

THIRTY-FIFTH Meeting - Regular Session

The Town of Oakville Council met in regular session to consider Planning matters on this 24th day of October 2005, in the South Atrium of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 6:30 p.m.

- 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
- Staff - M. J. Chechalk, CAO/Town Manager
- D. Cash, Commissioner, Planning and Development
- D. Carr, Town Solicitor
R. Green, Commissioner, Infrastructure Services
J. Huctwith, Assistant Town Solicitor
C. Toth, Director, Environmental Policy
J. Kwast, Director, Development Services
P. Cheatley, Director, Planning Services
- C. McConnell, Manager, Current Planning/Urban Design
- A. Ramsay, Manager, Long Range Planning
- H. Hecht, Manager, Development Services
- D. Capper, Planner
- L. Musson, Planner
- Z. Poonja, Heritage Planner
- V. Tytaneck, Assistant Town Clerk
- L. Morgan, Committee Coordinator

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

Committee of the Whole

Moved by Councillor Duddeck

Seconded by Councillor Elgar

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

CARRIED

AGENDA ITEMS

1. Heritage Permit Applications from the October 4, 2005 Meeting of the Heritage Oakville Committee

- Report from the Heritage Oakville Committee, October 5, 2005

Moved by Councillor Duddeck

That the minutes of the October 4, 2005 meeting of the Heritage Oakville Committee (attached as Appendix B to the October 5, 2005 report from Heritage Oakville), be received and the following Heritage Oakville recommendations be approved:

A) 19 Navy Street

That the application (File HP38/05 – 42.20N) by Bill and Tracy Stanton to construct landscaping along Navy Street and Ontario Street frontages of the property at 19 Navy Street in the Old Oakville Heritage Conservation District, be approved as submitted.

B) 195 William Street

That the application (File HP39/05-42.20W) by Nick Parks and Cristina Forbes to:

1. construct a single car garage with storage area at the rear with access from William Street; and
2. enlarge an existing second floor door and create a box window at the rear of the house,

at 159 William Street, be approved subject to a further submission of the following prior to issuance of the building permit:

- a) a sample of the proposed smooth sawn wood cladding; and
- b) a sample of the wood window, frame, casing and trim.

CARRIED

IN-CAMERA

Moved by Councillor Lansdown

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 Item 2.

CARRIED

While in-camera the Committee also dealt with Item C2, recognizing the subject matter as litigation or potential litigation, including matters before administrative tribunals, affecting the municipality.

**C-2. North Oakville Secondary Plan - Update
-Confidential Verbal Report from the Commissioner of Planning
and Development**

Moved by Councillor Knoll

That the verbal report from the Commissioner of Planning and Development be received.

CARRIED

Committee resolved out of camera at 7:24 p.m.

**2. Heritage Permit Applications from the October 11, 2005 Special Meeting
of the Heritage Oakville Committee
- Report from the Heritage Oakville Committee, October 12, 2005**

Moved by Councillor Stoate

1. That the minutes of the October 11, 2005 special meeting of the Heritage Oakville Committee (attached as Appendix B to the October 12, 2005 report from Heritage Oakville), be received;
2. That staff have regard to the recommendations of Heritage Oakville in the future Technical Report for the Official Plan Amendment application by Cityzen Development Group, Birchgrove Estates Inc. (File Z.1729.52); and
3. That the following recommendations of Heritage Oakville be approved, in principle, without prejudice to any final decision on the issues to be made through the appropriate statutory processes:
 - (a) That the Glendella House (1845) at 2405 Ontario Street, designated under Part IV of the *Ontario Heritage Act* by By-law 1987-237, remain *in situ* within its cultural landscape that is large enough to maintain its integrity as a historic site with an appropriate adaptive re-use of the property;
 - (b) That the Bronte Post Office (1850) at 45 Bronte Road, designated under Part IV of the *Ontario Heritage Act* by By-law 1987-25, remain *in situ*. If the structure is to be relocated, it is essential to maintain its heritage prominence within the developer's site and the harbour streetscape;
 - (c) That the triangular shaped property at 33 Bronte Road be de-designated under the *Ontario Heritage Act*;
 - (d) That the property at 25 Bronte Road, designated under Part IV of the *Ontario Heritage Act* by By-law 1988-161, be considered for relocation within the developer's site with an appropriate adaptive re-use if the Town property on which it is located is included in the redevelopment proposal by Cityzen Development Inc. and approved by Council;
 - (e) That the applicant submit the following to the satisfaction of Heritage Oakville and concurrent with any Site Plan Application:
 - i. heritage permit applications for any changes to the individual heritage properties within the development site consistent with the above recommendations (a), (b), (c), and (d);

