

Item 1 – continued...

2. The application (File HP26/05-42.20T) made by Gina Cambone for the built front masonry wall be denied, the wall be demolished, and any subsequent installation be subject to the approval of the Heritage Oakville Committee; and
3. That the application (File HP26/05-42.20T) by Gina Cambone to seek approval for the as built garage at 281 Trafalgar Road be approved.

CARRIED

Moved by Councillor Grant

That the minutes of the June 7, 2005 Heritage Oakville Committee (attached as Appendix B of the June 13, 2005 staff report), be received and the following Heritage Oakville recommendations be approved:

B) 30 Dunn Street

That the application (File HP28/05-42.20D) by Stephen Lucas and Irene Lawruk to paint the exterior of the house as follows:

- a) wood siding – Benjamin Moore – H102
- b) wood trim – Ralph Lauren - Nantucket White – C006C
- c) doors – Benjamin Moore - 1246

at 30 Dunn Street in the Old Oakville Heritage Conservation District be approved as revised at the meeting.

C) 230 Trafalgar Road

That the application (File HP29/05-42.20T) by Mark Caskenette to paint the exterior of the house as follows:

- a) doors – Black Bean Soup 2130 – 10 Benjamin Moore
- b) wood trim – Cromwell Gray HC-103 Benjamin Moore

at 230 Trafalgar Road in the Trafalgar Road Heritage Conservation District be approved as submitted.

D) 430 Lakeshore Road East

That the application (File HP27/05-42.20L) by Marc and Marion Heinke for front yard landscaping at 430 Lakeshore Road East in the First and Second District Heritage Conservation District be approved as submitted and built by the owners.

CARRIED

2. **Exemption from Part Lot Control, By-law 2005-049
1312200 Ontario Limited (Mattamy Developments Inc.)**
-Report from Planning Services Department, June 16, 2005

Moved by Councillor Grant

That By-law 2005-049 (File PLC 01/05, 1312200 Ontario Ltd. (Mattamy Developments Inc.), a by-law to exempt from part lot control, Block 92 of Plan 20M-897, designated as Parts 1-6 on Plan 20R-16131, be approved.

CARRIED

3. **By-law 2005-086 – A by-law to assume certain land as part of a Public Highway (Block 3, Plan 20M-491 – Plymouth Drive)**
-Report from Legal Department, June 1, 2005

Moved by Councillor Grant

That By-law 2005-086, a by-law to assume certain land as part of a public highway (Block 3, Plan 20M-491 – Plymouth Drive), be passed.

CARRIED

4. **By-law 2005-087 – A by-law to assume certain land as part of a Public Highway (Block 230, Plan 20M-716 – Pinecliff Road; Block 47, 48, 49, 50 and 51, Plan 20M-737 – Warbler Road, Hummingbird Way, Grouse Lane, Osprey Lane and Gulledge Trail**
-Report from Legal Department, June 1, 2005

Moved by Councillor Grant

That By-law 2005-087, a by-law to assume certain land as part of a public highway (Block 230, Plan 20M-716 – Pinecliff Road; Block 47, 48, 49, 50 and 51, Plan 20M-737 – Warbler Road, Hummingbird Way, Grouse Lane, Osprey Lane and Gulledge Trail), be passed.

CARRIED

5. **By-law 2005-092 – A by-law to assume certain land as part of a public highway (Parts 1, 2 and 3, Plan 20R-14296 – Rosegate Way)**
-Report from Legal Department, June 7, 2005

Moved by Councillor Grant

That By-law 2005-092, a by-law to assume certain land as part of a public highway (Parts 1, 2 and 3, Plan 20R-14296 – Rosegate Way), be passed.

CARRIED

6. **Building Code Statute Law Amendment Act, 2002 (Bill 124)**
General Status Report #3

- Report from Building Services Department and Development Services Department, June 15, 2005

Moved by Councillor Grant

- 1) That Status Report #3 regarding Bill 124 Implementation be received for information; and
- 2) That the report, dated June 15, 2005 from Building Services Department and the Development Services Department, be circulated to the Region of Halton and to the Town's Development and Building Liaison Committee for information.

CARRIED

7. **OPA 198 Minutes of Settlement – Status Report #2**

- Report from Planning Services Department, June 6, 2005

Moved by Councillor Elgar

That the report entitled "OPA 198 Minutes of Settlement – Status Report #2", be received and that staff respond to the issues raised this evening; and

That a further status report update be brought forward in October 2005, and that staff be requested to update and maintain the Town Website information with respect to this matter.

CARRIED

8. **Official Plan Review**

- Report from Planning Services Department, June 9, 2005

Moved by Councillor Grant

- 1) That the work plan for the Official Plan Review as outlined in Planning Services Department Report LRP 015/05 be approved;
- 2) That staff be directed to hold a workshop in the Fall, 2005 to obtain public input on issues to be addressed in the Official Plan Review; and further that items of a pressing priority be brought back to Council in September; and
- 3) That staff be directed to include budget requirements for the Official Plan Review in the proposed 2006 budget process.

