



Town of Oakville
Planning and Development Council
MINUTES

Date: September 6, 2022
Time: 6:30 p.m.
Location: Council Chamber

Mayor and Council:

- Mayor Burton
- 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
- Councillor Sandhu

Staff:

- J. Clohec, Chief Administrative Officer
- N. Garbe, Commissioner of Community Development
- N. Sully, Commissioner of Corporate Services and Treasurer
- P. Fu, Commissioner of Community Infrastructure
- D. Carr, Town Solicitor
- J. van der Heiden, Deputy Treasurer and Director of Finance
- G. Charles, Director of Planning Services
- C. Mark, Director of Parks and Open Space
- J. Stephen, Director of Transportation and Engineering
- J. Huctwith, Assistant Town Solicitor
- R. Maynard, Assistant Town Solicitor
- D. Perlin, Assistant Town Solicitor
- M. Day, Manager of Development Financing & Investments

J. Knighton, Manager of Realty Services
K. Parker, Manager of Development Services
P. Barrette, Senior Planner
R. Thun, Senior Planner
S. Rizvi, Transportation Engineer
K. Patrick, Acting Town Clerk
J. Marcovecchio, Council and Committee Coordinator

Others: Town Staff:
E. Chan, Manager of Transportation Planning

The Town of Oakville Council met in regular session to consider planning matters on this 6th day of September, 2022 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, commencing at 6:30 p.m.

1. Regrets

There were no regrets.

2. Declarations of Pecuniary Interest

Councillor Knoll declared a pecuniary interest with respect to Item 7.3 - Recommendation Report, Official Plan Amendment, April Investments Limited, 527079 Ontario Ltd, Trans County Development Corporation Limited, and Oakville Developments (2010) Inc., 560-584, 550, 530 Kerr Street and 131, 171 Speers Road, File No. OPA. 1, as he is the CEO/shareholder of companies that rent land and buildings at 171 Speers Road, which is a property that is part of the proposed OPA for this item.

Councillor Knoll declared a pecuniary interest with respect to Item 5.4 - Confidential – OLT Hearing -550 Kerr Street, OLT-22-002506 (September 6, 2022), as he is the CEO/shareholder of companies that rent land and buildings at 171 Speers Road, which is a property that is part of the proposed OPA for Item 7.3.

3. Committee of the Whole

Moved by Councillor Lishchyna

Seconded by Councillor Longo

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

CARRIED

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

4. Consent Items(s)

There were no Consent Items.

5. Confidential Consent Item(s)

5.1 Appeal To Ontario Land Tribunal Of Committee of Adjustment Decision CAV A/111/2022 Respecting 103 Ringwood Drive, Oakville

Moved by Councillor Adams

1. That the appeal to the Ontario Land Tribunal (“OLT”) of the Committee of Adjustment (“COA”) Decision CAV A/111/2022, (“The Decision”), 103 Ringwood Road, be confirmed.
2. That the Town Solicitor or his designate be authorized to pursue this appeal of The Decision in accordance with the position set out in Appendix E attached to this report.
3. That in consultation with the Director of Planning or his designate, the Town Solicitor or his designate, be authorized to negotiate a proposed settlement of the Appeal and execute Minutes of Settlement before or at the OLT Hearing in a manner that addresses the issues and concerns identified in Appendix E attached to this report.

CARRIED

5.3 Confidential – OLT Appeals to OPA 47 and OPA 328, Pre-consultation and Complete Applications for Site Plan (September 6, 2022)

Moved by Councillor Adams

That staff be authorized to proceed in the appeals to the Ontario Land Tribunal from Council's adoption of OPA 47 and OPA 328 in accordance with the report from the Legal Department, dated August 23, 2022.

CARRIED

5.4 Confidential – OLT Hearing -550 Kerr Street, OLT-22-002506 (September 6, 2022)

Moved by Councillor Adams

That staff be authorized to proceed in the appeals filed by Oakville Developments (2010) Inc. in accordance with the report from the Legal Department dated August 30, 2022.

CARRIED

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

6. Public Hearing Item(s)

6.1 Public Meeting and Recommendation Report, Official Plan Amendments, Sixth Oak Inc., 103 Burnhamthorpe Road West, File No.: OPA.1216.01, By-laws 2022-065 and 2022-066

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

- Gurpal Bassali, concerns re: access, truck traffic, and traffic impact and safety, and in support of the school.
- Brian Lamour, concerns re: access, traffic volume and safety, protecting schools and neighbourhood, industrial employment uses and loading docks, bicycle route, trucks and access, and fire station.
- Naveen Daram, concerns re: truck traffic, children boarding buses, traffic study, and agrees with Brian Lamour, and in support of the school.