(continued)

Item 2 - Heritage Permit Applications from the October 11, 2005 Special Meeting of the Heritage Oakville Committee – continued

- ii. a heritage impact assessment prepared by a qualified Heritage consultant to confirm that the proposed cultural landscape for Glendella is large enough to maintain its integrity as a historic site and appropriate for the adaptive re-use of the property;
 - iii. an archaeological study to focus on the Glendella property; and
 - iv. a heritage impact assessment and compatibility analysis prepared by a qualified Heritage consultant for the Bronte Quadrangle as per the Official Plan, the *Ontario Heritage Act* and the Provincial Policy Statement;
- (f) That the Site Plan application for the developer's site, consistent with the above recommendations (a) – (e), be circulated to Heritage Oakville for comment; and
- (g) That the Site Plan Committee and the Heritage Oakville Committee liaise with respect to the developer's site so as to ensure consistency between Heritage permit and Site Plan applications by Cityzen Development Group, Birchgrove Estates Inc. (FileZ.1729.52).

CARRIED

3. OPA 198 Minutes of Settlement – Final Status Report
- Report from the Planning Services Department, October 6, 2005

Moved by Councillor Adams

1. That the report entitled "OPA 198 Minutes of Settlement – Final Draft Report", dated October 6, 2005, be received; and
2. That staff report back on items 9(a) to 9(d) as per the approved Minutes of Settlement, including the operation of the Oakville Foundation for Environmental Initiatives and the expected timeframes for reporting the progress relating to the environmental fund, the impact of the Town's participation in ICLEI's Cities for Climate Protection and an update on the Urban Forestry Plan including tree planting incentives.

CARRIED

4. Daniels Oakville Corporation – OMB Decision Issued September 29, 2005
- Report from the Legal Department, October 12, 2005

Moved by Councillor Duddeck

That the report entitled "Daniels Oakville Corporation – OMB Decision Issued September 29, 2005", dated October 12, 2005, be received.

CARRIED

With the consensus of Council, the Mayor brought forward Item C1 for consideration in conjunction with Item 4.

C-1. Daniels Oakville Corporation – OMB Decision Issued September 29, 2005
- Confidential Report from the Legal Department, October 6, 2005

Moved by Councillor Duddeck

1. That the confidential report from the Legal Department dated October 6, 2005, be received;
2. That, on the basis of the legal advice received, the Town will not be seeking a review of the Ontario Municipal Board's decisions; and
3. That recommendations 1 and 2 be made public.

CARRIED

5. Subdivision Agreements – New Province Homes, Phase 6, 7 and 8
- Report from Planning Services Department, October 14, 2005

Moved by Councillor Duddeck

1. That the Minutes of Settlement between the Town and New Province Homes attached to the report from Development Services dated October 14, 2005, be approved by Council and that the Mayor and Clerk be authorized to execute the Minutes of Settlement;
2. That the Waterfront Lands Agreement attached to the Minutes of Settlement be approved and that the Mayor and Clerk be authorized to execute the Waterfront Lands Agreement;
3. That the Subdivision Agreement between the Town and New Province Homes (phase 6), (File: 24T-00004) be approved and the Town Solicitor be authorized to insert any required plan numbers;
4. That the Subdivision Agreement between the Town and New Province Homes (phases 7 & 8), (File: 24T-00004) be approved and the Town Solicitor be authorized to insert any required plan numbers;
5. That the Mayor and Clerk be authorized to execute the Subdivision Agreements with New Province Homes;
6. That the Solicitor be authorized to make minor changes to the Agreements which do not affect the substance of the Agreements; and
7. That condition of draft plan approval #78 for Plan 24T-00004 be deleted and replaced with the following new condition #78:

"The applicant will not request issuance of building permits for dwelling units within Phase 9 until the main construction contract has been awarded for the widening of the QEW to 8 lanes between Burloak Drive and Bronte Road and a second Addendum to the December 2000 Lea Associates TIS report has been prepared which illustrates that such a widening would provide sufficient capacity;

or alternatively, the Owner may proceed as follows:

(continued)

Item 5 - Subdivision Agreements – New Province Homes, Phase 6, 7 and 8
- continued

The applicant will not request issuance of building permits for dwelling units within Phase 9 until an update has been undertaken of the December 2000 Lea Associates TIS report which reveals that sufficient diversion of traffic has occurred from the opening of Highway 407 to allow the traffic from these additional dwelling units to be accommodated at acceptable levels of service on the municipal road system. Any such report (Addendum or Update to the December 2000 Lea Associates TIS) must be done to the satisfaction of the Town."