CARRIED

IN-CAMERA

Moved by Councillor Stoa

That Committee resolve into a closed meeting session for the purpose of receiving advice that is subject to solicitor-client privilege relating to Item 9 and Item C-1.

CARRIED

Committee resolved in-camera at 9:35 p.m.

Committee resolved out of camera at 10:48 p.m.

9. **Daniels Oakville Corporation**
OMB Review of Site Plan Issues

-Report from Legal Department, June 14, 2005

Moved by Councillor Stoate

That the report of the Legal Department, dated June 14, 2005, be received.

CARRIED

Moved by Councillor Robinson

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

CARRIED

C-1. **Daniels Oakville Corporation - OMB Review of Site Plan Issues**

-Report from Legal Department, June 14, 2005

Moved by Councillor Stoate

WHEREAS the recent experience of the Town of Oakville in dealing with the Sharkey's development application at the Ontario Municipal Board ("OMB") provides an insight into the challenges faced by Municipal Councils in controlling the growth of their communities;

AND WHEREAS Oakville understands that its planning role includes the application of the Provincial Policy Statement and other relevant policies to the local context;

AND WHEREAS Oakville believes the current powers of the OMB may undermine the role of local councils in making planning decisions;

AND WHEREAS Oakville faces untold numbers of future appeals with respect to its Official Plan for North Oakville, including related development applications, and in particular intensification objectives;

AND WHEREAS greater predictability is desirable for all parties in the planning process, including residents, the development community, and the Provincial government;

AND WHEREAS Oakville Council is determined to use any and all means to influence the outcome and timing of the Provincial OMB reform process in such a way as to ensure that municipalities have control over the form of development within their borders consistent with Provincial legislation and policies;

Item C-1 continued...

Item C-1 continued...

NOW THEREFORE BE IT RESOLVED:

1. That upon release of the written decision of the Board arising from the June 1, 2005 hearing, Council consider any further actions that may be appropriate;
2. That Council affirm its position of April 11, 2005, that the authority of the municipality to deal with individual planning applications should be upheld by the OMB unless the municipality can be shown to be in conflict with its Official Plan or By-laws, or the municipality has in some way failed to follow proper process in reaching its decision;
3. That a Council Working Group on OMB Reform, consisting of the Mayor and 4 members of Council, be established immediately, to work with staff to develop an implementation and communication strategy, with appropriate reporting to Council;
4. That Provincial policy makers be reminded of the need for appropriate and timely reform of the OMB using the principles of the GTA Task Force on OMB reform as a guide, and that the Working Group act immediately to advise key provincial government policy makers of the urgent need for OMB reform; and
5. That the Council Working Group on OMB Reform solicit the cooperation and support of other GTA municipalities and LUMCO who share similar concerns relating to the reform of the OMB by requesting that they adopt a resolution in support of the Town's position and by indicating whether they would financially support further cooperative efforts to bring about needed OMB reform.

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 has made recommendations on agenda Items 1-9, and confidential item C-1, as noted by the Clerk.

Moved by Councillor Lansdown

Seconded by Councillor Knoll

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

CARRIED

A recorded vote was requested on Item C-1, Daniels Oakville Corporation, Ontario Municipal Board Review of Site Plan Issues.

CARRIED UNANIMOUSLY on a recorded vote
Council voting as follows:

Recorded Vote

Yeas

Councillor Knoll
Councillor Grant
Councillor Elgar
Councillor Duddeck
Councillor Bird
Councillor Adams
Councillor Wright
Councillor Stoate
Councillor Sandelowsky
Councillor Robinson
Councillor Lansdown
Mayor Ann Mulvale

Nays

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Knoll

Seconded by Councillor Adams

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

- 2005-049 A by-law to declare that certain land is not subject to part lot control (Block 92, Plan 20M-897 – 1312200 Ontario Ltd. (Mattamy)).
- 2005-086 A by-law to assume certain land as part of a public highway (Block 3, Plan 20M-491 – Plymouth Drive).
- 2005-087 A by-law to assume certain land as part of a public highway (Block 230, Plan 20M-716 – Pinecliff Road; Block 47, 48, 49, 50 and 51, Plan 20M-737 – Warbler Road, Hummingbird Way, Grouse Lane, Osprey Lane and Gulledge Trail).
- 2005-092 A by-law to assume certain land as part of a public highway (Parts 1, 2 and 3, Plan 20R-14296 – Rosegate Way).
- 2005-096 A by-law to confirm proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

Moved by Councillor Duddeck

Seconded by Councillor Knoll

That this meeting now adjourn.

CARRIED

The meeting adjourned at 11:25 p.m.

ANN MULVALE
MAYOR

VICKI TYTANECK
ASSISTANT CLERK