

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: December 22, 2014

CASE NO(S): PL140731

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Minto Multi-Residential Income Partners I, LP
Appellant:	Silgold Developments Inc.
Appellant (jointly):	Pouncet Main St. II Inc., Pouncet Main St. Inc., Silwell Developments Limited
Subject:	Proposed Official Plan Amendment No. 8
Municipality:	Town of Oakville
OMB Case No.:	PL140731
OMB File No.:	PL140731

Heard: December 10, 2014 in Oakville, Ontario

APPEARANCES:

Parties

Counsel

Minto Multi-Residential Income Partners I, LP	D. Baker
Silgold Developments Inc.	D. Wood
Pouncet Main St. II Inc., Pouncet Main St. Inc., Silwell Developments Limited (jointly)	C. J. Williams
Town of Oakville	N. Chandra

**MEMORANDUM OF ORAL DECISION DELIVERED BY H. JACKSON ON
DECEMBER 10, 2014 AND ORDER OF THE BOARD**

[1] On May 12, 2014, Council for the Town of Oakville (the "Town") endorsed the *Livable by Design Manual Part A* (the "Manual") and passed By-law 2014-033 that

adopted Official Plan Amendment Number 8 (“OPA 8”) related to urban design policies. The purpose of OPA 8 is to achieve greater clarity of intent, consistency with the urban design direction in the Manual and to propose new policies to address any gaps. The Manual articulates approaches to achieve the design objectives and policies of Livable Oakville, the Town’s Official Plan.

[2] Minto Multi-Residential Income Partners I, LP; Silgold Developments Inc.; and Pouncet Main St. II Inc., Pouncet Main St. Inc., Silwell Developments Limited (jointly) (the “Appellants”) appealed OPA 8 to the Board.

[3] The Board was advised that a settlement had been reached on the consent of the parties in relation to the appeals. Christina Tizzard, Manager of Urban Design for the Town, provided land use planning opinion evidence for the settlement.

[4] Ms. Tizzard advised that the settlement included changes to two policies, and the addition of a new policy. It is her opinion that these modifications to the text of OPA 8 are consistent with the Provincial Policy Statement (2014) and conform to the Growth Plan for the Greater Golden Horseshoe and the Region of Halton’s Official Plan.

[5] The Board accepts and relies upon Mr. Tizzard’s planning opinion and is satisfied that the proposed modifications provided below meet the provincial and municipal planning requirements, are in the public interest, and represent good planning.

ORDER

[6] The Board allows the appeals in part and orders that that Official Plan Amendment 8 to the Livable Oakville Official Plan (“OPA 8”) is hereby approved subject to the following additional modifications:

1. Policy 6.1.2 a) of the Livable Oakville Official Plan as modified by OPA 8 is further modified as follows:

Development and public realm improvements shall be **evaluated in accordance** consistent with the urban design direction provided in the Livable by Design Manual, as amended, **to ascertain conformity with the urban design policies of this Plan. Alternative design approaches to those found in the Livable by Design Manual may be proposed, with appropriate justification and after consultation with the Town, provided that they meet the intent and purpose of the urban design policies of the Plan.**

2. Policy 6.4.4 of the Livable Oakville Official Plan as modified by OPA 8 is further modified as follows:

The creation of new streetscapes and improvements to existing streetscapes **by the Town** shall be consistent with the process outlined in the Streetscape Strategy (February 2014), as amended.

3. OPA 8 is modified to add a new Policy 29.1.10 to the Livable Oakville Official Plan as follows:

Should a conflict arise between a policy in this Plan and the Livable by Design Manual, as amended, the policy in this Plan shall prevail.

“H. Jackson”

H. JACKSON
MEMBER

Ontario Municipal Board

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