



Town of Oakville
Planning and Development Council

MINUTES

Date: **October 4, 2021**

Time: **6:30 p.m.**

Location: **Virtual Meeting**

Mayor and Council: Mayor Burton (In person)
Councillor Adams
Councillor Chisholm
Councillor Duddeck
Councillor Elgar
Councillor Gittings
Councillor Grant
Councillor Haslett-Theall
Councillor Knoll
Councillor Lishchyna
Councillor Longo
Councillor O'Meara
Councillor Parmar
Councillor Robertson

Regrets: Councillor Sandhu

Staff: J. Clohec, Chief Administrative Officer
N. Garbe, Commissioner of Community Development (In person)
P. Fu, Commissioner of Community Infrastructure
D. Carr, Town Solicitor
G. Charles, Director of Planning Services (In person)
J. Stephen, Director of Transportation and Engineering
J. Huctwith, Assistant Town Solicitor
C. McConnell, Manager of Planning Services, West District
L. Gill-Woods, Acting Manager of Policy Planning and Heritage
L. Musson, Acting Manager of Planning Services, East District
K. Biggar, Senior Planner

T. Collingwood, Senior Planner
R. Thun, Senior Planner
D. Addington, Heritage Planner
S. Schappert, Heritage Planner
K. Patrick, Acting Town Clerk (In person)
J. Marcovecchio, Council and Committee Coordinator (In person)

The Town of Oakville Council met in regular session to consider planning matters on this 4th day of October, 2021 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, commencing at 6:30 p.m.

1. Regrets

As noted above.

2. Declarations of Pecuniary Interest

Councillor Knoll declared a pecuniary interest with respect to Confidential Item 5.1 – Update – Ontario Land Tribunal Hearing – 550 Kerr Street, as he is the CEO of Film.Ca Cinemas which is the tenant next door to the subject property at 171 Speers Road, and the decision made could have a direct impact on his business.

3. Committee of the Whole

Moved by Councillor Adams

Seconded by Councillor Lishchyna

That this meeting proceed into a Committee of the Whole session.

CARRIED

9. Advisory Committee Minutes

In accordance with Section 2(8) of the Procedure By-law, the items were considered out of order.

9.1 Heritage Oakville Advisory Committee Minutes - September 21, 2021

Moved by Councillor Grant

That the following recommendation pertaining to Items 4.1, 4.2, and 4.3 of the Heritage Oakville Advisory Committee minutes from its meeting on September 21, 2021, be approved and the remainder of the minutes be received:

4.1 Heritage permit application HP041/21-42.20D 69 Dunn Street – Construction of two accessory buildings

1. That Heritage Permit Application HP041/21-42.20D for the construction of two new accessory buildings at 69 Dunn Street, as attached in Appendix B to the report dated September 14, 2021 from Planning Services, be approved subject to the following:
 - a. That final details on paint colours, windows, doors, trim and cladding be submitted to Heritage Planning staff for final approval; and
2. That this heritage permit expire two years from the date of final approval by Council.

4.2 Heritage permit application HP044/21-42.20S 55 Second Street – New cabana structure

1. That Heritage Permit Application HP044/21-42.20S for the construction of a new cabana structure at 55 Second Street, as attached in Appendix B to the report dated September 14, 2021 from Planning Services, be approved subject to the following:
 - a. That final details on the natural stone material be submitted to Heritage Planning staff for final approval; and
2. That this heritage permit expire two years from the date of final approval by Council.

4.3 Heritage permit application HP045/21-42.20W 180 William Street – New cabana structure and landscaping

1. That Heritage Permit Application HP045/21-42.20W for the construction of a new cabana structure and landscaping at 180 William Street, as attached in Appendix B to the report dated September 14, 2021 from Planning Services, be approved subject to the following:

- a. That final details on the paving stone material be submitted to Heritage Planning staff for final approval; and
2. That this heritage permit expire two years from the date of final approval by Council.

CARRIED

7. Discussion Item(s)

7.1 Notice of Intention to Demolish – 164 Douglas Avenue

Moved by Councillor Grant

1. That the property at 164 Douglas Avenue be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest; and,
2. That, prior to demolition, the property owner allow for the salvage of historic materials from the house.

CARRIED

7.2 Notice of Intention to Demolish – 4022 Fourth Line

Moved by Councillor Grant

1. That the property at 4022 Fourth Line be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest;
2. That staff be authorized to negotiate and finalize the terms of a heritage easement agreement with the property owner to ensure the history of the area is commemorated within any future development of this site to the satisfaction of the Director of Planning Services and Town Solicitor or designates; and,
3. That the Town Solicitor be authorized to discharge the heritage easement agreement from title, at the expense of the owner, once the requirements in the agreement have been satisfied to the satisfaction of the Manager of Policy Planning and Heritage.

