three years is appropriate until such time as a formal Zoning By-law Amendment application to recognize the facility as a legal use is submitted, which would nullify the need to return to the Commissioner of Community Development every three years to extend the temporary use provisions.

Location & Site Description

The subject property is ± 0.65 ha (1.59 acres) in size, has ± 46 metres (150 feet) of frontage along Speers Road, and is located on the south side of Speers Road, west of the Bronte GO Station, as seen in Figure 1 below.

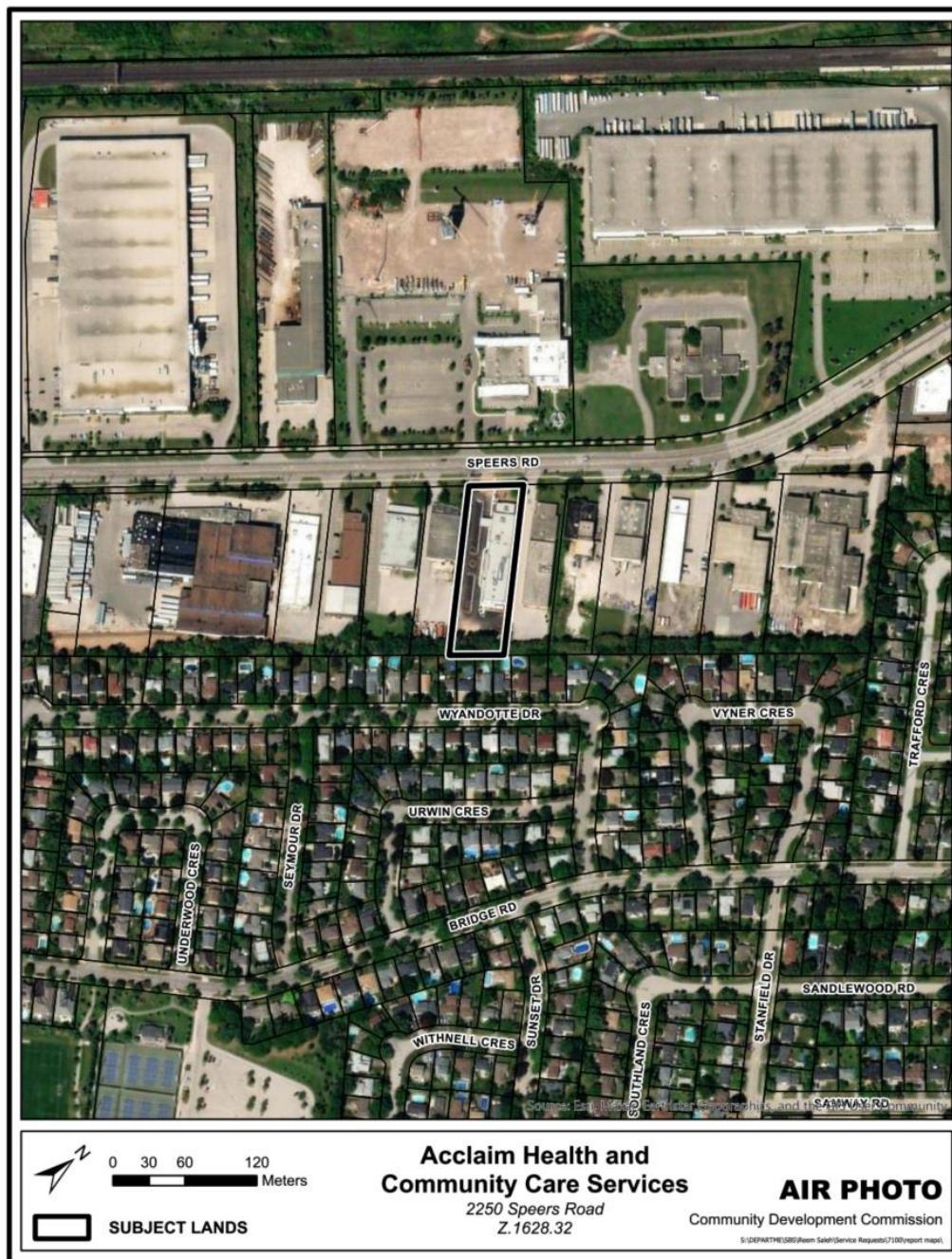


Figure 1: Aerial Photo

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 and West: Office and industrial uses
South: Low Density Residential detached dwellings
North: Multi-tenant office building

POLICY FRAMEWORK:

The property is subject to the following policy and regulatory framework:

- Provincial Planning Statement (2024)
- Halton Region Official Plan
- Livable Oakville Plan
- Zoning By-law 2014-014

Provincial Planning Statement

The new Provincial Planning Statement, 2024 (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 development and land use patterns by directing growth to settlement areas and by promoting a compact development form. All planning decisions must be consistent with the PPS.

