



Town of Oakville
Planning and Development Council
MINUTES

Date: January 22, 2024
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. Sully, Commissioner of Corporate Services and Treasurer
- N. Garbe, Commissioner of Community Development
- P. Fu, Commissioner of Community Infrastructure
- D. Carr, Town Solicitor
- G. Charles, Director of Planning Services
- D. Perlin, Assistant Town Solicitor
- P. Barrette, Manager of Planning Services, West District
- K. Biggar, Manager of Policy Planning and Heritage
- K. Parker, Manager of Development Services
- B. Sunderland, Senior Planner
- R. McKnight, Planner
- S. Schappert, Heritage Planner

J. Gomez, Chief of Staff
A. Holland, Acting Town Clerk
J. Marcovecchio, Council and Committee Coordinator

The Town of Oakville Council met in regular session to consider planning matters on this 22nd day of January, 2024 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

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

4. Consent Items(s)

4.1 Notice of intention to designate – 2 Holyrood Avenue

Moved by Councillor McNeice

That a notice of intention to designate be issued under section 29, Part IV of the *Ontario Heritage Act* for the Holyrood House at 2 Holyrood Avenue.

CARRIED

4.2 Notice of intention to designate – 311-313 Macdonald Road

Moved by Councillor McNeice

That a notice of intention to designate be issued under section 29, Part IV of the *Ontario Heritage Act* for the Snyder House at 311-313 Macdonald Road.

CARRIED

4.3 Notice of intention to designate – 323 Macdonald Road

Moved by Councillor McNeice

That a notice of intention to designate be issued under section 29, Part IV of the *Ontario Heritage Act* for the Cuthbertson House at 323 Macdonald Road.

CARRIED

4.4 Notice of intention to designate – 429 Macdonald Road

Moved by Councillor McNeice

That a notice of intention to designate be issued under section 29, Part IV of the *Ontario Heritage Act* for 'Nansidwell' at 429 Macdonald Road.

CARRIED

4.5 Notice of intention to designate – 383 Spruce Street

Moved by Councillor McNeice

That a notice of intention to designate be issued under section 29, Part IV of the *Ontario Heritage Act* for the Crossley House at 383 Spruce Street.

CARRIED

4.6 Notice of intention to designate – 24 Holyrood Avenue

Moved by Councillor McNeice

That a notice of intention to designate be issued under section 29, Part IV of the *Ontario Heritage Act* for the Holyrood Gate Pillars at 24 Holyrood Avenue.

CARRIED

5. Confidential Consent Item(s)

5.1 Appeal To Ontario Land Tribunal Of Committee of Adjustment Decision CAV A/110/2023 Respecting 571 Stephens Crescent, Oakville

Moved by Councillor Chisholm

1. That the appeal to the Ontario Land Tribunal (“OLT”) of the Committee of Adjustment (“COA”) Decision CAV A/110/2023, (“The Decision”), 571 Stephens Crescent, 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 D attached to this Report.
3. That in consultation with the Director of Planning Services 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 D attached to this report.

CARRIED

6. Public Hearing Item(s)

There were no public hearing items.

7. Discussion Item(s)

7.1 Recommendation Report – Official Plan Amendment (File No. 1715.25) and Zoning By-law Amendment (File No. 1715.25), Format Lakeshore Inc., 42 Lakeshore Road West – By-law 2024-020 and By-law 2024-021

The following delegates spoke on this item:

Paul Demczak, Batory Planning + Management; Linda Dorrington; Manlio Marescotti; Geoffrey Belcher; Pierre Sauvageot; and Matheus DaSilva

Moved by Councillor Duddeck

That Council resolve into a closed meeting session for the purpose of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to Item 7.1 - Recommendation Report – Official Plan Amendment (File No. 1715.25) and Zoning By-law

Amendment (File No. 1715.25), Format Lakeshore Inc., 42 Lakeshore Road West – By-law 2024-020 and By-law 2024-021.

CARRIED

CLOSED SESSION

Council resolved into closed session at 7:47 p.m.

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

Moved by Councillor Duddeck

1. That the following recommendations in the staff report regarding an Official Plan Amendment and Zoning Amendment for 42 Lakeshore Road West be refused:
 1. That the Official Plan Amendment and Zoning By-law Amendment for 42 Lakeshore Road West, (File No. OPA.1715.25 and Z.1715.25), as modified to an 8 storey building, be approved on the basis that the amendments are consistent with the Provincial Policy Statement, conform with all applicable Provincial Plans, the Region of Halton Official Plan, the Livable Oakville Plan, have regard for matters of Provincial interest, and represent good planning for the reasons outlined in the report from the Planning Services department dated January 9, 2024.
 2. That By-law 2024-020, a by-law to adopt Official Plan amendment 63, be passed.
 3. That By-law 2024-021, 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 of 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.

2. That the application File No. OPA.1715.25 and Z.1715.25 for an official plan amendment and zoning by-law amendment for a 10 storey building at 42 Lakeshore Road West be refused.

