

THIRD Meeting - Regular Session

The Town of Oakville Council met in regular session to consider planning matters on this 9th day of February, 2015 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
 - Pam Damoff
 - Cathy Duddeck
 - Allan Elgar
 - Dave Gittings
 - Marc Grant
 - Nick Hutchins
 - Max Khan
 - Jeff Knoll
 - Roger Lapworth
 - Sean O'Meara
 - Ralph Robinson
- Staff - J. Clohec, Commissioner of Community Development
 - D. Lambert, Director of Development Engineering
 - D. Cozzi, Director of Engineering and Construction
 - D. St. George, Director of Economic Development
 - J. Wice, Assistant Town Solicitor
 - J. Huctwith, Assistant Town Solicitor
 - S. Hannah, Senior Manager of Current Planning and Heritage
 - D. Childs, Manager of Long Range Planning
 - H. Hecht, Manager of Current Planning – East District
 - P. Kelly, Manager of Development and Environmental
 Engineering
 - J. Stephen, Senior Manager of Transportation
 - L. Musson, Senior Planner, Current Planning – East District
 - L. Rogers, Transportation Engineer, Planning and Engineering
 - V. Tytaneck, Town Clerk
 - L. Morgan, Committee Coordinator

Declarations of Pecuniary Interest

Councillor Adams declared a pecuniary interest with respect to Confidential Item C-1 - Update and Instructions Re OPA 4 and By-law 2014-014 Appeal, as it relates, in part, to this spouse's employer, TDL Group.

Committee of the Whole

Moved by Councillor Duddeck Seconded by Councillor Lapworth

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

CARRIED

AGENDA ITEM(S)

1. **Release of Agreement 575874 - Sherborne Lodge
Developments Limited**

- **Report from Legal Department, December 9, 2014**

Moved by Councillor Duddeck

That a Release of Agreement 575874 be executed in accordance with
By-law 2013-057.

CARRIED

2. **Delegation of Planning Director Authority**

- **Report from Commissioner of Community Development,
January 28, 2015**

Moved by Councillor Duddeck

That By-law 2015-023, a by-law to authorize the transfer of delegated
authority from the Director of Planning Services to the Commissioner of
Community Development, on an interim basis, be approved.

CARRIED

C-2. Update and Instructions Re Ongoing Ontario Municipal Board Matter

- **Confidential Report from Legal Department,
January 23, 2015**

Moved by Councillor Duddeck

That the Town Solicitor be instructed as set out in the confidential legal report dated January 23, 2015.

CARRIED

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

- **Confidential Report from Legal Department,
January 21, 2015**

Moved by Councillor Duddeck

That the Town Solicitor be instructed as set out in the confidential legal report dated February 4, 2015.

CARRIED

(Councillor Adams, having declared a pecuniary interest, did not vote on Item C-1.)

3. Public Meeting Report - Official Plan and Zoning By-law Amendments - 2378224 Ontario Inc. - Z.1617.43 - 231-237 Rebecca Street

- **Report from Planning Services Department,
January 9, 2015**

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

- Bob Edwards, President, Halton Condominium Corporation 336, re: concerns with respect to the proposed rezoning, height and privacy issues, maintaining the character of the neighbourhood, architectural disharmony with existing homes, and loss of trees on the site;

- Fernando Moraes, re: concerns with respect to the requested rezoning from low density to medium density, height of the development, proposed size of yards, loss of green space, stormwater management/storage, drainage, privacy issues, gradations, massing, shadowing issues, setting a precedent for future developments, and incompatibility with existing neighbourhood;
- David Harris, on behalf of Barclay Square and Margaret Drive residents, re: concerns with respect to loss of trees, vegetation, and wildlife, shadowing from the proposed development, invasion of privacy, stormwater collection, traffic, parking issues, snow removal and location of garbage pickup;
- Bill Burns, re: concerns with respect to rezoning from low density to medium density, setting a precedent for similar future development in the area, erosion of privacy, decrease in visual appeal of existing homes and a resulting decline in home value;
- Claudio Brutto, Brutto Consulting, on behalf of the applicant, re: application;
- Karen Brock, on behalf of Oakvillegreen Conservation Association, re: concerns with respect to the urban forest canopy, loss of mature trees in this area and survival of trees.

Moved by Councillor Damoff

That comments from the public with respect to the Official Plan and Zoning By-law Amendment applications submitted by 2378224 Ontario Inc. (File No Z.1617.43), be received.

CARRIED

The meeting recessed at 8:29 p.m. and reconvened at 8:34 p.m.

**6. Response to Concerns Raised by Trafford Crescent Residents
- 2176 Speers Road**

- **Report from Commissioner of Community Development,
January 26, 2015**

Moved by Councillor Robinson

1. That Council request Oakville Hydro to include, in any purchase and sale agreement for the property at 2176 Speers Road, a requirement to provide an acknowledgement in favor of the Town to its satisfaction that the outdoor storage use has been discontinued; and
2. That the purchase and sale agreement clause be to the satisfaction of the Town Solicitor, in consultation with Oakville Hydro staff.

