

SIXTH Meeting - Regular Session

The Town of Oakville Council met in regular session to consider planning matters on this 21st day of March, 2016 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:04 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
- Ralph Robinson

Staff - J. Clohec, Commissioner of Community Development
- M. Simeoni, Director of Planning Services
- N. Chandra, Assistant Town Solicitor
- D. St. George, Director of Economic Development
- D. Childs, Manager of Policy Planning
- C. McConnell, Manager of Current Planning – West District
- M. Dalrymple, Planner, Current Planning – West District
- R. Stormes, Economic Development and Research Officer
- V. Tytaneck, Town Clerk
- L. Morgan, Council and Committee Coordinator

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

Committee of the Whole

Moved by Councillor Lapworth Seconded by Councillor Hutchins

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. **Subdivision Agreement - 260 Bronte Street 24T-13001**
 - **Report from Development Engineering Department,
February 5, 2016**

Moved by Councillor Duddeck

1. That the Subdivision Agreement between the Town and 1066834 Ontario Limited be approved and the Town Solicitor be authorized to make minor changes to the Agreement, which do not affect the substance of the Agreement; and
2. That the agreement with 1066834 Ontario Limited be executed in accordance with By-law 2013-057.

CARRIED

2. **Assumption of Timsin Subdivision 20M-1114 - By-law 2016-034**
 - **Report from Development Engineering Department,
February 22, 2016**

Moved by Councillor Duddeck

1. That the assumption of Registered Plan 20M-1114 be approved; and
2. That By-law 2016-034, a by-law to assume public works and streets within Plan 20M-1114, be approved.

CARRIED

3. **Downtown Cultural Hub**
 - **Report from Commissioner of Community Development,
March 9, 2016**

In accordance with Section 6.5(5) of the Procedure By-law, Item 3 was subsequently reconsidered following consideration of Item 4.

C-1. Update and Instructions Re OPA 4 and By-law 2014-014 Appeals

- **Confidential Report from Legal Department,
March 9, 2016**

Moved by Councillor Duddeck

That the Town Solicitor be instructed as set out in the confidential legal report dated March 9, 2016.

CARRIED

C-2. Proposed Settlement - OMB Appeal - Committee of Adjustment Application CAV A/019/2016, OMB Case No. PL160166, 299 Burton Road

- **Confidential Report from Legal Department,
March 15, 2016**
- **Confidential Memorandum from Legal Department,
March 21, 2016**

Moved by Councillor Duddeck

1. That the appeal to the Ontario Municipal Board regarding the Committee of Adjustment Decision A/019/2016 attached as Appendix B to the confidential report from the Legal department, dated March 15, 2016, be confirmed;
2. That the Minutes of Settlement for the Appeal attached as Appendix C to the confidential report from the Legal department, dated March 15, 2016, and amended as shown in the attachment to the confidential memorandum dated March 21, 2016, distributed to the Planning and Development Council on March 21, 2016, be approved, and the Town Solicitor or his designate be authorized to execute those Minutes of Settlement on behalf of the town; and
3. That the town application fees be waived for the second application to the Committee of Adjustment respecting the Revised Design and Reduced Variances as part of the approved Revised Minutes of Settlement.

CARRIED

5. **Growth Monitoring Report 2015**

- **Report from Planning Services Department,
February 29, 2016**

Moved by Councillor Adams

That the staff report, *Growth Monitoring 2015* (PD-16-476) dated February 29, 2016, be received.

CARRIED

6. **Notice of Intention to Demolish - 402 Maple Avenue**

- **Report from Planning Services Department,
February 29, 2016**

Moved by Councillor Duddeck

1. That the property at 402 Maple Avenue be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest; and
2. That the property owners allow for the salvage of historic materials from the house.

CARRIED

7. **Tourism Function**

- **Report from Economic Development Department,
February 18, 2016**

Moved by Councillor Elgar

1. That the Services Agreement model for the tourism function in Oakville, outlined as Option Three in the report from the Economic Development department, dated February 18, 2016, be approved in principle and that \$25,000 in funding for the remainder of 2016, be confirmed in the Finance department's first quarterly report; and
2. That a Services Agreement between the town and Visit Oakville be drafted and additional annual funding of \$50,000 for a three year period be considered through the 2017 budget process.

CARRIED

8. **Economic Development 2015 Annual Report**
- **Report from Economic Development Department,
February 18, 2016**

Moved by Councillor Elgar

That the Economic Development 2015 Annual Report be received.

CARRIED

9. **Heritage Oakville Advisory Committee (February 23, 2016)**

Moved by Councillor Duddeck

That the minutes of the Heritage Oakville Advisory Committee meeting of February 23, 2016, be received.

CARRIED

10. **Livable Oakville (Official Plan Review) Council Sub-committee
(February 16, 2016)**

Moved by Councillor Hutchins

That the minutes of the Livable Oakville (Official Plan Review) Council Sub-committee meeting of February 16, 2016, be received.

