



**Town of Oakville**  
**Planning and Development Council**  
**MINUTES**

**Date:** December 4, 2023  
**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 McNeice
- Councillor Nanda
- Councillor O'Meara
- Councillor Xie

Staff:

- J. Clohec, Chief Administrative Officer
- N. Garbe, Commissioner of Community Development
- C. Bell, Commissioner of Community Services
- P. Fu, Commissioner of Community Infrastructure
- D. Carr, Town Solicitor
- J. Barry, Director of Municipal Enforcement Services
- G. Charles, Director of Planning Services
- C. Mark, Director of Parks and Open Space
- N. Chandra, Assistant Town Solicitor
- J. Huctwith, Assistant Town Solicitor
- R. Maynard, Assistant Town Solicitor
- K. Biggar, Manager of Policy Planning and Heritage
- E. Chan, Manager of Transportation Planning

J. Knighton, Manager of Realty Services  
L. Musson, Manager of Planning Services, East District  
C. Van Sligtenhorst, Supervisor of Heritage Conservation  
K. Cockburn, Senior Planner  
M. Riaz, Planner  
C. Williams, Strategic Business Advisor  
A. Holland, Acting Town Clerk  
J. Marcovecchio, Council and Committee Coordinator

Others: External Legal Counsel:  
Paul DeMelo, Kagan Shastri DeMelo Winer Park LLP

**The Town of Oakville Council met in regular session to consider planning matters on this 4th day of December, 2023 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, commencing at 6:30 p.m.**

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**1. Regrets**

There were no regrets.

**2. Declarations of Pecuniary Interest**

No declarations of pecuniary interest were declared.

**3. Committee of the Whole**

Moved by Councillor Lishchyna  
Seconded by Councillor Duddeck

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.*

**7. Discussion Item(s)**

**7.5 Battery Energy Storage System Project**

*Under Section 2(10) of the Procedure By-law 2020-011, this item has been postponed to a future meeting.*

**8. Confidential Discussion Item(s)**

**8.3 Oakville Enterprises Corporation Investment – Legal Update**

*Under Section 2(10) of the Procedure By-law 2020-011, this item has been postponed to a future meeting.*

**4. Consent Items(s)**

**4.1 Notice of intention to demolish – 1312 Lakeshore Road East**

Moved by Councillor Duddeck

1. That the property at 1312 Lakeshore Road East be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest; and,
2. That, prior to demolition, the property owners allow for the salvage of materials from the house, particularly the stone from the chimney.

CARRIED

**4.2 24T-14001 – Preserve Phase 2 – Partial Subdivision Assumption – By-law 2023-161**

Moved by Councillor Duddeck

1. That the partial assumption of Registered Plan 20M-1160 be approved.
2. That By-law 2023-161, a by-law to partially assume the completed public works within Registered Plan 20M-1160, save and except Stormwater Management Pond (SWMP) Block 533 be passed.

CARRIED

**5. Confidential Consent Item(s)**

**5.1 Confidential - Ontario Land Tribunal Appeal (OLT-23-0008803)  
Roseville Properties Inc.**

Moved by Councillor Adams

1. That staff be authorized to proceed in the appeal to the Ontario Land Tribunal filed by Roseville Properties Inc. in respect of an application for a Zoning By-law amendment applicable to 106-114 Robinson Street and 71 Water Street, in accordance with the recommendations of the confidential report from the Legal Department dated November 21, 2023.
2. That the Town Solicitor and the Commissioner of Community Development or designates be authorized to negotiate a settlement of the appeal if the applicant is interested in doing so in accordance with the recommendations of the confidential report from the Legal Department dated November 21, 2023.

CARRIED

**6. Public Hearing Item(s)**

There were no public hearing items.

**7. Discussion Item(s)**

**7.1 Consideration of Objection to Notice of Intention to Designate –  
Turner House at 356 Watson Avenue – By-law 2023-129**

Moved by Councillor Gittings

1. That the notice of intention to designate the Turner House at 356 Watson Avenue under Section 29, Part IV of the *Ontario Heritage Act* be maintained despite the notice of objection received from the property owner; and,
2. That By-law 2023-129 to designate the Turner House at 356 Watson Avenue as a property of cultural heritage value or interest, attached as Appendix “B”, be passed.

CARRIED

**7.2 Recommendation Report – Official Plan Amendment and Zoning By-law Amendment, 115 Trafalgar Road, Trafalgar Luxury Living Inc., OPA1613.64 and Z.1613.64 By-law 2023-143 and By-law 2023-144**

Moved by Councillor Haslett-Theall

1. That the proposed Official Plan Amendment and Zoning By-law Amendment applications submitted by Trafalgar Luxury Living Inc. (File Nos. OPA1613.64 and Z.1613.64), be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms with all applicable Provincial plans, the Region of Halton Official Plan, the Livable Oakville 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 November 21, 2023.
2. That By-law 2023-143, a by-law to adopt Official Plan Amendment number 60 to the Livable Oakville Plan, be passed.
3. That By-law 2023-144, an amendment to Zoning By-law 2014-014, be passed.
4. That the notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to these matters and that those comments have been appropriately addressed.
5. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

CARRIED Unanimously

**7.3 Recommendation Report, Zoning By-law Amendment, Kaneff Group, 2360 Bristol Circle, File No.: Z.1401.13, By-law 2023-151**

Moved by Councillor Adams

1. That the Zoning By-law Amendment application submitted by Kaneff Group, (File No.: Z.1401.13), as revised, 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 and the Town of Oakville Official 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 November 21, 2023.

2. That By-law 2023-151, an amendment to Zoning By-law 2014-014, be passed.
3. 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.
4. That in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

CARRIED

#### **7.4 Noise By-law Update**

Moved by Councillor Xie

That staff be authorized to engage in further public consultation to seek input on the draft Noise By-law attached as Appendix A to the staff report dated November 21, 2023, from Municipal Enforcement Services, and report back with a final version of the Noise By-law by the first quarter of 2024.

