

**FIRST Meeting - Regular Session**

The Town of Oakville Council met in regular session to consider planning matters on this 16<sup>th</sup> day of January, 2017 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:00 p.m.

Present: Mayor - Rob Burton

Councillors - Tom Adams  
- Ray Chisholm  
- Allan Elgar  
- Dave Gittings  
- Marc Grant  
- Nick Hutchins  
- Jeff Knoll  
- Natalia Lishchyna  
- Sean O'Meara  
- Ralph Robinson

Staff - J. Clohecy, Commissioner of Community Development  
- M. Simeoni, Director of Planning Services  
- D. Carr, Town Solicitor  
- D. Perlin, Assistant Town Solicitor  
- G. Charles, Senior Manager of Current Planning – East District  
- H. Hecht, Manager of Current Planning – East District  
- J. Knighton, Manager of Realty Services  
- C. McConnell, Manager of Current Planning – West District  
- C. Tizzard, Manager of Urban Design  
- P. Wiersma, Urban Designer  
- L. Musson, Senior Planner, Current Planning – East District  
- K. Patrick, Acting Town Clerk  
- L. Morgan, Council and Committee Coordinator

Regrets: Councillors - Cathy Duddeck  
- Roger Lapworth

**Declarations of Pecuniary Interest**

No declarations of pecuniary interest were declared.

**Committee of the Whole**

Moved by Councillor O'Meara      Seconded by Councillor Lishchyna

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

CARRIED

**AGENDA ITEM(S)**

**1.     Assumption of Stormwater Management Pond within  
Subdivision Plan 20M-909 - Upper Glen Abbey Greens Ph 1 -  
By-law 2017-004**

- **Report from Development Engineering Department,  
November 25, 2016**

Moved by Councillor Hutchins

1. That the assumption of the Stormwater Management Pond within Registered Plan 20M-909 (Block 136) be approved; and
2. That By-law 2017-004, a by-law to assume the Stormwater Management Pond within Plan 20M-909, be approved.

CARRIED

**2.     By-law 2017-003 - A By-law to Dedicate Certain Land as Part  
of a Public Highway - (Parts 1, 2, 3, 4, 5, Plan 20R-20462,  
Blocks 51, 52, 53, Plan 20M-1163, Block 133, Plan 20M-1173 -  
Ernest Applebe Boulevard, Fowley Drive, Mintwood Circle,  
Squire Crescent, Lane 156)**

- **Report from Legal Department, November 25, 2016**

Moved by Councillor Hutchins

That By-law 2017-003, a by-law to dedicate certain land as part of a public highway (Parts 1, 2, 3, 4, 5, Plan 20R-20462, Blocks 51, 52, 53, Plan 20M-1163, Block 133, Plan 20M-1173 - Ernest Applebe Boulevard, Fowley Drive, Mintwood Circle, Squire Crescent, Lane 156) be passed.

CARRIED

3. **Recommendation Report - Draft Plan of Subdivision and Zoning By-law Amendment - Trinity United Church – 1250 McCraney Street East - File No: 24T-16002/1513 and Z.1513.27 - By-law 2017-001**

- **Report from Planning Services Department, December 19, 2016**

*The following person(s) made an oral submission:*

- Julia Perdun, Weston Consulting, Planning + Urban Design, on behalf of Trinity United Church, expressing agreement with the recommendation report and appreciation to Planning Services department staff.
- Todd Sullivan, re: concerns with respect to the need for additional parking spaces as the church has hired staff to further 'grow' the congregation, inadequate reconfiguration of the parking lot, and concerns regarding the percentage of lot coverage being lower than standard.

Moved by Councillor Grant

1. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary;
2. That Zoning By-law Amendment and Draft Plan of Subdivision applications by Trinity United Church, (File No. Z.1513.27 and 24T-16002/1513) be approved;
3. That the Director of Planning Services be authorized to grant draft plan approval for Draft Plan of Subdivision (24T-16002/1513) prepared by Mackay, Mackay & Peters Ltd., dated November 25, 2016, subject to the conditions contained in Appendices A1 and A2 of the report dated December 19, 2016, from Planning Services department;
4. That once 24T-16002/1513 has been draft approved by the Director of Planning Services, the Town enter into a Subdivision Agreement to the satisfaction of the CAO and Town Solicitor or designates, if required;
5. That the Subdivision Agreement be executed in accordance with By-law 2013-057;
6. That By-law 2017-001 be passed; and

7. That notice of Council's decision reflects that the comments from the public have been appropriately addressed.

CARRIED

4. **Livable by Design Manual (Part C): Site Design and Development Standards for Oakville**

- **Report from Planning Services Department,  
December 12, 2016**

Moved by Councillor Elgar

1. That the design document entitled *Livable by Design Manual (Part C) – Site Design and Development Standards for Oakville*, be endorsed and staff be directed to implement; and
2. That staff be requested to:
  - a. incorporate a commonly understood and implementable standard identifying maximum soil compaction limits associated with tree plantings; and
  - b. incorporate additional standards requiring the protection of new and existing trees during snow removal and snow storage activities, including, but not limited to, the use of distance separations, barriers, and/or other techniques which have regard for the objectives of the design manual.

CARRIED

5. **Notice of Intention to Amend By-law 2010-020 – 3114 Dundas Street West**

- **Report from Planning Services Department,  
November 28, 2016**

Moved by Councillor Elgar

That notice be issued to the owner of 3114 Dundas Street West of the proposed amendment of By-law 2010-020, a by-law to designate St. Luke's Anglican Church at Palermo, located at 3114 Dundas Street West, as a property of historical, architectural and/or contextual significance.

