

TWENTY-SEVENTH Meeting - Regular Session

The Town of Oakville Council met in regular session to consider Planning matters on this 11th day of July, 2006 in the Council Chambers of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:30 p.m.

- Present: Mayor - Ann Mulvale
- Councillors - Keith Bird
- Cathy Duddeck
- Marc Grant
- Jeff Knoll
- Mike Lansdown
- Fred Oliver
- Ralph Robinson
- 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 and Transportation Services
- J. Huctwith, Assistant Town Solicitor
- C. McConnell, Manager of Current Planning and Urban Design (North Oakville)
- A. Ramsay, Manager of Long Range Planning
- B. Koopmans, Manager of Current Planning and Urban Design (South Oakville)
- H. Hecht, Manager of Development Services
- H. Ellison, Manager of Parking/Halton Court Services
- K. Biggar, Planner
- V. Tytaneck, Assistant Clerk
- C. Tino, Committee Assistant
- Regrets: Councillors - Tom Adams
- Allan Elgar
- Renee Sandelowsky

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

Confirmation of Minutes of the previous Council Meeting(s)

Minutes of the Regular Session of Council, JULY 4, 2006

Moved by Councillor Grant

Moved by Councillor Knoll

That the minutes of the Regular Session of Council of July 4, 2006 be approved.

CARRIED

Standing Committee Reports

Community Services Committee, JULY 10, 2006

Moved by Councillor Duddeck

Seconded by Councillor Knoll

That the recommendations of the Community Services Committee of July 10, 2006 be approved.

CARRIED

Administrative Services Committee, JULY 10, 2006

Moved by Councillor Wright

Seconded by Councillor Lansdown

That the recommendations of the Administrative Services Committee of July 10, 2006 be approved.

CARRIED

Committee of the Whole

Moved by Councillor Duddeck

Seconded by Councillor Knoll

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

CARRIED

AGENDA ITEMS

With the concurrence of all Members of Council, Item 10 was considered out of order.

10. **Silwell Developments Limited (Halton Regional Police Services No. 2 District Police Station) Z.1415.12 & 24T-92005/O**
- Report from Planning Services Department, June 6, 2006

Moved by Councillor Knoll

1. That Official Plan Amendment Number 268 be adopted as amended and that By-law 2006-159, as amended, be passed;
2. That the Zoning Amendment application be approved and that By-law 2006-160 be passed;
3. That the Town of Oakville supports the revision to the draft approved plan of subdivision subject to the revised conditions attached to this report as Appendix D and that the Region of Halton be so advised.

CARRIED

1. **Development Agreement – First Capital (Prince Michael & Dundas) Corp. – File: B05/11/1409**

- **Report from Development Services, June 21, 2006**

Moved by Councillor Duddeck

1. That the Development Agreement between the Town and First Capital (Prince Michael & Dundas) Corp. (File: B05/11/1409) 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 Agreements with First Capital (Prince Michael & Dundas) Corp.
3. That the Solicitor be authorized to make minor changes to the Agreement, which do not affect the substance of the Agreement.

CARRIED

2. **Development Agreement – 131200 Ontario Limited – File: B05/18/1430**

- **Report from Development Services, June 23, 2006**

Moved by Councillor Duddeck

1. That the Development Agreement between the Town and 131200 Ontario Limited (File: B05/18/1409) 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 Agreements with 131200 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

3. **Assumption of Subdivision Plan 20M-808 – Bayshire Investments Limited Phase 1 – By-law 2006-153; SD.486.1**

- **Report from Development Services, June 23, 2006**

Moved by Councillor Duddeck

1. That the assumption of Registered Plan 20M-808 be approved.
2. That By-law 2006-153, a by-law to assume the works and streets within Plan 20M-808 be approved.
3. That security in the amount of \$230,000.00 be retained by the Town to ensure completion of outstanding works.

CARRIED

4. **Municipal Boundary Adjustment between Town of Milton and Town of Oakville**

- Report from Planning Services Department, June 21, 2006

Moved by Councillor Duddeck

1. That the report entitled "Municipal Boundary Adjustment between Town of Milton and Town of Oakville" dated June 21, 2006 be received;
2. That Council support the planning process as contained with the Regional Report (PPW 99-06) for the review of the municipal boundary between the Town of Milton and Town of Oakville;
3. That the Town Clerk forward a copy of this report to the Town of Milton and Region of Halton; and
4. That staff report back to Planning and Development Council following public consultation on this matter.