CARRIED

7.3 Cultural Heritage Landscape Conservation Plan – 1042 Sixth Line

Moved by Councillor Grant

That the draft cultural heritage landscape conservation plan for 1042 Sixth Line, as attached in Appendix A to the report dated September 28, 2021, be approved.

CARRIED

7.4 Neyagawa Urban Core – Background and Preliminary Directions, October 4, 2021

Moved by Councillor Grant

1. That the report titled *Neyagawa Urban Core – Background and Preliminary Directions* dated September 21, 2021, be received.
2. That Council endorse the Study Area boundary for Neyagawa Urban Core (NUC) Review.
3. That staff undertake additional analysis and consultation regarding the NUC area and the development of an Area Specific Plan and subsequent town-initiated Official Plan Amendment for the Neyagawa Urban Core, and report back at a future meeting of Planning and Development Council.

CARRIED

4. Consent Items(s)

4.1 Recommendation Report, Draft Plan of Condominium, Trafalgar Heights Inc., 24CDM-21003/1413

Moved by Councillor Grant

That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-21003/1413) submitted by Trafalgar Heights Inc., prepared by KRCMAR, dated March 8, 2021, subject to the conditions contained in Appendix 'A' of the Planning Services report dated September 28, 2021.

CARRIED

5. Confidential Consent Item(s)

5.1 Update – Ontario Land Tribunal Hearing – 550 Kerr Street

Moved by Councillor Grant

That staff be authorized to proceed in the appeals in Ontario Land Tribunal file # PL200333 in accordance with the recommendations of the report from the Legal Department dated September 28, 2021.

CARRIED

(Councillor Knoll having declared a pecuniary interest on this item, did not vote.)

5.2 Ontario Land Tribunal Appeal - SmartCentres REIT (105, 113-131 Garden Drive)

Moved by Councillor Duddeck

That the report from the Legal Department dated September 28, 2021 be received.

CARRIED

6. Public Hearing Item(s)

6.1 Public Meeting Report, Official Plan and Zoning By-law Amendment, 2266 Lakeshore LP, 2262 – 2266 Lakeshore Road West and 83 East Street , File No. OPA.1728.66 and Z.1728.66

For the purposes of Planning Act requirements, the following person(s) made an oral submission:

Lea Wilkening, re: concerns regarding bonusing, real property standards, urbanization and number of buildings, and material change in the community.

Harry Shea, opposed to the proposed amendments, indicating concerns regarding construction issues, loss of tree canopy, and environmentally sustainable design, as well as compatibility with Livable Oakville Plan, Bronte Village Growth Plan, and Zoning By-law; and filed a submission.

Linda Sanelli, Membership Secretary, Bronte Village Residents Association (BVRA), re: concerns regarding maintaining the character of the Bronte community and village, sense of pride in history and identity of the area, safety and well being of the residents, growth plan, and number of storeys and height, while revitalizing the commercial district and enhancing the village.

Reed Bracken, in support of the application and proposal having a positive impact on the community, indicating affordability and rental housing supply, the building does not feel as large in terms of the Lakeshore Drive skyline and setbacks, projects by the developer have been successful in other communities, and encouraging people to move to Oakville.

Martin Meintjes, opposed to the proposed amendments, indicating concerns regarding the impact that the proposed development will have on pedestrian safety, obstructed sightlines, structural safety/integrity of adjacent buildings due to construction activities, traffic congestion, and building height and shadows on neighbouring buildings, as well as safety, well being, and security to community, proximity to the lighthouse, and construction questions, in support of the Livable Oakville Plan and goal for Bronte Village; and filed submissions.

Peter Vos, in support of the proposed development that is unique to Bronte, indicating building stepped back, building height alignment with the existing building and fits in with the sky scape, and improves the aesthetics of Bronte on the east end; and indicating concerns regarding reducing the number of parking spots, transportation network to serve residents, growth and transportation plan to connect Bronte Village to gateway, number of vehicles on the road and traffic congestion, time to travel on roads, pollution, bike lanes, wider roads, and density.

Jonathan McNeice, not opposed to development on this site or in the area, preserving Bronte's unique history and character, indicating concerns regarding the proposed development being in line with the Livable Oakville Plan in terms of height, density, and building form in Bronte Village, gateways on east and west side of Main Street and policy to enhance historic lakeside village character, and additional concerns regarding bonusing and precedent, parking and infrastructure, and environmental sustainability features, and attainability and affordability of this type of development to ensure diversified housing options; and filed submissions.

Lyndsey Thomas, re: concerns regarding sensitivity of the proposal to its surroundings and “knit” the residential buildings to the rest of the village, transition and impact, compromising connections within the neighbourhood and alienating a vulnerable population group, distance between the existing and proposed building, height, building stepped up, rooftop vegetation, shadowing, sunlight and views blocked, compatibility with the Livable Oakville Plan, impact on established community, connections to Bronte Village and knit fabric of the community, small

public space, and maintaining a balanced neighbourhood with space between built form; and and filed submissions.

