

TWENTY-SECOND Meeting - Regular Session

The Town of Oakville Council met in regular session to consider Planning matters on this 12th day of June 2006 in the Council Chambers of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 6:30 p.m.

- Present: Mayor - Ann Mulvale (arrived at 8:20 p.m.)
Acting Mayor - Mike Lansdown
- Councillors - Tom Adams
- Cathy Duddeck
- Allan Elgar
- Marc Grant
- Jeff Knoll
- Fred Oliver
- Ralph Robinson
- Renee Sandelowsky
- Chris Stoate
- Janice Wright
- Staff - R. Green, Chief Administrative Officer
- P. Cheatley, Acting Co-Commissioner of Planning,
Development and Building Services
- S. Switzer, Acting Co-Commissioner of Planning,
Development and Building Services
- D. Bloomer, Acting Commissioner, Infrastructure
Services
- D. Carr, Town Solicitor
- J. Kwast, Director of Development Services
- J. Courtemanche, Director, Corporate Communications
- C. McConnell, Manager, Current Planning and Urban
Design (North Oakville)
- A. Ramsay, Manager, Long Range Planning
- H. Hecht, Manager of Development Services
- M. Innocente, Planner
- B. Stan, Planner
- D. Capper, Planner
- V. Tytaneck, Assistant Clerk
- C. Tino, Committee Assistant
- Regrets: Councillor - Keith Bird

Declarations of Pecuniary Interest

There were no declarations of a pecuniary interest.

Committee of the Whole

Moved by Councillor Robinson Seconded by Councillor Wright

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

CARRIED

AGENDA ITEMS

IN-CAMERA

Moved by Councillor Adams

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 C-1 and Item 5.

CARRIED

Committee resolved in-camera at 6:34 p.m.

Committee resolved out of camera at 8:54 p.m.

While in-camera Committee provided direction to Staff with respect to Item C-1 and Councillor Lansdown transferred the Chair to Mayor Mulvale upon her arrival to the meeting.

The Mayor advised that the agenda items would be addressed out of order due to the number of residents in attendance with respect to Items 5 and 10.

5. **887718 Ontario Inc. (Ashley Oak Homes) Official Plan Amendment, Zoning By-law Amendment, and Plan of Condominium Exemption, Files Z.1409.013 & 24CDM 05008/1409**
- **Report from Planning Services Department, May 4, 2006**

Moved by Councillor Adams

That this public hearing be adjourned to be continued at a date to be determined; and

That the matter be referred back to Staff for further negotiations with the applicant and the residents with respect to alternate proposals for the built form of the proposed developments.

CARRIED

10. **Palm Place Decision**
- **Report from the Legal Department, June 5th, 2006**

Moved by Councillor Robinson

WHEREAS substantial information regarding the Palm Place OMB Decision is confidential and in a client-solicitor relationship which cannot be discussed in the public forum; but

WHEREAS the Crombie Commission recommended the public acquisition of the Shell House/Palm Place lands for the purpose of parkland and waterfront land preservation; and

(continued)

10. Palm Place Decision continued

WHEREAS the Planning Services Director is on record as advising that the best and appropriate use of the lands would be that of waterfront parkland; and

WHEREAS the lands are a significant and publicly valuable block of waterfront lands; and

WHEREAS many Oakville citizens clearly and emphatically support the acquisition of these lands; and

WHEREAS in the recent OMB Decision, the OMB directed The Town of Oakville to consider whether the Town of Oakville will make a final offer to purchase or to expropriate all of the Palm Place property;

THEREFORE BE IT RESOLVED that Staff be instructed to report back on the Board's direction to consider options of acquisition including but not limited to expropriation of the Palm Place property, including the development of appropriate partnerships and funding options.

CARRIED

1. Subdivision Agreement – Hamount Investments Limited – Phase 3
File: 24T-05019 (SD.556)

- **Report from Development Services, May 15, 2006**

Moved by Councillor Lansdown

1. That the Subdivision Agreement between the Town and Hamount Investments Limited, (File: 24T-05019) 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 Hamount Investments Limited.
3. That the Solicitor be authorized to make minor changes to the Agreement, which do not affect the substance of the Agreement.

CARRIED

2. Exemption from Part Lot Control, By-law 2006-127 Pineberry Estates Inc.
- Report from Planning Services Department, May 19, 2006

Moved by Councillor Lansdown

That By-law 2006-127 (File PLC 01/06:Pineberry Estates), a by-law to exempt from part lot control Block 127 on Plan 20M-930, be approved.

CARRIED

3. **Exemption from Part Lot Control, By-law 2006-126 Crystal Homes Corp.**
- Report from Planning Services Department, May 15, 2006

Moved by Councillor Elgar

That By-law 2006-126 (File PLC 04/06: Crystal Homes Corp.), a by-law to exempt from part lot control Blocks 10-18 on Plan 20M-955, be referred back to staff for further report back to Planning and Development Council after the basement foundations have been poured.

CARRIED

4. **Exemption from Part Lot Control, By-law 2006-122 Bronte Creek Community Ltd.**
- Report from Planning Services Department, May 15, 2006

Moved by Councillor Lansdown

That By-law 2006-122 (File PLC 06/06: Bronte Creek Community Ltd.), a By-law to exempt from part lot control Blocks 334-340 & 344 on Plan 20M-950, be approved.

