

FOURTH Meeting - Regular Session

The Town of Oakville Council met in regular session to consider planning matters on this 16th day of February, 2016 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
- Cathy Duddeck
- Allan Elgar
- Dave Gittings
- Marc Grant
- Nick Hutchins
- Jeff Knoll
- Roger Lapworth
- Natalia Lishchyna
- Sean O'Meara

Staff - J. Clohec, Commissioner of Community Development
- M. Simeoni, Director of Planning Services
- J. Huctwith, Assistant Town Solicitor
- D. Childs, Manager of Policy Planning
- H. Hecht, Manager of Current Planning – East District
- J. Nethery, Manager of Zoning By-law Project
- P. Barrette, Senior Planner, Current Planning – West District
- L. Musson, Senior Planner, Current Planning – East District
- S. Schappert, Heritage Planner
- V. Tytaneck, Town Clerk
- L. Morgan, Council and Committee Coordinator

Regrets: Councillor - Ralph Robinson

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

Committee of the Whole

Moved by Councillor Hutchins Seconded by Councillor Duddeck

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

CARRIED

AGENDA ITEM(S)

In accordance with Section 3.2(1) of the Procedure By-law, the items were considered out of order.

1. **Proposed Removal of "H" Holding Provision - Green Ginger Developments Inc. - 150, 168, and 210 Sabina Drive**
File No.: Z.1313.06, By-law 2016-021
 - **Report from Planning Services Department, January 25, 2016**

Moved by Councillor Knoll

1. That the application (File No. Z.1313.06) submitted by Green Ginger Developments to remove the Holding Provision "H" from the lands known 150, 168 and 210 Sabina Drive, be approved; and
2. That By-law 2016-021, a by-law to remove the Holding Provision "H" from By-law 2009-189, as amended, be passed.

CARRIED

2. **Partial Release of Easement HR54288 - King's Christian Collegiate, 528 Burnhamthorpe Road West**
 - **Report from Legal Department, January 12, 2016**

Moved by Councillor Grant

That a Transfer Release and Abandonment of Easement HR54288 except Parts 1, 2, 3, 5 and 7 on Plan 20R-16270 be executed in accordance with By-law 2013-057.

CARRIED

C-2. Appeal to OMB - 70 Stewart Street and 73 Washington Avenue

- **Confidential Report from Legal Department,
January 22, 2016**

Moved by Councillor Duddeck

That legal counsel be instructed to proceed in the hearing of an appeal from Council's decision approving a standard condominium at 70 Stewart Street and 73 Washington Avenue in accordance with the report from the Legal department, dated January 22, 2016.

CARRIED

**3. Public Meeting and Recommendation Report - inZone
Monitoring and Review Zoning By-law Amendments
(File No. 42.25.15) - By-law 2016-023**

- **Report from Planning Services Department,
January 27, 2016**

Moved by Councillor Adams

That By-law 2016-023, a by-law to make a number of amendments to Zoning By-law 2014-014, be passed.

CARRIED

**4. Recommendation Report, Draft Plan of Standard
Condominium - Riverstone Residences of Oakville,
File No. 24CDM-15005/1616**

- **Report from Planning Services Department,
January 27, 2016**

Moved by Councillor Duddeck

That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Standard Condominium (24CDM-15005/1616) submitted by Riverstone Residences of Oakville Ltd., prepared by Rady-Pentek & Edward Surveying Ltd., dated August 28, 2015, subject to the conditions contained in Appendix D of report PD-16-486 dated January 27, 2016, from the Planning Services Department.

CARRIED

5. **Recommendation Report - Draft Plan of Standard Condominium - Kingridge Developments Inc. 209, 217, 225 and 233 Speers Road**
File No. 24CDM-15007/1617

- Report from Planning Services Department,
January 25, 2016

Moved by Councillor Duddeck

That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-15007/1617) submitted by Kingridge Development Inc., prepared by Rady-Pentek, dated July 24, 2015, subject to the conditions contained in Appendix 'A' of the Planning Services report dated January 25, 2016.

CARRIED

6. **Notice of Intention to Designate - 257 Ellen Davidson Drive**

- Report from Planning Services Department,
January 25, 2016

Moved by Councillor Hutchins

That a notice of intention to designate for the property at 257 Ellen Davidson Drive, known as Kaitting House Parkette, be issued.

CARRIED

7. **Cultural Heritage Landscapes Strategy Implementation: Phase One Inventory**

- Report from Planning Services Department,
January 27, 2016

Moved by Councillor Hutchins

1. That the recommendations contained within the Cultural Heritage Landscapes Strategy Implementation: Phase One Inventory be endorsed; and

2. That the Cultural Heritage Landscapes Strategy Implementation: Phase Two Assessments/Research proceed immediately for the properties identified as High Priority within the Phase One Inventory.