For (15): 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, and Councillor Xie

Carried Unanimously on a recorded vote (15 to 0)

7.2 Housing Accelerator Fund Application Update

The following delegates spoke on this item:

Adam Mills; Geoffrey Belcher; Douglas McKirgan, Trafalgar Chartwell Residents Association (TCRA); Pierre Sauvageot; Matheus DaSilva; Nick Morrison; Fred Dawson; Luca Morgante; and Eric Genier

Mayor Burton passed the chair to Acting Mayor Gittings to introduce a motion.

Moved by Mayor Burton

1. In support of the Housing Accelerator Fund Application, as advised by Minister Fraser with due regard for heritage conservation and infrastructure capacity and servicing:
 - a. That staff be directed to bring forward a zoning by-law amendment to permit 4 units per property, as-of-right for Council's consideration within 90 days of the passing of this resolution; and
 - b. That staff be directed to bring forward a zoning by-law amendment permitting 4 storeys within 800m of Sheridan College for Council's consideration within 90 days of the passing of this resolution; and
 - c. That staff be directed to bring forward a zoning by-law amendment for Sheridan College that will bring zoning regulations into alignment with the Town's Official Plan.
2. That the Mayor respond to the Minister of Housing, Infrastructure and Communities' office with any update to the Housing

Accelerator Fund application including the appropriate resolutions of Council by January 24, 2024.

Mayor Burton assumed the chair.

BEYOND THE HOUR

Moved by Councillor Knoll

That this meeting proceed beyond the hour of 10:30 p.m.

CARRIED

The following amendment was moved by Councillor Haslett-Theall to the main motion:

Moved by Councillor Haslett-Theall

d. That staff engage with the Minister of Housing, Infrastructure and Communities as soon as possible on the Ministry's support for inclusion of a 'gentle density strategy' in our Housing Accelerator application. Developing and prioritizing a gentle density strategy would include: identifying a criterion to assess commercial properties near residential communities suitable for conversion to mixed-use, identifying commercial properties that meet this criterion, determining the potential increase in housing supply and housing mix including rental, condos and affordable, a public consultation plan for identified locations, property owner feedback and any regulation changes that would be necessary to support implementation. Further that Town Staff report back to Council on the feedback received from the Ministry.

CARRIED Unanimously

The Mayor called for a separate vote on clauses 1a, b, c, and d, and 2 of the main motion as amended.

Moved by Mayor Burton

1. In support of the Housing Accelerator Fund Application, as advised by Minister Fraser with due regard for heritage conservation and infrastructure capacity and servicing:

- a. That staff be directed to bring forward a zoning by-law amendment to permit 4 units per property, as-of-right for Council's consideration within 90 days of the passing of this resolution.

For (11): Mayor Burton, Councillor Adams, Councillor Gittings, Councillor Grant, Councillor Haslett-Theall, Councillor Knoll, Councillor Lishchyna, Councillor Longo, Councillor McNeice, Councillor O'Meara, and Councillor Xie

Against (4): Councillor Chisholm, Councillor Duddeck, Councillor Elgar, and Councillor Nanda

CARRIED on a recorded vote (11 to 4)

Moved by Mayor Burton

- b. That staff be directed to bring forward a zoning by-law amendment permitting 4 storeys within 800m of Sheridan College for Council's consideration within 90 days of the passing of this resolution.

For (15): 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, and Councillor Xie

Carried Unanimously on a recorded vote (15 to 0)

Moved by Mayor Burton

- c. That staff be directed to bring forward a zoning by-law amendment for Sheridan College that will bring zoning regulations into alignment with the Town's Official Plan.

For (15): 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, and Councillor Xie

Carried Unanimously on a recorded vote (15 to 0)

Moved by Mayor Burton

d. That staff engage with the Minister of Housing, Infrastructure and Communities as soon as possible on the Ministry's support for inclusion of a 'gentle density strategy' in our Housing Accelerator application. Developing and prioritizing a gentle density strategy would include: identifying a criterion to assess commercial properties near residential communities suitable for conversion to mixed-use, identifying commercial properties that meet this criterion, determining the potential increase in housing supply and housing mix including rental, condos and affordable, a public consultation plan for identified locations, property owner feedback and any regulation changes that would be necessary to support implementation. Further that Town Staff report back to Council on the feedback received from the Ministry.

For (15): 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, and Councillor Xie

Carried Unanimously on a recorded vote (15 to 0)

Moved by Mayor Burton

2. That the Mayor respond to the Minister of Housing, Infrastructure and Communities' office with any update to the Housing Accelerator Fund application including the appropriate resolutions of Council by January 24, 2024.