CARRIED

4. **Public Meeting Report, Official Plan Amendment and Zoning
By-law Amendment, Symgine (Lake East) Inc., 2266 Lakeshore
Road West & 83 East Street, File No. 1728.61**

- **Report from Planning Services Department,
February 23, 2016**

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

- Ken Briggs, re: concerns with respect to the 20-storey building not preserving the quality and character of Bronte village, negative impact on traffic, safety issues for residents, adverse effect on sightlines, possibility of setting a precedent;

- Brian Hassett, re: support for the application and the resulting influx of residents to Bronte being of benefit to area businesses, cutting-edge architecture of the proposed building would make it a landmark, anchor building for the area;
- Shelley Thornborrow, Vice President, Bronte Village Residents Association, re: concerns with respect to the level of intensification of the site, pedestrian safety issues, reduced sunlight, impact on the quality of life--health and wellness, increased vehicular traffic, speeding, noise and air pollution, lack of setbacks, negative impact of excavating five levels of underground parking, design of building not reflecting the history and charm of the area, non-conformance with the Livable Oakville official plan, requesting independent traffic and engineering reports, and requesting that the recommendation report scheduled for consideration at the April 18, 2016 meeting be rescheduled to later date;
- Anne Fairfield, President of the Board, Halton Condominium Corporation 72 (HCC 72), re: concerns with respect to the proposed building casting a shadow on the pool of the adjacent building depriving residents of sunlight, blocking view of the residents in surrounding buildings, possible damage to the adjacent building due to the excavation required for five levels of underground parking and requesting \$2 million insurance protection from the owner for any possible damage to the north garage wall and/or carport at HCC72, problems during construction such as parking for construction workers and construction noise, setting a precedent for all of Lakeshore Road;
- Morna Snair, re: concerns with respect to the close proximity of the proposed development to adjacent building, height and size of the building for the property footprint, setback from the street, shadowing, traffic issues entering and exiting parking areas, advising of an online petition containing more than 300 names requesting that the change in zoning be turned down;
- Ana Hourahine, President, Bronte Village Residents Association, on behalf of Phillip Boyd, re: concerns with respect to safety issues for pedestrians especially the elderly, traffic sightlines entering and exiting the property, traffic congestion, setback from the street, size of proposed building for the site, non-conformity to the official plan;
- Lyndsey Thomas, re: concerns with respect to the negative impact on surrounding community limiting sightlines and views, shadowing, one common entrance and exit for the site, traffic congestion, parking issues, design of building not being cohesive with Bronte village;

- Brian Henderson, on behalf of Cindy Goode, re: concerns with respect to pedestrian safety for the elderly, height of the proposed building, shadowing on surrounding buildings particularly on the seniors' residence as natural light and clear views would be limited impeding the needs of people with dementia;
- Hart Jansson, on behalf of Jonathan McNeice, re: concerns with respect to over intensification of the site, visual obstruction, shadowing, lack of green space surrounding the building, limited surface parking, design not in keeping with historic character of Bronte village, setting precedent for other areas of Oakville;
- Ted Walker, on behalf of Oakville Senior Citizens Residence, re: concerns with respect to pedestrian safety, sidewalk access during construction of the proposed building;
- Margaret Marland, re: concerns with respect to over intensification of the site, pedestrian safety issues, traffic congestion, timelines related to the decision process, non-conformity to the official plan;
- Clive Marten, re: concerns with respect to setting a precedent for the immediate area and all of Lakeshore Road;
- Ty Goss, on behalf of Bronte residents, re: concerns with respect to completing the requested independent studies, i.e., engineering, traffic and shadowing, and their availability for public review;
- Allan Young, Planner, Weston Consulting, on behalf of the applicant, reviewing issues related to the development of the project;
- Sasa Radulovic, Architect, 5468796 Architecture, on behalf of the applicant, speaking to design aspects of the building.

BEYOND THE HOUR

Moved by Councillor Adams

That this meeting proceed past the hour of 10:00 p.m., but no later than 10:30 p.m.

CARRIED

Moved by Councillor O'Meara

That comments from the public with respect to the Official Plan Amendment and Zoning By-law Amendment applications by Symgine (Lake East) Inc., for 2266 Lakeshore Road West and 83 East Street (File Nos. 1728.61), be received.

CARRIED

3. Downtown Cultural Hub

**- Report from Commissioner of Community Development,
March 9, 2016**

Moved by Mayor Burton

1. That, in recognizing Centennial Square lands as an important public asset, Council directs that these lands should remain under public ownership and not be considered for sale under any option for the Downtown Cultural Hub; and
2. That the report dated March 9, 2016, from the Commissioner of Community Development, be received.

CARRIED on a recorded vote,
Council voting as follows:

Recorded Vote

Yeas

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

Nays

RISE AND REPORT TO COUNCIL

Moved by Councillor Grant

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, 2 and 3, Confidential Consent Items C-1 and C-2, Public Hearing Item 4, Discussion Items 5, 6, 7 and 8, and Advisory Committee Minutes Items 9 and 10, as noted by the Clerk.

Moved by Councillor Lishchyna Seconded by Councillor Knoll

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

CARRIED

NEW BUSINESS

(Emergency, Congratulatory or Condolence)

Councillor O'Meara, on behalf of Council, congratulated former Chief Executive Officer of the Oakville Galleries, Marnie Fleming, with over 24 years with the Oakville Galleries, as a recipient of the Governor General's award in Visual and Media Arts.

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Duddeck Seconded by Councillor Robinson

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

2016-020 A by-law to declare that certain land is not subject to part lot control (Block 489, Plan 20M-1160 – Pendent Developments Limited).

2016-026 A by-law to remove the Holding "H" Provision on lands described as Part of Lot 6, Concession 2, S.D.S. and municipally known as 1455 Joshuas Creek Drive (Upper Middle Road Ltd. Partnership), File No.: Z.1506.12.

- 2016-032 A by-law to declare that certain land is not subject to part lot control (Blocks 467, 468, 469 and 470, Plan 20M-1160 - Pendent Developments Limited).
- 2016-034 A by-law to assume Registered Plan 20M-1114. (Re: Item 2)
- 2016-043 A by-law to confirm the proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

The Mayor adjourned the meeting at 10:23 p.m.

VICKI TYTANECK
TOWN CLERK