CARRIED

6. **Proposed Removal of "H" Holding Provision from lands identified on Schedule "B" in Zoning By-law No. 2002-238 Pineberry Estates, File: Z.1432.04 By-law 2006-118**
- Report from Planning Services Department, May 16, 2006

Moved by Councillor Elgar

1. That the application submitted by Pineberry Estates to remove the Holding Provision "H" from a portion of the lands on Schedule "C" in Zoning By-law No. 2002-238, be approved.
2. That By-law No. 2006-118, a By-law to remove a portion of the Holding Provision "H" from Zoning By-law No. 2002-238 be passed.

CARRIED

7. **2021872 Ontario Limited (Saberwood Homes) Zoning By-law Amendment and Draft Plan of Subdivision File: Z.1409.15 and 24T-05028**
- Report from Planning Services Department, May 23, 2006

Moved by Councillor Wright

1. That Zoning Amendment application (Z.1409.15) submitted by 2021872 Ontario Limited (Saberwood Homes) be approved and that By-law 2006-132 be passed;
2. That the Director of Planning Services give approval to the Draft Plan of Subdivision (24T-05028) submitted by Anton Kikas Limited dated July 4, 2005 (Project No. 479E-05), subject to the conditions contained in Appendix "A" of the staff report dated May 23, 2006.

CARRIED

8. **Delegation of Approval for Applications for Exemption from Part Lot Control**

- **Report from Planning Services Department, May 1, 2006**

Moved by Councillor Elgar

That Staff be directed to bring forward a by-law to amend By-law 1998-272, as amended, to delegate to the Director of Planning Services the authority of Council to approve applications for exemption from part lot control pursuant to Section 50 of *The Planning Act*, subject to restrictions limiting this delegation to routine applications where the appropriate property boundaries can be determined.

CARRIED

9. **Official Plan Review Preliminary Directions Report (May 2006)**

- **Report from Planning Services, May 3, 2006**

Moved by Councillor Lansdown

1. That the report entitled, "Official Plan Review – Preliminary Directions Report, May 2006", attached as Appendix "C" to Planning Services Report LRP -13/06 be received.
2. That staff be directed to continue to work on the "Official Plan Review – Preliminary Directions Report, May 2006" with other Town Departments, agencies and the community to further refine the directions for the Official Plan Review.
3. That the issue of community safety and security be addressed in the Official Plan Review.
4. That the Ministry of Municipal Affairs and Housing along with the Premier of Ontario and all Members of the Ontario Legislative Assembly be advised of Council's ongoing concern regarding the lack of publicly stated timeframes regarding the passing of Bill 51 – *Planning and Conservation Land Statute Law Amendment Act, 2006* and any further clarity that may be provided in the regulations.
5. That M.P.P. Kevin Flynn be requested to attend the next Planning and Development Council meeting, as his schedule permits, to provide an update on the status of Ontario Municipal Board (OMB) Reform; and

That if necessary, the next Planning and Development Council Meeting begin at 6:30 p.m. to accommodate M.P.P. Flynn's presentation; and

That public notice be posted on the Town's website.

CARRIED

Moved by Councillor Knoll

That the OMB Reform Task Force schedule a summer meeting and report back to Council prior to the Association of Municipalities of Ontario conference in August, 2006.

CARRIED

11. **Heritage Oakville Minutes (May 30, 2006)**
- **Report from Heritage Oakville, May 30, 2006**

Moved by Councillor Stoate

That the recommendations pertaining to Items 4 and 5 of the Heritage Oakville Minutes from the meeting of May 30, 2006 be approved and the remainder of the minutes be received.

Item 4 – Preparation of a Heritage Registry and a Cultural Heritage Landscapes List

1. That staff be requested to report on the vulnerability of the Lakeshore Road and surrounding Downtown Business District to undesirable change, and on strategic options to protect the cultural landscape, heritage value, ambiance and business viability of the District; and
2. That this report be brought forward to the Heritage Oakville Committee and addressed at its September 26, 2006 Heritage Oakville policy meeting.

Item 5 – 42 Lakeshore Road West

1. That the Planning Services Department be requested to investigate the reasons for the potential designation of 42 Lakeshore Road West under Part IV of the *Ontario Heritage Act*; and
2. That a working group consisting of Councillor Sandelowsky, Marianne Hawthorne, Nicole Lauermeier, and Sandy Bray be formed to assist in the above task.

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 various items as noted by the Clerk, including those of a confidential nature.

Moved by Councillor Grant

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 Elgar

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

- 2006-118 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63 as amended, to remove the "H" Holding Provision in section 89(752H) as it applies to a portion of Block C on Schedule "C" of By-law 2002-238, being Part of Lot 32, Concession 1 S.D.S. (Pineberry Estates Inc.) Z.1432.02
- 2006-122 A by-law to declare that certain land is not subject to part lot control (Blocks 334 to 340, inclusive, and Block 344, Plan 20M-950 – (Bronte Creek Community Ltd.).
- 2006-127 A by-law to declare that certain land is not subject to part lot control (Block 127, Plan 20M-930 – (Pineberry Estates Inc.)
- 2006-132 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, as amended to change the zone from "A" (Agricultural) to "R12 (b) – Special Section 789" (Residential – Special Provision) as it for the lands located at Conc 1, SDS, Part Lot 8, Part 1, Plan 20R-16343, known municipally as 1218 Dundas Street East (2021872 Ontario Limited (Saberwood Homes)) Z.1409.15
- 2006-142 A by-law to confirm proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

Moved by Councillor Adams

Seconded by Councillor Duddeck

That this meeting now adjourn.

CARRIED

The meeting adjourned at 10:28 p.m.

ANN MULVALE
MAYOR

VICKI TYTANECK
ASSISTANT CLERK