CARRIED

### **9. Advisory Committee Minutes**

#### **9.1 Heritage Oakville Advisory Committee Minutes November 28, 2023**

Moved by Councillor Gittings

That the following recommendation pertaining to Items 4.1 and 4.3 of the Heritage Oakville Advisory Committee minutes from its meeting on November 28, 2023, be approved and the remainder of the minutes be received:

##### **4.1 Notice of Intention to Designate – 3175 Lakeshore Road West**

That this item be deferred to March 2024 Heritage Oakville Advisory Committee.

**4.3 Heritage permit application HP037/23-42.20K 302 King Street – Reconstruction of non-historic wings and roof of historic house**

1. That Heritage Permit Application HP037/23-42.20K for the reconstruction of non-historic wings of the house and reconstruction of the roof of the historic house at 302 King Street, as attached in Appendix B to the report dated November 14, 2023 from Planning Services, be approved subject to the following:
  - a. That final details on the windows, doors, trim, cladding materials and paint colours 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

**8. Confidential Discussion Item(s)**

Moved by Councillor Longo

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 advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to Item 8.1 - Confidential – OLT Appeal – Bara Group (River Oak) Inc. – 2163 and 2169 Sixth Line (November 20, 2023) and Item 8.2 - Confidential - Supplemental Report - OLT Appeal - Bara Group (River Oak) Inc. - 2163 and 2169 Sixth Line (December 4, 2023); and a proposed or pending acquisition or disposition of land by the municipality or local board, with respect to Item 8.4 - Unsolicited Offer to Purchase Town Lands – December 4, 2023.

CARRIED

*Council resolved into closed session at 7:24 p.m.*

*Council resolved back into open session at 8:25 p.m.*

**8.1 Confidential – OLT Appeal – Bara Group (River Oak) Inc. – 2163 and 2169 Sixth Line (November 20, 2023)**

Moved by Councillor Duddeck

That the confidential staff report from the Legal Department titled Confidential – OLT Appeal – Bara Group (River Oak) Inc. – 2163 and 2169 Sixth Line dated November 14, 2023 be received.

CARRIED

**8.2 Confidential - Supplemental Report - OLT Appeal - Bara Group (River Oak) Inc. - 2163 and 2169 Sixth Line (December 4, 2023)**

Moved by Councillor Duddeck

That staff be authorized to proceed in appeals to the Ontario Land Tribunal filed by Bara Group (River Oak) Inc. (OLT 23-000166) in accordance with the report from the Legal Department dated November 14, 2023, the Supplemental Report dated November 28, 2023 and the Memo dated December 4, 2023.

CARRIED

**8.4 Unsolicited Offer to Purchase Town Lands – December 4, 2023**

*Staff direction was provided in closed session.*

Moved by Councillor Knoll

That the confidential staff report from the Legal Department titled “Unsolicited Offer to Purchase Town Lands – December 4, 2023” be received.

CARRIED

**10. Rise and Report to Council**

Moved by Councillor Xie

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 Items 4.1 and 4.2; Confidential Discussion Item 5.1; Discussion Items 7.1, 7.2, 7.3, and 7.4; Confidential Discussion Items 8.1, 8.2, and 8.4; and Advisory Committee Minutes 9.1 as noted by the Clerk.

Moved by Councillor Chisholm  
Seconded by Councillor McNeice

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

CARRIED

## **11. New Business**

(Emergency, Congratulatory or Condolence)

Councillor Chisholm congratulated the Parks and Open Space Department for their assistance on the annual Kerr Village Christmas Tree Lighting event.

## **12. Consideration and Reading of By-laws**

### **12.1 By-law 2023-143**

A by-law to adopt Official Plan Amendment number 60 to the Livable Oakville Plan. (Re: Item 7.2)

### **12.2 By-law 2023-144**

A by-law to amend the Town of Oakville Zoning By-law 2014-014, as amended, to permit the use of lands described as 115 Trafalgar Road (Trafalgar Luxury Living Inc., File No.: Z.1613.64). (Re: Item 7.2)

### **12.3 By-law 2023-151**

A by-law to amend the Zoning By-law 2014-014, as amended, to permit the use of lands described as 2360 Bristol Circle (Kanef Group, File No. Z.1401.13). (Re: Item 7.3)

### **12.4 By-law 2023-157**

A by-law to declare that certain land is not subject to part lot control (Blocks 162, 163, 164 and 165, Plan 20M-1255 – Graydon Banning Ltd.).

**12.5 By-law 2023-161**

A by-law to partially assume the completed public works within Registered Plan 20M-1160, save and except Stormwater Management Pond (SWMP) Block 533. (Re: Item 4.2)

**12.6 By-law 2023-170**

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

**12.7 By-law 2023-129**

A by-law to designate the Turner House at 356 Watson Avenue as a property of cultural heritage value or interest. (Re: Item 7.1)

**12.8 By-law 2023-131**

A by-law to declare that certain land is not subject to part lot control (Block 4, Plan 20M-1250 – Caivan (Parkview) Limited).

**12.9 By-law 2023-171**

A by-law to declare that certain land is not subject to part lot control (Block 404, Plan 20M-1186, Blocks 102 to 115 and Block 119, Plan 20M-1252 – TBL Homes Corporation).

Moved by Councillor Nanda

Seconded by Councillor Lishchyna

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

CARRIED

*The Mayor gave written approval of the by-law(s) noted above that were passed during the meeting.*

**13. Adjournment**

The Mayor adjourned the meeting at 8:29 p.m.

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Andrea Holland, Acting Town Clerk

