

TENTH MEETING - Regular Session

The Town of Oakville Council met in regular session to consider Planning matters on this 24th, day of March, 2003 in Council Chambers, 1225 Trafalgar Road, Oakville commencing at 7:30 p.m.

- Present: Mayor - Ann Mulvale
- Councillors - Keith Bird
- Janice Caster
- Allan Elgar
- Kevin Flynn
- Kurt Franklin
- Linda Hardacre
- Jeff Knoll
- Ralph Robinson (until 9:03 p.m.)
- Jody Sanderson
- Tedd Smith
- Janice Wright
- Staff - D. Cash, Commissioner, Planning & Development
- C. Shewchuk, Assistant Clerk
- S. Kramer, Committee Assistant
- D. Carr, Assistant Town Solicitor
- P. Cheatley, Director of Planning Services
- B. Newell, Manager, Community Planning
- J. Kwast, Manager of Development Engineering
- L. Gill-Woods, Planner
- B. Zsadanyi, Planner
- S. Stull, Planner
- S. McMillan, Manager of Traffic Engineering
- S. Morris, Research & Policy Analyst
- Regrets: Councillor - Fred Oliver

Declarations of Pecuniary Interest

Councillor Flynn declared a pecuniary interest with respect to Item #5-Randall Street Developments-Official Plan Amendment Number 224, as the applicant was a client of his firm in the past.

Committee of the Whole

Moved by Councillor Knoll

Seconded by Councillor Franklin

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

CARRIED

Consent Items

1. **Heritage Permit Approval – R. Jones & J. Manwaring – Jones – 350 King Street – Addition and Coach House / Garage**
- Report from Heritage Oakville, March 4, 2003

Moved by Councillor Franklin

That the Heritage Permit application by Dr. Robert Jones and Joan Manwaring-Jones to remove the existing single-storey elements and a second-storey sun porch from the dwelling and construct a two-storey addition and detached coach house / garage be approved as presented to Heritage Oakville on March 4, 2003.

CARRIED

2. **Heritage Permit Approval – W. & F. Galati – 38 Second Street – Window and Door Replacement**
- Report from Heritage Oakville, March 4, 2003

Moved by Councillor Franklin

That the Heritage Permit application by Wendy Galati to replace windows and doors on the lower rear façade of the dwelling (kitchen, family room, mud room) be approved as presented to Heritage Oakville on March 4, 2003 with the understanding that the applicant has indicated the intention to use wood windows for future window replacements on the front elevation.

CARRIED

3. **Technical Report – Proposed Amendments 163 (1293529 Ontario Limited – Monarch) and 166 (Allison) to the Parkway Belt West Plan, Town File # 42.11.32**
- Report from Planning Services Department, February 28, 2003

Moved by Councillor Franklin

1. That the Ministry of Municipal Affairs and Housing be advised that the Town of Oakville supports the approval of proposed Amendments 163 and 166 to the Parkway Belt West Plan; and
2. That staff be authorized to prepare a Town of Oakville Official Plan Amendment for the Allison property which would have the effect of deleting the Parkway Belt designation in the Town's Official Plan and replacing it with Medium Density 1 designation as outlined in the Planning Services Report dated February 28, 2003.

CARRIED

4. **Assumption of Subdivision Plan 20M-706 – MacOakville Developments Inc. – By-law 2003-036 – Files: 24T-94002, SD-423**
- Report from Planning Services Department, February 18, 2003

Moved by Councillor Franklin

1. That the assumption of Registered Plan 20M-706 be approved.
2. That by-law 2003-036, a by-law to assume the works and streets within Plan 20M-706, be approved.

CARRIED

Confidential Consent Item

C-1 **Employment Lands Official Plan and Zoning Amendments Appeals by Glenburnie School**

- Report from the Legal Department, March 10, 2003

Moved by Councillor Franklin

That staff be authorized to take the position as outlined in the report of the Legal Department dated March 10, 2003, regarding the appeals by Glenburnie School against OPA 194 and Zoning By-law 2001-007 (Employment Lands).

