

TWENTY-FIRST Meeting - Regular Session

The Town of Oakville Council met in regular session to consider planning matters on this 13th day of June 2005 in the Council Chambers of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:30 p.m.

- Present: Mayor - Ann Mulvale
- Councillors - Tom Adams
- Keith Bird
- Cathy Duddeck
- Allan Elgar
- Jeff Knoll
- Mike Lansdown
- Fred Oliver
- Ralph Robinson
- Renee Sandelowsky
- Chris Stoate
- Janice Wright
- Staff - M. J. Chechalk, CAO / Town Manager
- D. Cash, Commissioner, Planning & Development
- D. Carr, Acting Senior Corporate Council
- J. Huctwith, Assistant Town Clerk
- J. Kwast, Director, Development Services
- S. Switzer, Director, Building Services
- C. McConnell, Manager of Current Planning & Urban Design
- A. Ramsay, Manager, Long Range Planning
- L. Musson, Senior Planner
- B. Zsadanyi, Planner
- R. Boddington, Planner
- D. Capper, Planner
- B. Stan, Planner
- V. Tytaneck, Assistant Clerk
- S. Kramer, Committee Assistant
- Regrets: Councillor - Marc Grant

Declarations of Pecuniary Interest

Councillor Robinson declared a pecuniary interest with respect to Public Hearing Item 9, "Town of Oakville Realty Service, Queen Elizabeth Park School & Park Zoning Amendment" as he owns property that abuts the Queen Elizabeth Park School.

Committee of the Whole

Moved by Councillor Duddeck

Seconded by Councillor Knoll

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

CARRIED

AGENDA ITEMS

1. Exemption from Part Lot Control, By-law 2005-079

N.H.D. Developments Limited

-Report from Planning Services Department, June 1, 2005

Moved by Councillor Wright

That By-law 2005-079 (File No. PLC 03/05 – N.H.D. Developments Limited), a By-law to exempt from part lot control Block 198 on Plan 20M-873 and Part of Block 147 on Plan 20M-844, be approved.

CARRIED

2. Extension to Draft Condominium Approval

Windale Properties, 24CDM-95005/0

-Report from Planning Services Department, June 1, 2005

Moved by Councillor Wright

That the Commissioner of Planning and Public Works for the Regional Municipality of Halton be advised that the Town of Oakville has no objection to a two-year extension to draft approval for the Windale Properties draft plan of condominium (File 24CDM-95005/0).

CARRIED

3. Proposed Building By-law 2005-033 and Appointments By-law 2005-034

-Report from Building Services Department, May 24, 2005

Moved by Councillor Wright

That By-law 2005-033, being a by-law under the Building Code Act, 1992 respecting permits for construction, demolition, change of use and related matters be passed;

That By-law 2005-034, being a by-law to appoint a Chief Building Official and Inspectors and to establish a Code of Conduct pursuant to the Building Code be passed.

CARRIED

4. Status Report on Planning Studies and Projects

-Report from Planning Services Department, May 24, 2005

Moved by Councillor Wright

That the status report on planning studies and projects as contained in Planning Services Report LRP 013/05, be received.

CARRIED

5. Technical Report – Proposed Removal of “H” Holding Provision from lands identified on Schedule “B” in Zoning By-law 2002-198 Related Files – Z.1635.04, By-law 2005-080

-Report from Planning Services Department, May 23, 2005

Moved by Councillor Robinson

- 1) That the application submitted by Shell Canada to remove the holding provision (H) from the lands identified on Schedule B in Zoning By-law 2002-198, be approved.
- 2) That By-law 2005-080, a by-law to remove the holding provision (H) from Zoning By-law 2002-198, be passed.

CARRIED

6. Temporary Use By-law Extension – Memorial Gardens Canada (Joshua Creek Golf and Tennis) File No. Z.1306.03, By-law 2005-061

-Report from Planning Services Department, May 11, 2005

Moved by Councillor Wright

That the Temporary Use By-law application submitted by Memorial Gardens Canada Limited (Joshua Creek Golf and Tennis), File No. Z.1306.03, be approved and By-law 2005-061 which permits the continued operation of the tennis bubble, golf driving range, administrative trailers and parking as temporary uses for a period of three years, until June 13, 2008, be passed.