CARRIED

**C-1. OMB Appeal - Cash-In-Lieu - Parkland Valuation Dispute  
DunPar - 2158-2192 Trafalgar Road**

- **Confidential Report from Legal Department,  
January 4, 2017**

*The following person(s) made an oral submission:*

- Sean Foran, WeirFoulds LLP, on behalf of DunPar Homes, re: concerns with respect to the cash-in-lieu of parkland valuation.

**CLOSED SESSION**

Moved by Councillor Knoll

That this Committee resolve into a closed meeting session for the purpose of dealing with matters pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and for receiving advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to Item C-1 - OMB Arbitration - Parkland Valuation Dispute - Dunpar – 2158-2192 Trafalgar Road, C-2 - OMB Appeal - CAV A/157/2016 -2988 Bristol Circle, and C-3 - OMB Appeal - CAV A/143/2012 - 3358 Lakeshore Road West.

CARRIED

Committee resolved into closed session at 8:13 p.m.

Committee resolved back into open session at 8:37 p.m.

**C-1. OMB Appeal - Cash-In-Lieu - Parkland Valuation Dispute  
DunPar - 2158-2192 Trafalgar Road**

- **Confidential Report from Legal Department,  
January 4, 2017**

*Direction was provided to staff in closed session.*

**C-2. OMB Appeal - CAV A/157/2016 -2988 Bristol Circle**  
**- Confidential Report from Legal Department,**  
**January 4, 2017**

Moved by Councillor Knoll

That the appeal to the Ontario Municipal Board of Committee of Adjustment Decision CAV A/157/2016, 2988 Bristol Circle, be withdrawn.

CARRIED

**C-3. OMB Appeal - CAV A/143/2012 - 3358 Lakeshore Road West**  
**- Confidential Report from Legal Department,**  
**December 13, 2016**

Moved by Councillor Knoll

1. That the appeal to the Ontario Municipal Board of Committee of Adjustment Decision CAV A/143/2012, 3358 Lakeshore Road West, be confirmed; and
2. That the without prejudice offer of the Applicant to withdraw his appeal of the InZone Zoning By-law 2014-014 in OMB Case No.PL 140317, subject to the withdrawal by the Town of its appeal of COA Decision CAV A/143/2012, be accepted.

CARRIED on a recorded vote,  
Council voting as follows:

**Recorded Vote**

**Yeas**

Councillor Lishchyna  
Councillor Adams  
Councillor Grant  
Councillor Knoll  
Mayor Burton  
Councillor Robinson

**Nays**

Councillor Elgar  
Councillor Hutchins  
Councillor Gittings  
Councillor Chisholm  
Councillor O'Meara

**6. Heritage Oakville Advisory Committee (December 20, 2016)**

Moved by Councillor O'Meara

That the following recommendation pertaining to Item 6a of the Heritage Oakville Advisory Committee minutes from its meeting on December 20, 2016, be approved and the remainder of the minutes be received:

**a. Heritage Permit Application HP055/16-42.20R – 344 Reynolds Street - Rear Addition and Deck**

**- Report from Planning Services Department,  
December 7, 2016**

- 1 That Heritage Permit Application HP055/16-42.20R for the construction of a rear addition with deck, as attached in Appendix B to the report dated December 7, 2016, from Planning Services be approved subject to final details on the windows and doors being submitted to Heritage Planning staff for approval; and
2. That this heritage permit expire two years from the date of final approval by Council.

CARRIED

**RISE AND REPORT TO COUNCIL**

Moved by Councillor Hutchins

That this committee rise and report.

CARRIED

The Mayor arose and reported that the Committee of the Whole has met and made recommendations on Consent Items 1 and 2, Discussion Items 3, 4 and 5, Confidential Discussion Items C-1, C-2 and C-3, and Advisory Committee Minutes Item 6, as noted by the Clerk.

Moved by Councillor Elgar

Seconded by Councillor Lishchyna

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

CARRIED

**CONSIDERATION AND READING OF BY-LAWS**

Moved by Councillor Grant

Seconded by Councillor Adams

That the following by-law(s) be passed:

- 2017-001 A by-law to amend the Town of Oakville Zoning By-law 2014-014, as amended, to rezone a portion of the Trinity Church Lands at 1250 McCraney Street East, to permit the development of three detached dwelling lots. (Trinity United Church, File No.: Z.1513.27). (Re: Item 3)
- 2017-003 A by-law to dedicate certain land as part of a public highway (Parts 1, 2, 3, 4, 5, Plan 20R-20462, Blocks 51, 52, 53, Plan 20M-1163, Block 133, Plan 20M-1173 - Ernest Applebe Boulevard, Fowley Drive, Mintwood Circle, Squire Crescent, Lane 156). (Re: Item 2)
- 2017-004 A by-law to assume the Stormwater Management Pond in Registered Plan 20M-909. (Re: Item 1)
- 2017-006 A by-law to declare that certain land is not subject to part lot control (Lots 4, 5, 6, 7, 8, 14, 15, 17, 18 and 21, Blocks 22, 23, 30, 31, 32, 33, 34 and 35, Plan 20M-1168 - Haven-Oak Homes Inc.).
- 2017-014 A by-law to confirm the proceedings of a meeting of Council.

CARRIED

**ADJOURNMENT**

The Mayor adjourned the meeting at 8:40 p.m.

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KATHY PATRICK  
ACTING TOWN CLERK