

TWENTY FOURTH Meeting - Special Session

The Town of Oakville Council met in regular session to consider Planning matters on this 9th day of June 2009 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:07 p.m.

- Present: Mayor - Rob Burton
- Councillors - Tom Adams
- Cathy Duddeck
- Allan Elgar
- Marc Grant
- Max Khan
- Jeff Knoll
- Roger Lapworth
- Fred Oliver
- Staff - J. Clohecyc, Commissioner of Planning and Development
- D. Anderson, Director, Planning Services
- D. Baker, Assistant Town Solicitor
- B. Koopmans, Manager of Current Planning and Urban Design
- H. Hecht, Manager of Development Engineering
- C. Van Sligtenhorst, Heritage Planner
- R. Thun, Senior Planner
- L. Musson, Senior Planner
- D. Capper, Planner
- B. Stan, Planner
- V. Tytaneck, Assistant Clerk
- A. Zampieri, Committee Assistant
- Regrets: Councillors - Keith Bird
- Mary Chapin
- Alan Johnston
- Ralph Robinson

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

Committee of the Whole

Moved by Councillor Knoll

Seconded by Councillor Duddeck

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

CARRIED

AGENDA ITEMS

1. **Assumption of Subdivision Plan 20M-931 - Bayshire Joshua Creek Phase 3 - By-law 2009-047**
- **Report from Development Services, February 19, 2009**

Moved by Councillor Adams

That consideration of this item be deferred to a future Planning and

Development Council meeting to allow for public consultation.

CARRIED

2. **Heritage Designation By-laws 2009-074, 2009-075, 2009-076, 2009-078, 2009-079, 2009-080**
- **Report from Planning Services, May 5, 2009**

Moved by Councillor Knoll

That the By-laws 2009-074, 2009-075, 2009-076, 2009-078, 2009-079 and 2009-080, designating six properties under Part IV, Section 29 of the Ontario Heritage Act, be passed.

CARRIED

- C-1. **OMB Hearing – Shell Site Plan**
- **Report from Legal Department, May 22, 2009**

Moved by Councillor Adams

That the Town oppose the approval of the site plan filed by Shell Canada in respect of 325 Dundas Street E (OMB File No. PL080963) in accordance with the confidential Legal Report dated May 22, 2009.

CARRIED

3. **Public Meeting Report**
Proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision
Kilbarry Holdings Corporation
Files: 24T-06004/1413 and Z.1413.20
- **Report from Planning Services, May 12, 2009**

For the purposes of *Planning Act* requirements, the following person made an oral submission:

- Ms. Laurie McPherson, on behalf of Kilbarry Holdings, re: in support of application.

Moved by Councillor Knoll

1. That comments from the public with respect to the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications (Files: 24T-06004/1706 and Z.1706.01) by Kilbarry Holdings Corporation be received and the statutory public meeting with respect to these applications be declared complete; and
2. That staff schedule a further public hearing once the balance of the information has been received from the Applicant.

CARRIED

4. **Recommendation Report - Proposed Official Plan and Zoning By-law Amendments**
File #'s Z.1433.02 & Z.1433.04 - Bronte Creek Community Ltd. (Monarch)
- **Report from Planning Services, May 11, 2009**

For the purposes of *Planning Act* requirements, the following persons made oral submissions:

- Ms. Laurie McPherson and Mr. Calvin Lanz, on behalf of Bronte Creek Communities, re: in support of applications and staff recommendations;
- Ms. Mary Allison, re: not adverse to application, however, expressed concerns related to adequate fencing, tree enhancement and preservation, her well and septic remaining intact, and would like municipal services to be brought to her property line.

CLOSED SESSION

Moved by Councillor Khan

That Council resolve into a closed meeting session to deal with matters pertaining to advice that is subject to solicitor-client privilege relating to Item 4.

CARRIED

Council resolved into closed session at 8:10 p.m.

Council resolved back into open session at 8:34 p.m.

Moved by Councillor Elgar

1. That comments from the public with respect to the Official Plan Amendment and a Zoning By-law Amendment (Z.1433.02 & Z.1433.04) be received and the statutory public meeting required under the Planning Act with respect to these applications be declared complete;
2. That the applications for an Official Plan Amendment and a Zoning By-law Amendment (Z.1433.02 & Z.1433.04) submitted by Bronte Creek Community Limited be approved;
3. That By-laws 2009-092 and 2009-093, as revised in accordance with the memorandum dated June 9, 2009, from Planning Services be passed; and
4. That the issues of adequate fencing, tree enhancement and preservation, well monitoring and guaranteed water supply, be reviewed during the finalization of the subdivision agreement to ensure that these issues are appropriately addressed where applicable.

CARRIED

5. **Public Meeting Report**
Proposed Zoning By-law Amendment
Lakeshore Group
File: Z.1512.28

- **Report from Planning Services, May 19, 2009**

For the purposes of *Planning Act* requirements, the following persons made oral submissions:

- Mr. Pennycooke, Halton Healthcare Services, re: Applicant submission;
- Mr. Russ Cheeseman, Solicitor for Halton Healthcare Services, re: Applicant submission;

- Mr. Blair S. Taylor, Solicitor on behalf of tenants, re: need for parking agreement, to be made available to allow for further public comments;
- Dr. Mark Gwartz, re: parking issues;
- Mr. Peter Kolaski, re: potential for alternative solutions to parking issues;
- Mr. Bob Simon, re: opposition to parking charges.

