

TWENTY-NINTH Meeting - Regular Session

The Town of Oakville Council met in regular session to consider Planning matters on this 12th, day of September 2005 in the South Atrium 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
- Marc Grant
- Jeff Knoll
- Mike Lansdown
- Fred Oliver
- Renee Sandelowsky
- Chris Stoate
- Janice Wright
- Staff - M. J. Chechalk, CAO / Town Manager
- D. Cash, Commissioner, Planning & Development
- J. Huctwith, Assistant Town Solicitor
- P. Cheatley, Director, Planning Services
- J. Kwast, Director of Development Services
- C. McConnell, Manager, Current Planning/Urban Design
- A. Ramsay, Manager, Long Range Planning
- H. Hecht, Manager, Development Services
- L. Musson, Planner
- D. Capper, Planner
- V. Tytaneck, Assistant Town Clerk
- K. Patrick, Supervisor, Council & Committee Services
- Regrets: Councillor - Ralph Robinson

Declarations of Pecuniary Interest

Councillor Elgar declared a pecuniary interest with respect to Item #6 – Kaneff Properties Limited – Zoning By-law Amendment and Official Plan Amendment – File Z.1501.15, as a member of his family is employed with Kaneff Properties Limited.

Committee of the Whole

Moved by Councillor Wright

Seconded by Councillor Duddeck

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

CARRIED

AGENDA ITEMS

1. **By-law 2005-109 – A by-law to assume certain land as part of a public highway (Blocks 72, 80, 81 and 82, Plan 20M-827; and Part 1, Plan 20R-14621 - Lonsdale Lane and Chaplin Road)**

-Report from Legal Department, July 26, 2005

Moved by Councillor Wright

That By-law 2005-109 – A by-law to assume certain land as part of a public highway (Blocks 72, 80, 81 and 82, Plan 20M-827; and Part 1, Plan 20R-14621 – Lonsdale Lane and Chaplin Road) be passed.

CARRIED

2. **By-law 2005-113 – A by-law to assume certain land as part of a public highway (Block 160, Plan 20M-844 – Kingsridge Drive)**

-Report from Legal Department, July 26, 2005

Moved by Councillor Wright

That By-law 2005-113 – A by-law to assume certain land as part of a public highway (Block 160, Plan 20M-844 – Kingsridge Drive) be passed.

CARRIED

3. **Supplementary Report – Planning Application Fee Justification for Item 4 Halton Condominium Corporation No. 90 Amendment to Condominium Declaration on August 8, 2005 Planning and Development Council Agenda**

-Report from Planning Services Department, August 24, 2005

Moved by Councillor Grant

That consideration of this item be referred back to staff to bring forward to a future Planning & Development Council meeting.

CARRIED

4. **Subdivision Agreement, Mattamy (Upper Middle) Limited/1312200 Ontario Limited – Phase 7 – File: 24T-03002**

-Report from Development Services Department, August 19, 2005

Moved by Councillor Wright

1. That the Subdivision Agreement between the Town and Mattamy (Upper Middle) Limited/1312200 Ontario Limited, (File: 24T-03002) be approved and the Town Solicitor be authorized to insert any required plan numbers.
2. That the Mayor and Clerk be authorized to execute the Subdivision Agreement with Mattamy (Upper Middle) Limited/1312200 Ontario Limited.
3. That the Solicitor be authorized to make minor changes to the Agreement, which do not affect the substance of the agreement.

CARRIED

5. **Proposed Draft Plan of Subdivision (24T-04009/1429) and Zoning By-law Amendment (Z.1429.07) – 2005-091 Landmart Realty Corp.**

-Report from Planning Services Department, August 12, 2005

Moved by Councillor Elgar

1. The Zoning Amendment Application Z.1429.07 submitted by Landmart Realty Corp. Inc. be approved and that By-law No. 2005-091, which rezones the lands from "A" - Agricultural to "R11", "R12", "R13" and "O1" be passed; and
2. That the Director of Planning Services give approval to the Draft Plan of Subdivision (24T-04009/1429) submitted by Landmart Realty Corp. and prepared by Cunningham McConnell Limited dated April 29, 2005 (Plan No. 134-03-05) and red-lined on July 28, 2005, subject to the conditions contained in Appendix "A" of the staff report dated August 12, 2005.
3. That the following be added to Clause 32 of the Draft Plan of Subdivision conditions:
Although this is a neighbourhood park and is typically not lit, a public process would be required if lights are deemed appropriate in the future.
4. That staff work with the Director of Transit to ensure that there is pedestrian linkage on the south side of Dundas Street when Transit is made available.