CARRIED

Public Hearing Items

5. **Official Plan Amendment Number 224 – Randall Street Developments – File Z.1613.52 – By-law 2003-058 and By-law 2003-059**

- Report from Planning Services Department, February 28, 2003

Moved by Councillor Bird

That Official Plan Amendment No. 224 be approved, being an Amendment to reflect the “as-built” density on the site, and that By-laws 2003-058 and 2003-059 be passed.

CARRIED

(Councillor Flynn declared a pecuniary interest and did not vote)

6. **Burloak Signature Park, 24T-01008 / 1635 & Z.1635.02**

- Report from Planning Services Department, February 24, 2003

Moved by Councillor Robinson

1. That the Official Plan Amendment application by Burloak Signature Park (File Z.1635.02) be approved and that By-law 2003-001 which adopts Official Plan Amendment Number 227 which has the effect of expanding the Arterial Commercial area within the Burloak Employment Lands to 15.1 ha, east of the Sheldon Creek and adjacent to the CN Railway, be passed.
2. That the Zoning Amendment application by Burloak Signature Park (File Z.1635.02) be approved and that By-law 2003-002, SP754H, which has the effect of expanding the Arterial Commercial zone by 5.16 ha and rezoning to permit large-scale retail uses for a total of 12.32 ha of land within the Burloak Employment District be passed, subject to the fulfillment of a holding provision that requires the following conditions:
 - a. The applicant to satisfy the Ministry of Transportation, City of Burlington, Conservation Authority and Town of Oakville in regard to the design of detailed roadwork outside the Plan of Subdivision.
 - b. The holding provision also requires that the developer make satisfactory arrangements for Blocks 3b, 4, 5 & 6 with the Region's Development Coordinator regarding wastewater capacity prior to the lifting of the holding provision.

(Item #6 continued)

(Item #6 continued)

3. That the Draft Plan of Subdivision application by Burloak Signature Park (File 24T-01008/1635) be approved subject to the Conditions in Appendix D which has the following effect:
 - a. Wyecroft Road be constructed from Burloak Drive across the proposed plan of Subdivision 24T-01008/1635 as part of the first phase of development;
 - b. Upon the opening of Wyecroft Road the South Service Road be closed as envisioned in the Oakville Official Plan;
 - c. That upon the closing of the South Service Road the applicant purchase the portion of closed South Service Road from the Town of Oakville to comprehensively develop the closed road allowance lands with Block 1 for Arterial Commercial uses.
4. That Council direct staff, to the extent necessary, to include the future Burloak Drive underpass and the Wyecroft Road crossing in the review of the upcoming Development Charge By-law.
5. That Appendix "D", Conditions of Draft Approval, Condition 53 be amended to include, "**and further that the tree preservation plan be circulated to Council for approval.**"
6. That Appendix "D", Conditions of Draft Approval, Conditions 34, 35 and 36 be amended to include the word "**stable**" before the words "**top of bank**".
7. That Council deems that the changes are minor in nature and that no further public notification is necessary.

CARRIED UNANIMOUSLY

General Discussion Items

7. Heritage Permit Application for Window Replacement – C. Sparling & L. Ferdon – 146 King Street – File #42.20.K

- Report from the Planning Services Department on behalf of Heritage Oakville, March 4, 2003

Moved by Councillor Wright

That this matter be referred to the in-camera portion of tonight's meeting.

CARRIED

8. Revitalization – Implementation Strategy for Kerr Street

- Report from the Planning Services Department, February 25, 2003

Moved by Councillor Hardacre

1. That the Town continue to facilitate current Kerr Street revitalization initiatives and development proposals;
2. That staff investigate any improvements needed to the Community Improvement Plan for Kerr Street, once Bill 56 regulations are known; and
3. That a comprehensive parking strategy study and completion of the streetscape plan be referred to the 2004 Budget and Capital Forecast.