BEYOND THE HOUR

Moved by Councillor Duddeck

That this meeting proceed past the hour of 10:00 p.m., but no later than 10:30 p.m.

CARRIED

Persons making oral submissions continued:

- Irene Yersh, re: opposition to parking charges and potential for alternative solutions.

Moved by Councillor Adams

That comments from the public with respect to the revised Zoning By-law Amendment application Z.1512.28 submitted by Lakeshore Group be received and the statutory public meeting be declared complete, and that a further public meeting be held at the time of the recommendation report.

CARRIED

6. **Public Meeting Report, Proposed Official Plan Amendment and Zoning By-law Amendment, Halton Healthcare Services, Third Line and Dundas Street West, File No.: Z.1326.01**
- **Report from Planning Services, May 6, 2009**

For the purposes of *Planning Act* requirements, the following persons made oral submissions:

- Mr. Tom Plamondon, Halton Healthcare Services, re: Applicant submission, in support of staff recommendation;
- Mr. Dan Golic, on behalf of Ms. Nancy Mitic; re: compensation for loss of property.

Moved by Councillor Elgar

That comments from the public regarding the Official Plan and Zoning By-law Amendment applications (Z.1326.01) submitted by Halton Healthcare Services be received and the statutory public meeting with respect to this application be declared complete.

CARRIED

7. **Recommendation Report 1478510 Ontario Inc. 451 Lakeshore Road File No. Z.1619.20**
- **Report from Planning Services, May 15, 2009**

For the purposes of *Planning Act* requirements, the following person made an oral submission:

- Mr. Jim Ivey, re: location of sewer easement.

Moved by Councillor Duddeck

1. That comments from the public be received and the statutory public meeting be declared complete with respect to the proposed Zoning By-law Amendment (File No. Z.1619.20);
2. That the Zoning By-law amendment application (File No. Z.1619.20) submitted by 1478510 Ontario Inc. for the lands located at 451 Lakeshore Road West be approved; and
3. That By-law 2009-091 be passed.

CARRIED

8. **Official Plan Amendment**
Zoning By-law Amendment (Z.1428.07)
Plan of Subdivision (24T-08006)
Fox Farm Developments Inc.
- **Report from Planning Services, May 21, 2009**

For the purposes of *Planning Act* requirements, the following person made an oral submission:

- Mr. Jim Kotsopoulos, on behalf of applicant, Fox Farms Development, re: Applicant submission.

Moved by Councillor Elgar

That comments from the public regarding the Official Plan and Zoning By-law Amendment applications (Z.1428.07) and Draft Plan of Subdivision (24T-08006) submitted by Fox Farm Developments Inc. be received and the statutory meeting with respect to these applications be declared complete.

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 Consent Items 1 and 2, Confidential Consent Item C-1, Public Hearing Items 3, 4, 5, 6, 7, and 8, as noted by the Clerk.

Moved by Councillor Knoll

Seconded by Councillor Grant

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

CARRIED

CONSIDERATION AND READING OF BY-LAWS

That the following by-law(s) be passed:

Moved by Councillor Duddeck

Seconded by Councillor Knoll

2009-074 A by-law to designate the McCraney-Robertson House at 42

Lakeshore Road West as a property of architectural, historical and/or contextual significance **(Re: Item 2)**

- 2009-075 A by-law to designate St. Jude's Cemetery at 258 Lakeshore Road West as a property of architectural, historical and/or contextual significance **(Re: Item 2)**
- 2009-076 A by-law to designate the Palermo United Church Cemetery at Concession 1 SDS, Part of Lots 29 and 30, Trafalgar Township, Dundas Street West as a property of architectural, historical and/or contextual significance **(Re: Item 2)**
- 2009-078 A by-law to designate the Palermo Schoolhouse at 2431 Dundas Street West as a property of historical, architectural and/or contextual significance **(Re: Item 2)**
- 2009-079 A by-law to designate the Old Smith Houses at 531-533 Kerr Street as a property of historical, architectural and/or contextual significance **(Re: Item 2)**
- 2009-080 A by-law to designate Edgemere Estate at 1502 Lakeshore Road West as a property of architectural, historical and/or contextual significance **(Re: Item 2)**
- 2009-091 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, as amended, to rezone the lands located at 451 Lakeshore Road West, Part of Lot 19, Concession 3, S.D.S. to require an increased easterly side yard setback (1478510 Ontario Inc., Z.1619.20) **(Re: Item 7)**
- 2009-092 A by-law to adopt an amendment to the Official Plan of the Oakville Planning Area, Official Plan Amendment No. 298 (Part of Lot 31, Concession 1 S.D.S. (Bronte Creek Communities Limited) Z.1432.02 **(Re: Item 4)**
- 2009-093 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63 as amended, to clarify the provisions applying to certain lands within the Palermo West Community being Part of Lot 31, Concession 1 S.D.S. (Bronte Creek Communities Limited) Z.1432.02 **(Re: Item 4)**
- 2009-109 A by-law to confirm the proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

The meeting adjourned at 10:14 p.m.

ROB BURTON
MAYOR

VICKI TYTANECK
ASSISTANT CLERK