- Ponram Gopal agrees with Brian Lamour, and concerns re: traffic safety and children, truck traffic, and transportation studies for public review.
- Bonita Das Bhatla, concerns re: population, school site and projections, and filed a submission.
- Gregory Park, concerns re: construction, noise, safety, street connections, traffic safety, and fire station, and in support of the school.
- Shahab Khan, in support of the school, and asking questions regarding employment land use, and concerns regarding construction access.
- Matthew Wallace indicating issues regarding the school have been addressed by residents at this meeting, and concerns re: truck route, and in support of the school but not on the proposed site unless traffic issues are resolved.

Moved by Councillor Sandhu

1. That Official Plan Amendment application submitted by Sixth Oak Inc., (File No.: OPA.1216.01) be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan, Livable Oakville Plan and North Oakville East Secondary Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services department dated August 23, 2022.
2. That By-law 2022-065, a by-law to adopt an Official Plan Amendment to the Livable Oakville Plan as it applies to 103 Burnhamthorpe Road West (Sixth Oak Inc.), be passed.
3. That By-law 2022-066, a by-law to adopt an Official Plan Amendment to the 1984 Oakville Official Plan (North Oakville East Secondary Plan) as it applies to 103 Burnhamthorpe Road West (Sixth Oak Inc.), be passed.
4. That notice of Council's decision reflects that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.

5. That staff be authorized to enter into agreement(s) as required with one or more property owners near or adjacent to Sixth Line in order to facilitate any financial compensation to the town for the design, construction and approval of local municipal services and utilities for works that would otherwise be carried out by the developer, provided such agreements are at nominal cost to the Town and on terms satisfactory to the Town Solicitor and the Director, Transportation & Engineering.

CARRIED Unanimously

7. Discussion Item(s)

7.1 Parks & Open Space Strategy: Parks Plan 2031 and draft Parkland Dedication By-law 2022-108

Moved by Councillor Elgar

That the report from the Planning Services department be received.

CARRIED

7.2 Community Benefits Charge Strategy and By-law 2022-069

Moved by Councillor Lishchyna

1. That the Community Benefits Charge approach to calculate the charges on a uniform Town-wide basis be adopted.
2. That the capital project listing set out in Chapter 4 of the Community Benefits Charge Strategy dated August 5, 2022, subject to further annual review during the capital budget process, be approved.
3. That a reserve fund be set up which will contain all Community Benefits Charge monies collected.
4. That the Community Benefits Charge Strategy dated August 5, 2022 be approved.
5. That Community Benefits Charge Policy F-FPC-008 be approved, and related Community Benefits Charge Procedure F-FPC-008-001 be received.

6. That Council determine that no further public consultation is required.
7. That Community Benefits Charge By-law 2022-069 be adopted; and that the by-law shall take effect at 12:01 am on September 7, 2022.

CARRIED Unanimously

7.3 Recommendation Report, Official Plan Amendment, April Investments Limited, 527079 Ontario Ltd, Trans County Development Corporation Limited, and Oakville Developments (2010) Inc., 560-584, 550, 530 Kerr Street and 131, 171 Speers Road, File No. OPA. 1

Moved by Councillor Duddeck

That the application for Official Plan amendment submitted by April Investments Limited, 527079 Ontario Limited, Trans County Development Corporation Limited, and Oakville Developments (2010) Inc., File No.: OPA. 1616.56, be deferred to the December 5, 2022 Planning and Development Council meeting to allow the public additional time to review the application.

CARRIED

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

7.4 Recommendation Report, Zoning By-law Amendment and Draft Plan of Subdivision, Star Oak Developments Limited, 90 Burnhamthorpe Road West, File No. Z.1316.10, 24T-21002/1316, By-law 2022-096

Moved by Councillor Parmar

That the Zoning By-law Amendment and Draft Plan of Subdivision application submitted by Star Oak Developments Limited (File No. File No.: Z.1316.10, 24T-21002/1316), as revised, be deferred to a future meeting until the parking strategy comes back to Council.

CARRIED Unanimously

7.5 Recommendation Report, Zoning By-law Amendment and Draft Plan of Subdivision, Docasa Group Ltd., Part Lots 17, Con 1 NDS, File No.: Z.1317.06, 24T-21004/1317, By-law 2022-100

Moved by Councillor Parmar

That the Zoning By-law Amendment and Draft Plan of Subdivision application submitted by Docasa Group Ltd., (File No.: Z.1317.06, 24T-21004/1317), as revised, be deferred to a future meeting until the parking strategy comes back to Council.

CARRIED Unanimously

WAIVING OF PROCEDURE BY-LAW

Moved by Councillor Elgar

That in accordance with Section 14.2 of the Procedure By-law, the Rules of Procedure be waived to permit the introduction of a Request for Report at a Planning and Development Council meeting.

CARRIED Unanimously

RECESS

The meeting recessed at 8:18 p.m. and reconvened at 8:30 p.m.