CARRIED

7. Zoning By-law Residential Housekeeping Amendments

-Report from Planning Services Department, May 13, 2005

Moved by Councillor Bird

That By-law 2005-058 which makes housekeeping changes to the residential zoning regulations of Comprehensive Zoning By-law 1984-63, be passed; and

That staff be directed to evaluate increasing the minimum lot frontage requirements in the R01 Zone as part of the next housekeeping review of the Zoning By-law.

CARRIED

8. Proposed Draft Plan of Subdivision Fox Farm Developments Inc. (24T-04007/1429) and Zoning By-law Amendment 2005-042 – File No. Z.1429.06
-Report from Planning Services Department, May 26, 2005

Moved by Councillor Elgar

- 1) That the Zoning Amendment application (Z.1429.06) by Fox Farm Developments Inc. be approved and that By-law 2005-042, which rezones the lands from "A"-Agricultural to R11, R13, O1 and O4, be passed;
- 2) That the Director of Planning Services give approval to the Draft Plan of Subdivision (24T-04007/1429) submitted by Fox Farm Developments Inc. and prepared by Armstrong Goldberg Hunter dated June 29, 2004 and revised on February 22, 2005 (Project No. 1702), subject to the conditions contained in Appendix "A" of the staff report dated May 26, 2005; and
- 3) That Condition #15 of Appendix "A: of the staff report dated May 26, 2005 be amended as follows:

"That the development of Blocks 158-168 inclusive not occur except in conjunction with the development of adjacent land to the west, should such development be approved in future. Further, the applicant agrees to modify the above blocks if required as part of the processing of any future application on the abutting lands."

CARRIED

9. Town of Oakville Realty Services – Queen Elizabeth Park School & Park Zoning Amendment, By-law 2005-077, File No. Z.1628.31
-Report from Planning Services Department, May 23, 2005

Moved by Councillor Lansdown

- a) That Appendix "F", being the appropriate conditions for the subdivision of the proposed lots, into the Queen Elizabeth School and Park staff report (File No. Z.1628.31) be incorporated into the staff report of May 23, 2005;
- b) That the Public Hearing commence with respect to the application to rezone Queen Elizabeth Park School and Park (File Z.1628.31) to permit members of the public to speak to the application; and
- c) That the Public Hearing with respect to the application to rezone Queen Elizabeth Park School and Park (File Z.1628.31) be recessed to be continued at the Planning and Development Council meeting of July 12, 2005 after additional public notice with respect to changes to the proposed amendment to the zoning by-law.

CARRIED

(Councillor Robinson declared a pecuniary interest on this item and did not vote.)

RISE AND REPORT TO COUNCIL

Moved by Councillor Wright

That this committee rise and report.

CARRIED

The Mayor arose and reported that the Committee of the Whole has met and has made recommendations on Items 1 to 9 as noted by the Clerk.

Moved by Councillor Knoll

Seconded by Councillor Duddeck

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 Elgar

That this be authority to give first, second, third and final reading to the following by-laws:

- 2005-033 A by-law under the Building Code Act, 1992, respecting permits for construction, demolition and change of use or transfer of permits, inspections and related matters.
- 2005-034 A by-law to appoint a Chief Building Official and Inspectors, and to establish a Code of Conduct pursuant to the Building Code Act.
- 2005-042 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, as amended to permit the development of residential lots, park, stormwater management channel and open space blocks for lands described as Part of Lot 29, Concession 1 S.D.S. (Fox Farm Development Inc.)
- 2005-058 A by-law to amend the Comprehensive Zoning By-Law 1984-63 for accessory buildings and structures, building midpoint height, balconies, decks, front yard setbacks in the R1 and R01 zones, and other general housekeeping matters.
- 2005-061 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, as amended, to permit a golf driving range and tennis bubble, and administration trailers as a temporary use for a period of three years on Part of Lot 7 Concession 1, N.D.S., Town of Oakville (Memorial Gardens Canada Ltd.)
- 2005-079 A by-law to declare that certain land not subject to part lot control (Block 198, Plan 20M-873 and Part of Block 147, Plan 20M-844 – N.H.D. Developments Limited).
- 2005-080 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, to remove the holding provision on Special Provision 748H for the lands at the Northwest corner of Great Lakes Boulevard and Rebecca Street.
- 2005-082 A by-law to confirm proceedings of a meeting of Council.