The subject application for the continuation of the temporary use is consistent with the Provincial Planning Statement, 2024.

Halton Region Official Plan

As of July 1, 2024 (Bill 185), the responsibility of the Regional Plan rests with the Town of Oakville.

The subject lands are designated “Urban Area” and are located with a Major Transit Station Area. The policies of the Urban Area designation support a form of growth that is compact, supportive of transit and the development of vibrant and healthy mixed-use communities, which afford maximum choices for residence, work and leisure.

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 lands are located within the Bronte GO MTSA, which is centred on the Bronte GO Station.

As such, staff 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.

Livable Oakville Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011 and is currently undergoing a five-year Official Plan Review to ensure the policies are consistent with the latest Provincial and Regional policies, support the Town's strategic goals, and reflect the visions and needs of the community.

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.*

The subject property is designated Urban Centre by Livable Oakville, as shown in Figure 2 below. Urban Centre areas are intended to provide for a mix of uses including retail and service commercial, major office, offices and residential uses. Development should be oriented to the street and shall contribute to a high-quality pedestrian-oriented and transit-supportive environment.

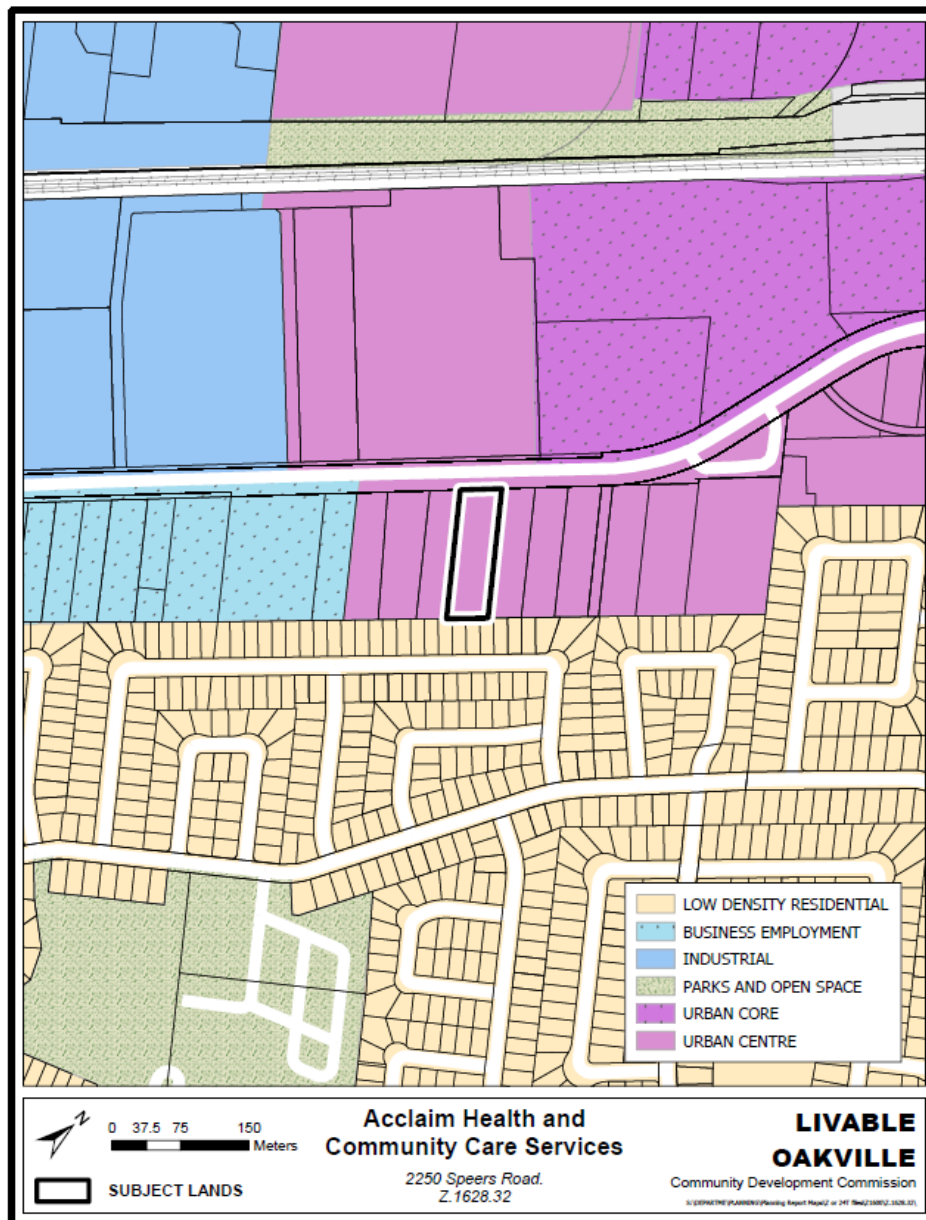


Figure 2: Livable Oakville

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 urban centre area subject to criteria. The detailed criteria were assessed and implemented as part of the site plan control 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 the above criteria were previously considered through enactment of the initial Temporary Use By-law Amendment (2019-085) and related site plan application. Additionally, since there are no physical changes being contemplated to the existing building, site layout, site-specific zoning regulations or parking regulations as part of this application, 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.