CARRIED

6. Parkway Belt West Plan Amendment – Creekbank Developments Limited
File No. 42.15.26
- Report from Planning Services Department, September 23, 2005

As this item was scheduled for 8:00 p.m., this item was dealt with after Item 11.

7. Technical Report – Proposed Zoning By-law Amendments
By-law 2005-138 – 887718 Ontario Ltd. (Z.1409.012)
By-law 2005-139 – Joshua Oak Developments Inc. and
Northridge Maroak Developments Inc. (Z.1408.05) and
Revision to Draft Plan of Subdivision – 24T99011
- Report from Planning Services Department, October 5, 2005

Moved by Councillor Wright

1. That the Zoning Amendment application, File No. Z.1409.012, submitted by 887718 Ontario Ltd., be approved and By-law 2005-138 be passed;
2. That the Zoning Amendment application, File No. Z.1408.05, submitted by Joshua Oaks Developments Inc. and Northridge Maroak Developments Inc., be approved and By-law 2005-139 be passed; and
3. That the Director of Planning Services be directed to approve the revision to the Draft Plan of Subdivision 24T-99011, as submitted by Anton Kikas Limited.

CARRIED

8. New Province Homes Commercial Block Official Plan Amendment
and Zoning Amendment – File Z.1734.03
- Report from Planning Services Department, September 30, 2005

Moved by Councillor Lansdown

1. That the Official Plan Amendment 246 (Z.1734.03) for New Province Homes be approved and By-law No. 2005-127 be passed; and
2. That the Zoning Amendment application (Z.1734.03) by New Province Homes be approved and that By-law No. 2005-128, which rezones the lands from "P/E" Public Use/Education to "C1" Local Shopping Centre, be passed.

CARRIED

9. Temporary Use By-law Extension – Medeiros Boat Works
Sergio and Maria Medeiros – 210 Burnhamthorpe Road East
File No. Z.1314.3 (By-law 2005-124)

- Report from Planning Services Department, October 3, 2005

Moved by Councillor Knoll

That the Zoning By-law application by Medeiros Boat Works (File No. Z.1314.3) be approved and By-law 2005-124, a temporary use Zoning By-law, be passed to permit a boat manufacturing and fabrication business at 210 Burnhamthorpe Road East for a period of three years.

CARRIED

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

- Report from the Planning Services Department, October 5, 2005 294

Moved by Councillor Grant

That the planning application fee for Halton Condominium Corporation No. 90, File No. 24CDM 050021514X, be reduced to \$950.00.

CARRIED

11. Bronte District Advisory Committee (September 15, 2005)

Moved by Councillor Lansdown

That the minutes of the Bronte District Advisory Committee meeting of September 15, 2005, be received.

CARRIED

6. Parkway Belt West Plan Amendment – Creekbank Developments Limited
File No. 42.15.26

- Report from Planning Services Department, September 23, 2005

Beyond the Hour

Moved by Councillor Elgar

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

CARRIED

The Mayor announced that it was unlikely that this item would be completed before the hour of adjournment, and with the consensus of Council called for a motion to rise and report.

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 through 5 and 7 through 11 and confidential items C-1 and C-2, as noted by the Clerk.

Moved by Councillor Knoll

Seconded by Councillor Wright

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 Knoll

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

- 2005-124 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63 with respect to permitting a boat manufacturing and fabrication operation at 210 Burnhamthorpe Road East (Medeiros Boat Works).
- 2005-127 A by-law to adopt an amendment to the Official Plan of the Oakville Planning Area (Official Plan Amendment OPA 246), Town of Oakville – Bronte community – commercial site on Great Lakes Blvd.
- 2005-128 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, as amended, to rezone the lands located north of Nautical Blvd., east of Great Lakes Blvd., part of lot 34, Concession 4 S.D.S. to permit a local shopping centre Z.1734.03 (New Province Homes Ltd.).
- 2005-138 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, as amended, to modify the zoning regulations that pertain to the lands located south of Dundas Street and east of Prince Michael Drive. (Draft Approved Plan of Subdivision 24T-99011) (Part Lot 9, Concession 1, S.D.S., 887718 Ontario Ltd.).
- 2005-139 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, as amended, to modify the zoning regulations that pertain to the lands located south of Dundas Street and east of Prince Michael Drive. (Draft Approved Plan of Subdivision 24T-99012 and 24T-00002) (Part Lot 8, Concession 1, S.D.S., Joshua Oak Developments and Northridge Maroak Developments Inc.).