CARRIED

6. **Kaneff Properties Limited – Zoning By-Law Amendment and Official Plan Amendment – File Z.1501.15**

-Report from Planning Services Department, August 16, 2005

Moved by Councillor Bird

1. That the Official Plan Amendment, File Z.1501.15 as submitted by Kaneff Properties Limited be approved, as amended by excluding the requested industrial uses, and that Council adopt Amendment Number 245 to the Oakville Official Plan and approve By-law 2005-115; and
2. That Council approve Zoning Amendment application Z.1501.15 submitted by Kaneff Properties Ltd., as amended by excluding the requested industrial uses and pass By-law 2005-116 amended to include (3) under Uses indicating that Drive Thru Facilities are not permitted.
3. That Council deems the amendments to the Zoning Amendment application Z.1501.15 to be minor in nature and that no further notice is necessary.
4. That staff be directed as part of the Site Plan approval process to ensure that there is no inappropriate traffic flow from the existing Shell station through this site and that the median on Sheridan Garden Drive is located in an appropriate position to avoid illegal turning movements.

CARRIED

(Councillor Elgar declared a pecuniary interest and did not vote.)

IN-CAMERA

Moved by Councillor Knoll

That Committee resolve into a closed meeting session for the purpose of receiving advice that is subject to solicitor-client privilege, including communications necessary for that purpose relating to Confidential Items C-1, C-2 and C-3.

CARRIED

Committee resolved in-camera at 9:45 p.m.

Committee resolved out of camera at 10:36 p.m.

C-1. Ontario Municipal Board Hearing – 418 Chartwell Road
Confidential Report from Legal Department, August 26, 2005

Moved by Councillor Bird

That staff be authorized to appear before the Ontario Municipal Board in opposition to the appeal by Domenic D'Urzo from the decisions of the Committee of Adjustment in applications B04/13/1611 and B04/14/1611 denying consent to sever part of the lands composed of 418 Chartwell Road and denying the application for variances to the zoning by-law (A072/05) in respect of the proposed lots (Ontario Municipal Board file no. PL050604).

CARRIED

C-2. Interim Control By-law – North Oakville
Confidential Report from Legal Department, August 26, 2005

Moved by Councillor Duddeck

That Interim Control By-law 2004-146 be permitted to lapse without extension.

CARRIED

C-3. North Oakville Secondary Plan – Negotiations Update
Confidential Verbal Report from the CAO Town Manager

Moved by Councillor Wright

That the verbal report from the CAO Town Manager be received.

CARRIED

RISE AND REPORT TO COUNCIL

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 has made recommendations on Consent Items 1 to 4, Public Hearing Items 5 & 6 and Confidential Items C-1, C-2 and C-3.

Moved by Councillor Elgar

Seconded by Councillor Adams

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

CARRIED

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Wright

Seconded by Councillor Adams

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

- 2005-091 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 and an open space block for lands described as Part of Lot 29, Concession 1 S.D.S. (Landmart Realty Corp.)
- 2005-109 A by-law to assume certain land as part of a public highway – (Blocks 72, 80, 81 and 82, Plan 20M-827; Part 1, Plan 20R-14621 – Lonsdale Lane and Chaplin Road)
- 2005-113 A by-law to assume certain land as part of a public highway – (Block 160, Plan 20M-844 – Kingsridge Drive)
- 2005-115 A by-law to adopt an amendment to the Official Plan of the Oakville Planning Area (Official Plan Amendment OPA 245). Part of Block 155 and 156, Plan 20M-488. (Kaneff Properties Ltd.)
- 2005-116 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63 to amend the zoning from "C1-SP 575", Neighbourhood Commercial Special Provision (Kaneff Properties Ltd.) Z.1501.15 on the lands described as Part of Block 155 & Block 156 on Plan 20M-488, as amended.
- 2005-119 A by-law to confirm proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

Moved by Councillor Wright

Seconded by Councillor Elgar

That this meeting now adjourn.

CARRIED

The meeting adjourned at 10:39 p.m.

ANN MULVALE
MAYOR

VICKI TYTANECK
ASSISTANT CLERK