CARRIED

5. **Assumption of Genstar Development Ltd. Subdivisions – Westmount Community –SD427, Phase 6 – 20M-806 –By-law 2006-099 and Phase 5 – 20M-807 – By-law 2006-100**

- Report from Development Services, June 23, 2006

Moved by Councillor Duddeck

1. That the assumption of Registered Plan 20M-806 be approved.
2. That By-law 2006-099, a by-law to assume the works and streets within Plan 20M-806 be approved.
3. That for Plan 20M-806 security in the amount of \$2,000.00 be retained by the Town to provide rectification of minor grading matters to the satisfaction of the Development Services Department.
4. That the assumption of Registered Plan 20M-807 be approved.
5. That By-law 2006-100, a by-law to assume the works and streets within Plan 20M-807 be approved.
6. That for Plan 20M-807 security in amount of \$2,000.00 be retained by the Town to provide rectification of minor grading matters to the satisfaction of the Development Services Department.

CARRIED

6. **Exemption from Part Lot Control, By-law 2006-131 Moldenhauer Developments**

- Report from Planning Services Department, June 15, 2006

Moved by Councillor Duddeck

That By-law 2006-163, as amended (File PLC 03/06: Moldenhauer Developments), to exempt from part lot control Lots 11,14,&15, Block 70 on Plan 1, be passed.

CARRIED

7. **Exemption from Part Lot Control, By-law 2006-126 Crystal Homes Corp.**

- Report from Planning Services Department, June 21, 2006

Moved by Councillor Duddeck

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 approved.

CARRIED

8. **Subdivision Agreements – Landmart Realty Corp. File: 24T-04009 (SD.562)**

- Report from Development Services, June 23, 2006

Moved by Councillor Duddeck

1. That the Subdivision Agreements between the Town and Landmart Realty Corp., (File 24T-04009) 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 Agreements with Landmart Realty Corp.
3. That the Solicitor be authorized to make minor changes to the Agreement, which do not affect the substance of the Agreement.

CARRIED

9. **Town of Oakville Commercial Parking Study - Supplemental**
- Report from Planning Services and Engineering and Construction Department, June 22, 2006

Moved by Councillor Robinson

That the recommendations set out in the Planning Services Department Report LRP 012/06 dated April 25, 2005 with respect to the Town of Oakville Commercial Parking Study be approved as amended as follows :

1. That the Town of Oakville Parking Study, Final Report, March 2006 be received;

(continued)

Item 9 - Town of Oakville Commercial Parking Study – Supplemental - continued

2. That the following revisions to parking operations and policies in the Old Oakville Downtown area be implemented:
 - a) in the area generally bounded by 16 Mile Creek on the west, Allan Street on the east, Randall Street and Rebecca Street on the north, and Robinson Street on the south, maintain the existing parking exemptions in the Zoning By-law for non-residential uses in the C3R lands;
 - b) on lands zoned C3R located north of Randall Street, and bounded by Allan Street to the east and Navy Street to the west initiate amendments to the Zoning By-law to reduce parking standards for non-residential uses to a rate of one parking space per 32.6m², with no exemptions;
 - c) Staff implement options to more effectively use the Parking Garage through either (i) general customer and visitor use, or (ii) more monthly parking opportunities, or a combination of (i) and (ii);
 - d) Staff implement a program to improve compliance of the two hour maximum stay parking within the general vicinity of Water Street, north of Lakeshore Road and Robinson Street, between Dunn Street and Allan Street, through enhanced enforcement;
 - e) maintain the current exemptions of the two hour time limit for on-street parking spaces south of Robinson Street;
 - f) monitor the issue of the loading/unloading spaces in the centre turn lane along each block of Lakeshore Road East to determine if other options would be feasible; and
 - g) continue the current strategy to specify and pursue properties for potential acquisition and construction of new parking facilities.
3. That the following revisions to the parking operations and policies in the Kerr Street Village area be implemented:
 - a) in the area generally bounded by Maurice Drive on the west, Forsythe Street on the east, Speers Road on the north and Burnet Street on the south, initiate amendments to the Zoning By-law to reduce parking standards for non-residential uses in the C3R lands to a rate of 1 parking space per 32.6m², with no exemptions.
4. That the following revisions to the parking operations and policies in the Downtown Bronte area be implemented:
 - a) in the area generally bounded by Bronte Creek on the west, East Street on the east, Sovereign Street on the north, and Ontario Street on the south, delay initiation of amendments to the Zoning By-law to reduce parking standards for non-residential uses in the C3R lands to a rate of 1 parking space per 32.6m², with no exemptions, until finalization of the Bronte Village Revitalization Study;

(continued)

Item 9 - Town of Oakville Commercial Parking Study – Supplemental - continued

- b) in conjunction with a major redevelopment planning application and/or the Bronte Revitalization Study, identify potential properties that may provide additional public parking spaces, and report back in the future; and
 - c) the implementation of the on-street paid parking trial be delayed until finalization of the Bronte Revitalization Study.
5. That staff be directed to undertake a further investigation of parking operations in live-work developments including an assessment of parking in existing live-work developments and those recently approved and occupied developments and bring forward the results of this investigation including any proposals for amending the Zoning By-law to include a parking standard for the commercial portion of live-work units to a Planning and Development Council meeting in the first quarter of 2007.
 6. Due to increased cost to acquire and create additional parking spaces that Staff, in conjunction with the BIA's, report back on options for increased parking revenues through either parking rates or parking fines to ensure funds are available to acquire and/or create additional parking spaces when needed.
 7. That parking utilization studies and updates to the parking demand studies be undertaken on a regular basis.
 8. That the property and business owners of 100 Bronte Road and 2464 Lakeshore Road West be requested to improve the signage related to commercial parking.
 9. That staff continue to work with the Probus Club returning to Council if necessary with options to assist in its parking issues.
 10. That staff bring forward additional comments on clause 3(a) and clause 4(a) following further investigation of parking operations in live-work developments referenced in clause 5.