CARRIED

4. **Heritage Planning Work Plan Update 2015-2017**
- **Report from Planning Services Department,
January 19, 2015**

Mayor Burton transferred the Chair to Councillor Duddeck in order to speak to this item.

Moved by Mayor Burton

1. That the report entitled, "*Heritage Planning Work Plan Update 2015-2017*", dated January 19, 2015, be received; and
2. That staff be requested to undertake a review of the town's major open space areas in order to determine if they should be appropriately designated as a cultural heritage landscape; and further, if the work cannot be completed in 2015, staff be requested to report to the Budget Committee on the required resources to complete this study in 2015.

CARRIED

Mayor Burton resumed the Chair.

5. **Burnhamthorpe Road Character and Environmental Assessment Study**
- **Report from Engineering and Construction Department,
January 15, 2015**

Moved by Councillor Elgar

1. That the Burnhamthorpe Road Character and Environmental Assessment (EA) Draft Study Report, as detailed in the staff report from the Engineering and Construction department, dated January 15, 2015, be approved;
2. That a Notice of Study Completion, pursuant to the Municipal Class Environmental Assessment process, be issued to initiate a thirty (30) day period for public review commencing February 19, 2015; and
3. That during the detail design process, staff be requested to include a multi-use trail in lieu of a standard sidewalk within transitional areas along one side of the corridor.

CARRIED

C-3. Ontario Municipal Board Hearing - Star Oak and EMGO
- Confidential Report from Legal Department,
January 19, 2015

Moved by Councillor Knoll

That Legal staff be instructed to proceed in the hearing of the Ontario Municipal Board appeals filed by Star Oak Developments Limited (PL140412) and EMGO (North Oakville 1) (PL140467) as set out in the confidential report from the Legal department, dated January 19, 2015.

CARRIED

7. Heritage Oakville Advisory Committee (January 27, 2015)

Moved by Councillor Duddeck

That the following recommendation pertaining to Items 6a, b, and c of the Heritage Oakville Advisory Committee minutes from its meeting on January 27, 2015, be approved and the remainder of the minutes be received:

6a. Heritage Permit Application HP004/15-42.20A - Alteration of an Existing Rear Addition at 151 Allan Street

1. That Heritage Permit Application HP004/15-42.20A for a rear addition to the existing residence at 151 Allan Street, as attached in Appendix B to the report dated January 12, 2015, from Planning Services, be approved subject to the following being submitted to Planning Services (Heritage) for final approval:
 - a. details on the new windows and doors for the addition; and
 - b. details on the new exterior finishes including painted brick, half-timbering and textured lime stucco;
2. That any changes to the existing proposal which are considered by staff to be minor in nature be submitted to Planning Services (Heritage) for final approval; and
3. That this heritage permit expire two years from the date of final approval by Council.

6b. Heritage Permit Application HP002/15-42.20S - 457 Smith Lane Exterior Alterations and New Garage

1. That Heritage Permit Application HP002/15-42.20S for exterior alterations and the construction of a new garage, as attached in Appendix B to the report dated January 14, 2015, from Planning Services, be approved subject to:
 - a. final details on the new windows, doors and exterior cladding paint colours being submitted to heritage planning staff for final approval;
 - b. that the buffing of the exterior brick to remove loose paint is done by hand and no blasting with particulates is permitted;
 - c. that the garage doors be constructed with a flat top instead of segmental arches; and
 - d. that the classical details of the south portico be refined to create a more representative example of the period to be approved by heritage planning staff; and
2. That this heritage permit expire two years from the date of final approval by Council.

6c. Heritage Permit Application HP003/15-42 - 74 Second Street New Rear and Side Addition

1. That Heritage Permit Application HP003/15-42 for a two-storey rear addition and a one-storey garage and carport addition on the north side of the existing residence at 74 Second Street, as attached in Appendix B to the staff report dated January 13, 2015, from Planning Services, be approved subject to the following being submitted to Planning Services (Heritage) for final approval:
 - a. details on the new windows and doors for the addition;
 - b. details on the new exterior wood cladding for the addition;
 - c. details on the carport columns; and
 - d. details on the garage door;
2. That any changes to the existing proposal which are considered by staff to be minor in nature be submitted to Planning Services (Heritage) for final approval; and
3. That this heritage permit expire two years from the date of final approval by Council.

CARRIED

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

Moved by Councillor Duddeck

Seconded by Councillor Lapworth

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

CARRIED

NEW BUSINESS

(Emergency, Congratulatory or Condolence)

Councillor Duddeck took this opportunity to congratulate Councillor Damoff on being a recipient of the Paul Harris Fellowship award.

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Knoll

Seconded by Councillor Elgar

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

2015-002	A by-law to declare that certain land is not subject to part lot control (Blocks 63 and 64, Plan 20M-1130 – Fernbrook Homes (Dorval) Limited).
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- 2015-023 A by-law to authorize the transfer of delegated authority from the Director of Planning Services to the Commissioner of Community Development on an interim basis. (Re: Item 2)
- 2015-019 A by-law to confirm the proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

The Mayor adjourned the meeting 9:45 p.m.

VICKI TYTANECK
TOWN CLERK