Zoning By-law

The Subject Property is zoned E1 and subject to T2, which permits the existing dementia care facility, as shown in Figures 3 and 4 below. The effect of the current application is to carry forward these permissions, as described, for an additional three years (until August 6, 2028) to T2. No other changes to T2 are proposed.



Figure 3: 2014-014 Zoning Excerpt Map

T2	2250 Speers Road (CON 3 SDS PT LOT 28)		Parent Zone: E1
Map 19(5)			(2019-085)
			Expires: August 6, 2022
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:			
18.2.1 Additional Permitted Uses			
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>		
18.2.2 Zone Regulations			
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 <i>Employment zone</i>		2.0 m
18.2.3 Parking Regulations			
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>

Figure 4: 2014-014 – Additional Zoning Regulations (E1-T2)

TECHNICAL & PUBLIC COMMENTS:

The development application was circulated to internal departments and external agencies for a full assessment of the proposal. No concerns were raised as a result of the circulation.

Conformity with Livable Oakville Plan

Through the Site Plan Approval process and through the initial Temporary Use Zoning By-law Amendment application, Air Quality and Noise Studies, and their respective updates, were completed for the subject lands. The reports determined that land use compatibility was achieved in accordance with the D-6 guidelines. As such, there were no compatibility concerns with respect to the Community Use, which has now existed on the subject lands for four years without issue.

Section 27.8.2 of OPA 41 states, “*On the lands designated urban centre and known as 2250 Speers Road, the existing one storey dementia care centre, which includes overnight accommodation, shall be permitted.*” Now that OPA 41 is in full force and effect, this will help facilitate the future submission of a 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.

Approval is requested to extend the temporary use that currently exists for the lands to permit the aforementioned uses, as the applicant is not yet ready to submit the Zoning By-law Amendment application to permanently rezone the lands.

Based on the foregoing, staff are satisfied that the proposal to extend the temporary use By-law for an additional three years to permit the dementia care facility, as the proposal would not present land use compatibility concerns, and would conform to, and be consistent with, applicable policy.

Proposed Zoning By-law Amendment

A site-specific temporary use by-law (2025-136) is proposed which reflects the current use on the subject property, for a maximum period of three years expiring on August 6, 2028. The temporary performance zone provides regulations for a maximum net floor area for respite care (410 square metres), maximum number of lodging units for respite care (8), minimum easterly interior side yard (2.8 metres), minimum landscape buffer along the westerly interior side yard (2.0 metres) and minimum number of parking spaces (1.0 per 40 square metres of net floor area).

CONCLUSION:

Staff recommends the approval of the temporary use by-law extension, as the application is consistent with the Provincial Planning Statement, does not conflict with provincial priorities or the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning. Further, the application conforms with the principles and policy direction of the Liveable Oakville Plan and Zoning By-law 2014-014. The following requirements have been satisfied:

- The extension of the existing use provides an appropriate temporary, interim land use that will not preclude or constrain the ultimate development of the subject lands in accordance with the Livable Oakville Plan;
- The proposed development complies with the site-specific Zoning By-law regulations applicable to the subject lands;
- A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved; and,
- Opportunities for public participation were provided as part of the Notice of Complete Application and Notice of Public Meeting through a mailing to all properties within 240 metres of the subject property. No comments have been received from the public in response to the notices.

Staff recommend approval of the Zoning By-law Amendment as the proposal represents good planning and is in the public interest.

CONSIDERATIONS:

(A) PUBLIC

Notice for the meeting regarding this development has been provided to the property owner and landowners within 240 metres of the subject lands pursuant to Section 36 of the *Planning Act* and Councils resolution to provide enhanced public notification. There were no comments received from the public with respect to this application.

(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) COUNCIL'S STRATEGIC PRIORITIES:

This report addresses the corporate strategic goal(s) to be a vibrant and liveable community for all.

(E) CLIMATE CHANGE/ACTION

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

APPENDICES:

Appendix A – By-law 2025-136

Submitted by:

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Planner, Current Planning - West District

Reviewed by:

Paul Barrette, MCIP, RPP
Manager, Current Planning - West District

Approved by:

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Director, Planning and Development