CARRIED

IN-CAMERA

Moved by Councillor Duddeck

Seconded by Councillor Wright

That Council resolve into a closed meeting session for the purpose of continuing the discussion and receiving advice that is subject to solicitor-client privilege relating to Item 2 – Oakville Hydro Corporation Shareholders Report of the Council Meeting of June 7, 2005.

CARRIED

Moved by Councillor Wright

Seconded by Councillor Knoll

That Doug Carr be appointed as acting Clerk for the closed meeting session.

CARRIED

Council resolved in-camera at 10:10 p.m. While in-camera the following motions were passed:

BEYOND THE HOUR

Moved by Councillor Elgar

Seconded by Councillor Duddeck

That this meeting proceed beyond the hour of 11:00 p.m. but no later than 11:30 p.m.

CARRIED

RECESS

Moved by Councillor Elgar

Seconded by Councillor Duddeck

That this meeting now recess, to reconvene at the earliest availability of the Mayor and Members of Council, in an in-camera session.

CARRIED

The meeting recessed at 11:30 p.m.

TWENTY-FIRST Meeting - Closed Session

The Town of Oakville Council reconvened in a closed meeting session this 14th day of June 2005 to complete consideration of the Planning and Development Council meeting of June 13th, 2005. The meeting reconvened at 1:00 p.m. to continue the in-camera session in the Oakville Room of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville.

- Present: Mayor - Ann Mulvale
- Councillors - Cathy Duddeck
- Allan Elgar
- Marc Grant
- Jeff Knoll
- Mike Lansdown
- Fred Oliver
- Ralph Robinson
- Renee Sandelowsky
- Chris Stoate
- Janice Wright
- Staff - M. J. Chechalk, CAO / Town Manager
- D. Carr, Acting Senior Corporate Council
- Regrets: Councillor - Tom Adams
- Keith Bird

While in-camera the following motion was passed:

RECESS

Moved by Councillor Elgar

Seconded by Councillor Duddeck

That this meeting now recess, to be reconvened in the Chief Administrative Officer's (CAO's) Boardroom, Tuesday June 14, 2005 at the conclusion of the Administrative Services Committee and the Community Services Committee meetings.

CARRIED

The meeting recessed at 1:20 p.m.

TWENTY-FIRST Meeting - Closed Session

The Town of Oakville Council reconvened in a closed meeting session this 14th day of June 2005 to complete consideration of the Planning and Development Council meeting of June 13th, 2005. The meeting reconvened at 9:00 p.m. to continue the in-camera session in the Chief Administrative Officer's (CAO's) Boardroom.

- Present: Mayor - Ann Mulvale
- Councillors - Tom Adams
- Keith Bird
- Cathy Duddeck
- Allan Elgar
- Marc Grant
- Jeff Knoll
- Mike Lansdown
- Fred Oliver
- Ralph Robinson
- Renee Sandelowsky
- Chris Stoate
- Janice Wright
- Staff - M. J. Chechalk, CAO / Town Manager
- D. Carr, Acting Senior Corporate Council

Council resolved out of camera at 10:59 p.m.

While in-camera, Council passed several motions in accordance with Section 2.8(5) of the Procedure By-law.

ADJOURNMENT

Moved by Councillor Bird

Seconded by Councillor Duddeck

That this meeting now adjourn.

CARRIED

The meeting adjourned at 11:00 p.m.

ANN MULVALE
MAYOR

VICKI TYTANECK
ASSISTANT CLERK