(continued)

CONSIDERATION AND READING OF BY-LAWS - continued

2005-172 A by-law to confirm proceedings of a meeting of Council.

CARRIED

RECESS

Moved by Councillor Elgar

Seconded by Councillor Grant

That this meeting now recess to be reconvened on November 1, 2005, in the Trafalgar Room, commencing at 8:00 p.m. for the purpose of continuing the consideration of Item 6 (Creebank Developments Limited).

CARRIED

The meeting recessed at 11:05 p.m.

THIRTY-FIFTH Meeting - Regular Session

The Town of Oakville Council reconvened in regular session this 1st day of November 2005, to complete the Planning and Development Council meeting of October 24th, 2005. The meeting took place in the Trafalgar Room, Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 8:00 p.m.

Present: Mayor - Ann Mulvale

Councillors - Keith Bird
- Cathy Duddeck
- Allan Elgar
- Marc Grant
- Jeff Knoll
- Mike Lansdown
- Fred Oliver
- Ralph Robinson
- Renee Sandelowsky
- Chris Stoate

Staff - D. Cash, Commissioner, Planning and Development
J. Huctwith, Assistant Town Solicitor
- C. McConnell, Manager, Current Planning/Urban Design
- A. Ramsay, Manager, Long Range Planning
- H. Hecht, Manager, Development Services
- B. Stan, Senior Planner
- V. Tytaneck, Assistant Town Clerk
- L. Morgan, Committee Coordinator

Regrets: Councillors - Tom Adams

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

Committee of the Whole

Moved by Councillor Duddeck

Seconded by Councillor Elgar

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

CARRIED

AGENDA ITEM

6. **Parkway Belt West Plan Amendment – Creebank Developments Limited**
File No. 42.15.26

- Report from Planning Services Department, September 23, 2005

Having heard all delegations, the Mayor confined this matter to table.

Beyond the Hour

Moved by Councillor Wright

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

CARRIED

Moved by Councillor Wright

That consideration of Item 6 be referred to the November 7th, 2005 regular Council Meeting for consideration and that the November 7th meeting commence at 7:00 p.m.

CARRIED

RISE AND REPORT TO COUNCIL

Moved by Councillor Duddeck

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 Item 6 as noted by the Clerk.

Moved by Councillor Elgar

Seconded by Councillor Knoll

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 Duddeck

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

2005-186 A by-law to confirm proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

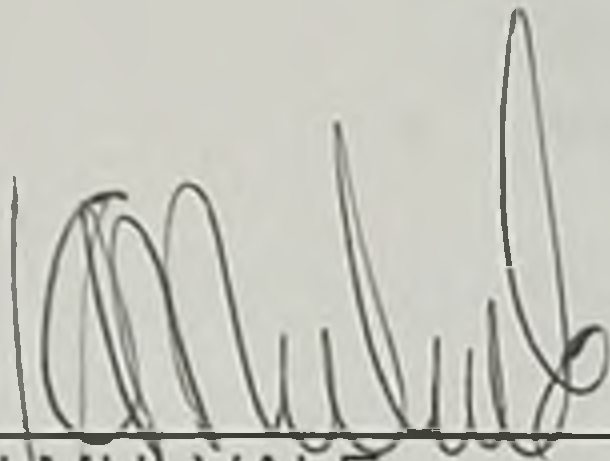
Moved by Councillor Elgar

Seconded by Councillor Duddeck

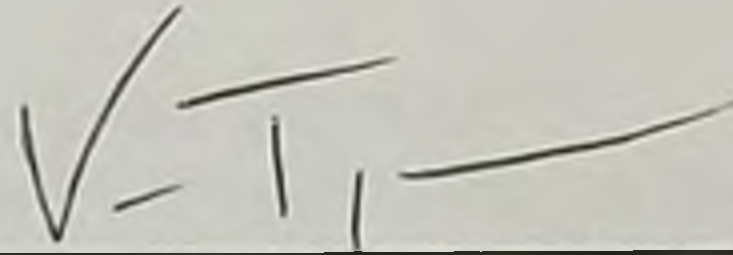
That this meeting now adjourn.

CARRIED

The meeting adjourned at 11:03 p.m.



ANN MULVALE
MAYOR



VICKI TYTANECK
ASSISTANT CLERK