(Item #8 continued)

(Item #8 continued)

4. That Council direct staff to host a Public Information Session in April 2003, inviting all Kerr Street Stakeholders and the Ward Councillors, to discuss this report and prepare a final vision document for Council's consideration in June of 2003.

CARRIED UNANIMOUSLY

Moved by Councillor Knoll

That this Committee resolve into a closed meeting session for the purpose of dealing with Item #7 and C-2, matters that are subject to solicitor-client privilege.

CARRIED

Committee resolved in-camera at 10:15 p.m.

Committee resolved out-of-camera at 10:33 p.m.

Arise & Report

Moved by Councillor Knoll

That this Committee rise and report.

CARRIED

The Mayor arose and reported that the Committee of the Whole has met and had made recommendations on various items as noted by the Assistant Clerk. The Committee met in-camera to deal with Items #7 and C-2, matters relating to solicitor-client privilege. Further, Councillor Flynn declared a pecuniary interest on Item #5.

Moved by Councillor Franklin

Seconded by Councillor Sanderson

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

CARRIED

Confidential Discussion Items

C-3 Confidential Legal Matter

- Report from the Legal Department regarding a property matter, March 24, 2003

Moved by Councillor Franklin

Seconded by Councillor Knoll

That consideration of this matter be deferred to the next meeting of Council, or a Special Council meeting in the near future.

CARRIED

C-2 **Pitblado Expropriation**

- Report from the Legal Department, March 12, 2003

Moved by Councillor Smith

Seconded by Councillor Bird

That the Legal Department be authorized to offer Mr. Pitblado \$500,000.00 for settlement of his claim against the Town of Oakville for the expropriation of 461/471 Inglehart Street.

CARRIED

7. **Heritage Permit Application for Window Replacement – C. Sparling & L. Ferdon – 146 King Street – File #42.20.K**

- Report from the Planning Services Department on behalf of Heritage Oakville, March 4, 2003

Moved by Councillor Hardacre

Seconded by Councillor Wright

That the denial of the Heritage Permit application by Catherine Sparling and Leonard Ferdon to:

- install casement vinyl windows;
- add muntin profiles to the three (previously installed) windows on the front elevation, first floor, to match the second floor windows; and
- paint the vinyl windows in a heritage colour (Benjamin Moore “Rocky Road”)

be reaffirmed.

CARRIED

Reading of By-Laws

Moved by Councillor Knoll

Seconded by Councillor Wright

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

2003-001 A by-law to adopt an amendment to the Official Plan of the Oakville Planning Area (Official Plan Amendment 227) Burloak Signature Park, Part of Lots 33, 34 & 35, Con 3, SDS, Regarding Large Scale Retail Land Use

2003-002 A by-law to amend the Town of Oakville’s Comprehensive Zoning By-law 1984-63, to rezone the land in Part of Lots 33, 34 & 35, Con 3, SDS to permit large scale retail uses within the Burloak Signature Park subject to Special Provision 89 (754H) (File: Z.1635.02)

2003-036 A by-law to assume Registered Plan 20M-706

2003-058 A by-law to repeal By-law 2003-010 being a by-law to adopt an amendment to the Official Plan of the Oakville Planning Area (Official Plan Amendment OPA 224), Lot 13, Part Lots 8, 12, 14 and Block 91, Plan No. 34 (Randall Street Developments

(By-laws continued...)

(By-laws continued...)

2003-059 A by-law to adopt an amendment to the Official Plan of the Oakville Planning Area (Official Plan Amendment OPA 224), Lot 13, Part Lots 8, 12, 14 and Block 91, Plan No. 34 (Randall Street Developments)

2003-065 A by-law to confirm proceedings of a meeting of Council.

CARRIED

Moved by Councillor Knoll

Seconded by Councillor Wright

That this meeting now adjourn.

CARRIED

The meeting adjourned at 10:45 p.m.

ANN MULVALE
MAYOR

CHRISTINE SHEWCHUK
ASSISTANT CLERK