CARRIED

11. **Updated Standard Site Plan Agreement Template**
- Report from Planning Services Department, May 15, 2006

Moved by Councillor Robinson

1. That the updated "Standard Site Plan Agreement" attached as Appendix A to the report dated May 15, 2006 from the Planning Services Department be approved;
2. That, where the conditions of site plan approval require the execution of a Site Plan Agreement between the Town and the property owner(s) and, where the standard form of agreement approved by Council is utilized, the Mayor and Town Clerk continue to be authorized to execute the standard agreement on behalf of Council.

CARRIED

IN-CAMERA

Moved by Councillor Duddeck

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 pertaining to Item C-1 and C-2.

CARRIED

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

While in-camera the following motions were passed.

BEYOND THE HOUR

Moved by Councillor Bird

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

CARRIED

**C-1 Creebank Developments Ltd. – Status Report
- Confidential Report from the Legal Department, June 30, 2006**

Moved by Councillor Wright

That the report of the Legal Department dated June 30, 2006 be received.

CARRIED

**CA-2 Urgent OMB Appeals – 1209 North Service Road and 240 Poplar Drive
- Confidential Report from the Legal Department, July 11, 2006**

Moved by Councillor Oliver

That an appeal and/or request for review be filed with respect to the Ontario Municipal Board Decision dealing with 1209 North Service Road; and

That an appeal to the Ontario Municipal Board be filed with respect to a decision made by the Committee of Adjustment dealing with 240 Poplar Drive.

CARRIED

Committee resolved out of camera at 11:10 p.m.

MOTION TO RECONSIDER

Moved by Councillor Bird

That the approval of the Administrative Services Committee recommendations of the July 10, 2006 meeting be reconsidered.

CARRIED

Moved by Councillor Bird

That the recommendations of the Administrative Services Committee be revised to reflect Item C2 – Request for Tax Refund, Reduction or Cancellation Pursuant to Section 357 (1) (d.1) of the *Municipal Act* being moved by Councillor Oliver not Councillor Bird; and

That the recommendations of the Administrative Services Committee be approved as revised.

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 agenda items 1 through 11 and Confidential Items C-1 and CA-2 as noted by the Clerk.

Moved by Councillor Grant

Seconded by Councillor Lansdown

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

CARRIED

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Duddeck

Seconded by Councillor Knoll

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

2006-086 A by-law to address Purchasing regulations, processes and methods

2006-099 A by-law to assume Registered Plan 20M-806

(continued)

CONSIDERATION AND READING OF BY-LAWS-continued

- 2006-100 A by-law to assume Registered Plan 20M-807
- 2006-126 A by-law to declare that certain land is not subject to Part-lot control (Blocks 10 to 18, inclusive, Plan 20M-955 (Bronte Community Developments Corporation))
- 2006-153 A by-law to assume Registered Plan 20M-808
- 2006-159 A by-law, as amended, to adopt an amendment to the Official Plan of the Oakville Planning Area (Official Plan Amendment 268) (Silwell Developments Limited) Dundas Street East, Part of Lots 14 and 15, Concession 1 S.D.S.
- 2006-160 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, as amended, to establish regulations and to remove the Holding (H) provision applicable to lands located on the south side of Dundas Street East, legally described as Part of Lots 14 and 15, Concession 1 S.D.S. in the Uptown Core (Silwell Developments Limited Z.1415.12)
- 2006-163 A by-law to declare that certain land is not subject to part lot control (Lots 11, 14 and 15, Block 70, Plan 1 – (2036497 Ontario Inc.))
- 2006-166 A by-law to amend By-law 1990-24 – A by-law to appoint Municipal Law Enforcement Officers
- 2006-168 A by-law to delegate certain powers in regard to the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Chapter M.56
- 2006-169 A by-law to enter into a Funding Agreement for the Transfer of Federal Public Transit Funds
- 2006-170 A by-law to confirm proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

Moved by Councillor Knoll

Seconded by Councillor Grant

That this meeting now adjourn.

CARRIED

The meeting adjourned at 11:16 p.m.

ANN MULVALE
MAYOR

VICKI TYTANECK
ASSISTANT CLERK