For (15): 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, and Councillor Xie

Carried Unanimously on a recorded vote (15 to 0)

Motion as Carried

1. In support of the Housing Accelerator Fund Application, as advised by Minister Fraser with due regard for heritage conservation and infrastructure capacity and servicing:

- a. That staff be directed to bring forward a zoning by-law amendment to permit 4 units per property, as-of-right for Council's consideration within 90 days of the passing of this resolution; and
 - b. That staff be directed to bring forward a zoning by-law amendment permitting 4 storeys within 800m of Sheridan College for Council's consideration within 90 days of the passing of this resolution; and
 - c. That staff be directed to bring forward a zoning by-law amendment for Sheridan College that will bring zoning regulations into alignment with the Town's Official Plan; and
 - d. That staff engage with the Minister of Housing, Infrastructure and Communities as soon as possible on the Ministry's support for inclusion of a 'gentle density strategy' in our Housing Accelerator application. Developing and prioritizing a gentle density strategy would include: identifying a criterion to assess commercial properties near residential communities suitable for conversion to mixed-use, identifying commercial properties that meet this criterion, determining the potential increase in housing supply and housing mix including rental, condos and affordable, a public consultation plan for identified locations, property owner feedback and any regulation changes that would be necessary to support implementation. Further that Town Staff report back to Council on the feedback received from the Ministry.
2. That the Mayor respond to the Minister of Housing, Infrastructure and Communities' office with any update to the Housing Accelerator Fund application including the appropriate resolutions of Council by January 24, 2024.

8. Confidential Discussion Item(s)

There were no confidential discussion items.

9. Advisory Committee Minutes

9.1 Heritage Oakville Advisory Committee Minutes December 19, 2023

The following delegates were heard on Item 9.1 (Heritage Item 4.1):

Kevin Coleman, Deputy Warden and Robert Clarence, Manager, St. Jude's Anglican Church

Moved by Councillor Gittings

That the following recommendation pertaining to Item 4.1 of the Heritage Oakville Advisory Committee minutes from its meeting on December 19, 2023, be approved as amended and the remainder of the minutes be received:

4.1 Heritage Permit Application - HP040/23-42.20W - 148 William Street - Replacement of Windows

1. That Heritage Permit Application HP040/23-42.20W for the replacement of windows at 148 William Street, as attached in Appendix B to the report dated December 5, 2023, from Planning Services, be approved subject to the following:
 - a. That the muntin bars on all windows are full profile and fixed to the exterior of the windows;
 - b. That the three windows on the front elevation be wood, not aluminum-clad wood; and
 - c. That final details on the windows be submitted to Heritage Planning staff for final approval; and
2. That this heritage permit expires two years from the date of final approval by Council.

CARRIED

Moved by Councillor Knoll

That the following recommendation pertaining to Item 4.2 of the Heritage Oakville Advisory Committee minutes from its meeting on December 19, 2023, be approved:

4.2 Heritage Permit Application HP039/23-42.20S –1042 Sixth Line – Alteration and Removal of Cultural Heritage Landscape Attributes

That Heritage Permit Application HP039/23-42.20S for alteration and removal of cultural heritage landscape attributes at 1042 Sixth Line as attached in Appendix B to the report dated December 5, 2023 from Planning Services, be denied.

CARRIED Unanimously

10. Rise and Report to Council

Moved by Councillor Duddeck

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, 4.2, 4.3, 4.4, 4.5, and 4.6; Confidential Consent Item 5.1; Discussion Items 7.1 and 7.2; and Advisory Committee Minutes 9.1 as noted by the Clerk.

Moved by Councillor Longo

Seconded by Councillor Lishchyna

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 2024-004

A by-law to designate the Nightingale House at 265 Watson Avenue as a property of cultural heritage value or interest.

12.2 By-law 2024-006

A by-law to designate the Wardell House at 401 Lakeshore Road East as a property of cultural heritage value or interest.

12.3 By-law 2024-007

A by-law to designate the Wanless House at 291 Watson Avenue as a property of cultural heritage value or interest.

12.4 By-law 2024-008

A by-law to designate the Detmold House at 395 Lakeshore Road East as a property of cultural heritage value or interest.

12.5 By-law 2024-009

A by-law to designate the Warcup House at 407 Lakeshore Road East as a property of cultural heritage value or interest.

12.6 By-law 2024-010

A by-law to designate the Westwood House at 1072 Tanglewood Court as a property of cultural heritage value or interest.

12.7 By-law 2024-020 (Not Passed. Planning Application denied under Item 7.1)

A by-law to adopt an amendment to the Livable Oakville Plan, Official Plan Amendment Number 63 (42 Lakeshore Road West; File No. OPA 1715.25). (Re: Item 7.1).

12.8 By-law 2024-021 (Not Passed. Planning Application denied under Item 7.1)

A by-law to amend the Zoning By-law 2014-014, as amended, to permit the development of a mixed-use building on lands described as Lots 10, 12 & 13, Block 68, Plan 1 As Part 1 On 20R22219 – 42 Lakeshore Road West – Z.1715.25. (Re: Item 7.1).

12.9 By-law 2024-019

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

Moved by Councillor Elgar
Seconded by Councillor Chisholm

That the by-law(s) noted above, with the exception of By-laws 2024-020 and 2024-021, 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 11:44 p.m.

Andrea Holland, Acting Town
Clerk