CARRIED on a recorded vote,
Council voting as follows:

Recorded Vote

Yeas

Nays

Councillor Lishchyna
Councillor Adams
Councillor Grant
Councillor Knoll
Councillor Lapworth
Councillor Elgar
Mayor Burton
Councillor Hutchins
Councillor Gittings
Councillor Duddeck
Councillor O'Meara

8. **Heritage Planning Work Plan Update 2016-2018**
- **Report from Planning Services Department,
January 26, 2016**

Moved by Councillor Lapworth

That the report entitled, *Heritage Planning Work Plan Update 2016-2018*, dated January 26, 2016, from Planning Services, be received.

CARRIED

9. **Heritage Oakville Advisory Committee (January 26, 2016)**

Moved by Councillor Duddeck

That the following recommendation pertaining to Items 6b and c of the Heritage Oakville Advisory Committee minutes from its meeting on January 26, 2016, be approved and the remainder of the minutes be received:

6b. Heritage Permit Application HP056/15-42.20A 199 Allan Street – New Rear Addition, New Detached Garage, and Minor Alterations to Existing House

1. That Heritage Permit Application HP056/15-42.20A for construction of a new rear addition and a new detached garage at 199 Allan Street, as attached in Appendix B to the report dated January 13, 2016, from Planning Services, be approved subject to final details on the new windows and doors being 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.

6c. Heritage Permit Applications: HP052/15-42.20L - Removal of Magnolia Tree and HP053/15-42.20L for Relocation of Historic House at 42 Lakeshore Road West

1. That Heritage Permit Application HP052/15-42.20L for removal of the magnolia tree at 42 Lakeshore Road West, as attached in Appendix B to the report dated January 13, 2016, from Planning Services, be approved subject to the following:
 - a. Propagation of the existing magnolia tree shall be attempted prior to its removal by a qualified professional; and
 - b. Receipt by the town of a minimum of ten propagation samples of the magnolia tree prior to the tree's removal;
2. That Heritage Permit Application HP053/15-42.20L for relocation of the historic house at 42 Lakeshore Road West, as attached in Appendix B to the report dated January 13, 2016 from Planning Services, be approved subject to the following:
 - a. That the property owner enter into a Heritage Conservation Easement for the safe relocation and restoration of the historic house based on a submission of a fully detailed relocation and restoration plan to the satisfaction of the Director of Planning Services or designate;
 - b. That the Town Solicitor be authorized to discharge the Heritage Conservation Easement from title, at the expense of the owner, once the requirements in the agreement have been satisfied to the satisfaction of the Director of Planning Services or designate;
 - c. That the Heritage Conservation Easement be executed in accordance with By-law 2013-057; and

- d. That a site plan application for the proposed development of the property, which gives due consideration to the location of the magnolia tree, and the appropriateness and massing of the new building in relation to the historic house on the heritage property, be approved; and
3. That these heritage permits expire two years from the date of final approval by Council.

CARRIED

CLOSED SESSION

Moved by Councillor Hutchins

That this Committee resolve into a closed meeting session for the purpose of dealing with a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality, and for receiving advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to Item C-1, Ontario Municipal Board Hearing – Fee Appeals.

CARRIED

Committee resolved into closed session at 7:50 p.m.

Committee resolved back into open session at 8:02 p.m.

RISE AND REPORT TO COUNCIL

Moved by Councillor Elgar

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 3, Confidential Consent Item C-2, Public Hearing Item 3, Discussion Items 4, 5, 6, 7 and 8, and Advisory Committee Minutes Item 9, as noted by the Clerk.

C-1. Ontario Municipal Board Hearing - Fee Appeals
**- Confidential Report from Legal Department,
January 21, 2016**

Moved by Councillor Adams

Seconded by Councillor Lapworth

That staff be authorized to proceed in appeals to the Ontario Municipal Board under section 69(3) of the *Planning Act*, in accordance with the report from the Legal department, dated January 21, 2016.

CARRIED

Moved by Councillor Lishchyna

Seconded by Councillor Hutchins

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

CARRIED

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Knoll

Seconded by Councillor Adams

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

- | | |
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| 2016-018 | A by-law to declare that certain land is not subject to part lot control - Blocks 494, 499, 500, 501, 502, 503, Plan 20M-1160 - Pendent Developments Limited. |
| 2016-019 | A by-law to declare that certain land is not subject to part lot control - Blocks 490, 491 and 492, Plan 20M-1160 - Pendent Developments Limited. |
| 2016-021 | A by-law to remove the Holding "H" Provision on lands described as Block 31 Plan 20M-1163 (Green Ginger Developments Inc., File No.: Z.1313.06). (Re: Item 1) |

- 2016-023 A by-law to amend the Town of Oakville Zoning By-law 2014-014 to make a number of housekeeping and technical corrections (Town-initiated Housekeeping, File No. 42.25.14). (Re: Item 3)
- 2016-030 A by-law to confirm the proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

The Mayor adjourned the meeting at 8:05 p.m.

VICKI TYTANECK
TOWN CLERK