Donovan Cox, opposed to the proposed amendments, indicating concerns regarding magnitude of the proposed development and its impact on the community, maintaining the character of a village community, village and growth area, intensification, type of development, massing, transition, compatibility with Livable Oakville Plan, impact on the environment, modelling, impact on parking, impact on traffic, seniors safety, and number of storeys; and filed a submission.

Shelley Thornborrow, President, Bronte Village Residents Association (BVRA), opposed to the proposed amendments, indicating concerns regarding neighbourhoods, character of Bronte Village, and communities, bonusing, growth, conformity with Livable Oakville Plan and and Zoning By-laws, tall buildings, shadowing and reduced sunlight, density, access and sightlines, increased traffic and gridlock, and parking; and filed a submission.

Brian Hassett, in support of the application, indicating that it is a gateway masterpiece, architectural design and building, setback and stepped back toward village, environmental nature and features, in keeping with the same building next to it and does not infringe on anything, definition of Bronte Village, and making Bronte Village better, indicating neighbours and business owners in support of the application.

Eldon Theodore, MHBC and Christian Huggett, Podium Developments, on behalf of owner 2266 Lakeshore LP, reviewed the planning applications as detailed in their presentation and the staff report. Richard Pernicky, Nextrans Consulting Engineers responded to questions only.

Moved by Councillor Robertson

1. That the public meeting report, prepared by the Planning Services Department dated September 21, 2021, be received.
2. That comments from the public with respect to the Official Plan and Zoning By-law Amendment application by 2266 Lakeshore LP, File No.: OPA.1728.66 and Z.1728.66, be received.
3. That analysis of the following matters of interest to Council be included as part of the recommendation report:
 - a. what is an appropriate form for a gateway in this location?

- b. use of the POPS, operational matters and programming.
- c. look at adequacy of ATMP and TMP as it relates to this area.
- d. is the building designed such that it limits shadowing?
- e. timeframe for evaluating the proposal, and how does it compare to all of the applications currently in circulation?
- f. what type of affordable housing is being considered through the development proposal?
- g. full analysis of the policy context (at provincial, regional, and local level).
- h. investigate adjacent building heights for comparative purposes.
- i. look into best practices for how to handle parking (including ratios) compared to transportation.

CARRIED

6.2 Public Meeting and Recommendation Report - Town-initiated Site Specific Zoning By-law Amendment to By-law 2014-014 (File: Z.1604.08) – 2175 Cornwall Road – By-law 2021-124

For the purposes of Planning Act requirements, the following person(s) made an oral submission:

Peter March, on behalf of the residents in the area, re: concerns regarding traffic report and forecasts, traffic, access and sightline distance, HVAC system, impact on ground and creek levels from water/rainfall absorbed by parking grounds, and parking and impact on neighborhoods.

Moved by Councillor Haslett-Theall

1. That By-law 2021-124, a by-law to make housekeeping modifications to Zoning By-law 2014-014, as amended, as directed by Council at its January 27, 2021 meeting, be passed.
2. 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.
3. That in accordance with Section 34(17) of the *Planning Act*, no further notice be required.

CARRIED

8. Confidential Discussion Item(s)

There were no Confidential Discussion Items listed for this agenda.

10. Rise and Report to Council

Moved by Councillor Longo

That this committee rise and report.

CARRIED

The Mayor arose and reported that the Committee of the Whole has met and has made recommendations on Consent Item 4.1, Confidential Consent Items 5.1 and 5.2, Public Hearing Items 6.1 and 6.2, Discussion Items 7.1, 7.2, 7.3, and 7.4, and Advisory Committee Minutes Item 9.1, as noted by the Clerk.

Moved by Councillor Elgar

Seconded by Councillor Knoll

That the report and recommendations of the Committee of the Whole be approved.

CARRIED

11. New Business

There was no New Business.

12. Consideration and Reading of By-laws

12.1 By-law 2021-124

A by-law to amend the Town of Oakville Zoning By-law 2014-014, as amended, for a housekeeping amendment capping the floor area and number of parking on lands described as 2175 Cornwall Road (Town-Initiated Housekeeping, File: Z.1604.08). (Re: Item 6.2)

12.2 By-law 2021-133

A by-law to declare that certain land is not subject to part lot control (Blocks 446, 447, 448, 449 and 450, Plan 20M-1223 – Bronte Green Corporation).

12.3 By-law 2021-137

A by-law to confirm the proceedings of a meeting of Council.

Moved by Councillor Chisholm

Seconded by Councillor Lishchyna

That the by-law(s) noted above be passed.

CARRIED

13. Adjournment

The Mayor adjourned the meeting at 9:45 p.m.

Kathy Patrick, Acting Town Clerk