Requests for Reports

Moved by Councillor Parmar

Council requests a report on traffic calming opportunities for Loyalist Trail and possible ways to limit or remove truck from Loyalist Trail taking into consideration the residential subdivision and future schools.

CARRIED Unanimously

CLOSED SESSION

Moved by Councillor O'Meara

That Council resolve into a closed meeting session for the purpose of litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and advise that is

subject to solicitor-client privilege, including communications necessary for that purpose, with respect to Item 5.2 - Confidential - OLT Appeal - Delmanor West Oak Inc., 1280 Dundas Street West, File No. Z-14123.07 (OLT 22-003970), September 6, 2022, and a proposed or pending acquisition of land by the municipality, with respect to Item 5.5 - Potential Land Acquisition.

CARRIED

Council resolved into closed session at 8:35 p.m.

Council resolved back into open session at 8:53 p.m.

5. Confidential Consent Item(s)

5.2 Confidential - OLT Appeal - Delmanor West Oak Inc., 1280 Dundas Street West, File No. Z-14123.07 (OLT 22-003970), September 6, 2022

Moved by Councillor Elgar

That staff be authorized to proceed in the appeal filed by Delmanor West Oak Inc. (OLT 22-003970), in respect of an application for zoning by-law amendment related to 1280 Dundas Street West, as set out in the report from the Legal Department dated August 30, 2022 and revised in closed session.

CARRIED

5.5 Potential Land Acquisition

Moved by Councillor Haslett-Theall

1. That the recommendation contained in the confidential report dated August 30, 2022, from the Legal department, be approved.
2. That staff continue to identify for Council parkland and land acquisition opportunities in both the short and longer term to support local parks for each of the strategic growth areas and local neighbourhoods and provide Council with a report in Q1 2023 summarizing current and potential options.

CARRIED

8. Confidential Discussion Item(s)

There were no confidential discussion items.

9. Advisory Committee Minutes

There were no advisory committee minutes.

10. Rise and Report to Council

Moved by Councillor Lishchyna

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 Confidential Consent Items 5.1, 5.2, 5.3, 5.4, and 5.5; Public Hearing Item 6.1; and Discussion Items 7.1, 7.2, 7.3, 7.4, and 7.5, as noted by the Clerk.

Moved by Councillor Grant
Seconded by Councillor Longo

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

CARRIED

11. New Business

(Emergency, Congratulatory or Condolence)

There was no new business.

12. Consideration and Reading of By-laws

12.1 By-law 2022-065

A by-law to adopt an amendment to the Livable Oakville Plan, Official Plan Amendment Number 48 (Sixth Oak Inc., File No.: OPA.1216.01). (Re: Item 6.1)

12.2 By-law 2022-066

A by-law to adopt an amendment to the North Oakville East Secondary Plan, Official Plan Amendment Number 327 (Sixth Oak Inc., File No.: OPA.1216.01). (Re: Item 6.1)

12.3 By-law 2022-096 (Not Passed)

A by-law to amend the North Oakville Zoning By-law 2009-189, as amended, to permit the use of lands described as 90 Burnhamthorpe Road West (Star Oak Developments Limited) – Z.1316.10. (Re: Item 7.4)

12.4 By-law 2022-100 (Not Passed)

A by-law to amend the North Oakville Zoning By-law 2009-189, as amended, to permit the use of lands described as Part of Lots 17, Con. 1, NDS Docasa Group Ltd., File No.: Z.1317.06. (Re: Item 7.5)

12.5 By-law 2022-105

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

12.6 By-law 2022-069

A by-law to establish community benefits charges generally for The Corporation of the Town of Oakville. (Re: Item 7.2)

12.7 By-law 2022-089 (Not Passed)

A by-law to adopt an amendment to the Livable Oakville Official Plan, Official Plan Amendment Number 51 (530, 550, 588 Kerr Street and 131, 171 Speers Road, April Investments Limited, 527079 Ontario Limited, Trans County Development Corporation Limited, and Oakville Developments (2010) Inc., File No.: OPA.1616.56). (Re: Item 7.3)

Moved by Councillor Chisholm

Seconded by Councillor Knoll

That the by-law(s) noted above, with the exception of By-laws 2022-089, 2022-096, and 2022-100, be passed.

CARRIED

13. Delegated Authority By-laws

The following by-law was prepared under the authority of amending By-law 2022-022 - A by-law to amend By-law 2021-077, a by-law to delegate certain powers and duties under the Municipal Act, S.O. 2001 c.25, the Planning Act, R.S.O. 1990 c. P.13, and other Acts:

13.1 By-law 2022-084

A by-law to amend Zoning By-law 2009-189 as amended, to remove Holding Provision H24 (407 Dundas GP Inc., 3039-3062 Trailside Drive), File No. Z.1319.11.

14. Adjournment

The Mayor adjourned the meeting at 8:58 p.m.

Kathy Patrick, Acting Town Clerk