

## REPORT

### PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: SEPTEMBER 09, 2019

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**FROM:** Planning Services Department

**DATE:** September 4, 2019

**SUBJECT:** Temporary Use By-law, Acclaim Health and Community Care Services, 2250 Speers Road, Z.1628.01

**LOCATION:** 2250 Speers Road

**WARD:** 1

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#### RECOMMENDATION:

That Planning Staff report dated September 4, 2019 regarding Zoning By-law Amendment application Z.1628.01 submitted by Acclaim Health and Community Care Services for 2250 Speers Road, be received.

#### BACKGROUND:

At the August 6, 2019 Planning and Development Council Meeting, Town Council considered the Recommendation Report dealing with the proposal by Acclaim Health and Community Care Services with regards to their property at 2250 Speers Road. The report had assessed the introduction of a sensitive land use, being Acclaim Health Dementia Care, from the perspective of conformance with the Provincial Policy Statement (PPS), the Growth Plan, the Regional Official Plan and the Oakville Official Plan. The findings of the accompanying Air and Noise studies had been inconclusive, and the resultant Peer Reviews as undertaken by Halton Region did not address their concerns identified in the previous staff report. On this basis, the Planning Report had recommended denial of the application.

At the August 6, 2019 Meeting, 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.”

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## COMMENT/OPTIONS:

The proposal as submitted, and as assessed in the July 26, 2019 Staff report, raised issues with respect to the matter of conformance of the PPS and the Growth Plan, as well as the Regional and local Official Plans. The issue of conformance dealt with the introduction of a sensitive land use in proximity to surrounding existing industrial businesses, and their ability to either expand or change uses.

Subsequent to the Motion adopted by Town Council, Bousefields Inc., being the Planning Consultant for Acclaim Health, and in response to the policy and technical issues raised in the July 26, 2019 Planning staff report, commissioned a further assessment of the Air and Noise Feasibility Studies, and also prepared a Planning response to the policy and technical issues raised. More specifically, the following were submitted to the Town for review on August 21, 2109:

- |                 |  |
|-----------------|--|
| August 20, 2019 | Response to Comments<br>Bousfields Inc. (attached hereto as Appendix A)  |
| August 21, 2109 | Air Quality Study, Land Use Compatibility, - 2250 Speer Road<br>Peer Review Responses<br>Novus Environmental (attached hereto as Appendix B) |
| August 21, 2109 | Noise Feasibility Study<br>Proposed dementia Care Centre<br>HGC Engineering (attached hereto as Appendix C)                                  |

Immediately upon receipt of the above, the material was circulated to Halton Region for review by their Peer Reviewers. The Region's comments are appended hereto as Appendix D.

The accompanying Planning Response from Bousfields Inc. has responded to and addressed many of the issues raised in the July 26, 2019 Recommendation Report considered at the August 6, 2019 Planning and Development Council Meeting.

However, at this time additional information is required from the proponent's Planning Consultant to address conformance with the Provincial Policy Statement with respect to impact of the introduction of a sensitive land use, being the Dementia Care facility with temporary respite care, on both the existing and future employment uses situated in proximity to the subject lands. As discussed in the July 26, 2019 Planning Report, matters of conformance with the Provincial Policy Statement, the

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Regional Official Plan and the Livable Oakville Plan were raised with respect to whether the proposed facility would detrimentally impact the surrounding employment uses.

To specifically illustrate this matter, the attached Air Photo (attached hereto as Appendix E) highlights in hatching the potential influence areas around Acclaim Health that would be impacted, beyond those already impacted by their proximity to residential properties to the south. The potential influence areas for industrial uses are defined by the D6 Guidelines based on the following separation distances:

Class I industry – 70 metres  
 Class II industry – 300 metres  
 Class III industry – 1,000 metres.

Additional information addressing the impacts that the introduction of Acclaim Health, being a sensitive land use, on these existing industries within the hatched areas is still required in order to make an informed recommendation on this matter.

In consideration of Council's August 6, 2019 Motion, a Temporary Use By-law has been prepared for Council's information, that recognizes a three year timeframe for the land use permission, and addresses the specific development standards associated with the building itself and the site layout in accordance with the underlying zoning. The Temporary Use By-law has been appended hereto as Appendix F.

With respect to Temporary Use By-laws, the Livable Oakville Plan contains policies that provide guidance in the consideration of the enactment of such by-laws, as follows:

- 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.

At this time, insufficient information exists to fully assess the proposal and the Temporary Use By-law in the context of criteria (a) and (b), above.

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## CONSIDERATIONS:

### (A) PUBLIC

Mailed Notice of this meeting has been provided more than 14 days in advance of the Meeting. It is noted that some of the properties within the hatched areas on Appendix D are beyond the prescribed 120 metre notification area, and would have received notice only through the sign on the subject property with respect to the original application.

### (B) FINANCIAL

There are no direct costs borne by the Town with respect to this application.

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

The application was circulated to internal and external departments and agencies for review and their comments have been reviewed and assessed in the completion of this report.

### (D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:  
 The application has been evaluated in the context of the Town's Corporate Strategic Goals to ensure the proposed development addresses the principles of responsible land use planning, managing growth and promoting a community where people want to live, work and play.

### (E) COMMUNITY SUSTAINABILITY

The proposal generally complies with the sustainability goals and objectives of the Livable Oakville Plan.

## APPENDICES:

- Appendix A - August 20, 2019, Response to Comments  
Bousfields Inc.
- Appendix B - August 21, 2019 Air Quality Study, Land Use Compatibility, -  
2250 Speer Road  
Peer Review Responses  
Novus Environmental
- Appendix C - August 21, 2019 Noise Feasibility Study  
Proposed dementia Care Centre  
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Appendix D – Regional Comments dated September 4, 2019

Appendix E - Properties within Potential Influence Areas

Appendix F - Temporary Use By-law

Prepared and Recommended by:  
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Current Planning – West District

Submitted by:  
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