

## **TWENTY EIGHTH Meeting – Regular Session**

The Town of Oakville Council met in regular session to consider Planning matters on this 6th day of July 2009 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:04 p.m.

- Present: Mayor - Rob Burton
- Councillors - Tom Adams  
- Keith Bird  
- Mary Chapin  
- Cathy Duddeck  
- Allan Elgar  
- Alan Johnston  
- Max Khan  
- Jeff Knoll  
- Roger Lapworth  
- Ralph Robinson  
- Fred Oliver
- Staff - J. Clohecy, Commissioner of Planning and Development  
- D. Baker, Assistant Town Solicitor  
- D. St. George, Director of Economic Development  
- J. Kwast, Director of Development Services  
- C. McConnell, Manager of Long Range Planning  
- M. Seaman, Manager of Heritage Planning  
- T. Simmonds, Senior Economic Development Officer  
- S. Schappert, Heritage Planner  
- G. Charles, Senior Planner  
- L. Musson, Senior Planner  
- V. Tytaneck, Assistant Clerk  
- A. Zampieri, Committee Assistant
- Regrets: Councillor - Marc Grant

### **Declarations of Pecuniary Interest**

No declarations of pecuniary interest were declared.

### **Committee of the Whole**

Moved by Councillor Johnston      Seconded by Councillor Khan

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

CARRIED

### **AGENDA ITEMS**

1. **Assumption of Subdivision Plan 20M-750 - Glen Orchard Homes - Tree Top II - By-law 2009-106**  
- **Report from Development Services, May 22, 2009**

Moved by Councillor Elgar

That the assumption of Plan 20M-750 be approved and By-law 2009-106 be

passed.

CARRIED

2. **Condominium Agreement - Nexus (417 Lakeshore Oakville) Holdings Inc. - File: 24CDM-08007**  
- **Report from Development Services, May 28, 2009**

Moved by Councillor Oliver

1. That the Condominium Agreement between the Town and Nexus (417 Lakeshore Oakville) Holdings Inc. (File: 24CDM-08007) be approved subject to the amendment of Special Provision 19 to read, "That the owner agrees to the designation By-law 1987-302 being amended as to its legal description and that the by-law be registered on title for the property described as Unit 1 on the draft plan prepared by A.T. McLaren and dated October 28, 2008."
2. That the Town Solicitor be authorized to make minor changes to the Agreement, which do not affect the substance of the Agreement and to insert any required plan numbers.
3. That the Mayor and Clerk be authorized to execute the Condominium Agreement with Nexus (417 Lakeshore Oakville) Holdings Inc.

CARRIED

3. **Assumption of Subdivision Plan 20M-931**  
**Bayshire Joshua Creek Phase 3 - By-law 2009-047; SD.538**  
- **Report from Development Services, June 18, 2009**

Moved by Councillor Khan

That consideration of this item be deferred to the next Planning and Development Council Meeting to allow more time for Development Services Staff and the Developer to resolve lot grading and drainage matters.

CARRIED

4. **Public Meeting and Recommendation Report**  
**Zoning By-law Amendment**  
**Heath and Odessa Parkettes - Town of Oakville**  
**File: 42.03.82**  
- **Report from Planning Services, May 15, 2009**

Moved by Councillor Knoll

1. That comments from the public with respect to the Zoning By-law Amendment (42.03.82) be received and the statutory public meeting with respect to the Zoning By-law Amendment be declared complete.
2. That the Zoning By-law Amendment be approved and that By-law 2009-088 be passed.

CARRIED

5. **Recommendation Report**  
**Proposed Official Plan and Zoning By-law Amendments**  
**Ontario Realty Corporation File: Z.1506.09**  
- **Report from Planning Services, June 17, 2009**

Moved by Councillor Adams

1. That application Z.1506.09, submitted by Ontario Realty Corporation, be approved in accordance with the Official Plan Amendment and Zoning By-law Amendment attached as Appendices 'E' and 'F', respectively, to Report PD-039-09 dated June 17, 2009;
2. That Official Plan Amendment Number 297, regarding application Z.1506.09 by Ontario Realty Corporation be adopted, and implementing By-law 2009-082 be passed;
3. That Zoning By-law Amendment 2009-083, as amended, and outlined in the Memorandum to Council from Planning Services dated July 6, 2009, and distributed at the meeting, be passed; and
4. That Halton Region be required to modify the recently adopted Livable Oakville Official Plan to designate the subject property as "Business Employment".

CARRIED

6. **Winston Park West Servicing**  
- **Report from Economic Development Department,  
June 12, 2009**

Moved by Councillor Khan

1. That the Town initiate the studies and preliminary design work for the Winston Park West employment area including storm water, functional servicing, environmental review, transportation and market assessment to identify the necessary infrastructure and required private sector investment.
2. That the Town request the Halton Region to initiate the studies and preliminary design work for the roads, water and wastewater servicing of the Winston Park Employment Area.
3. That the Town, with the assistance of the Region, develop the business case for the development of the Winston Park West Employment Area.
4. That subject to a viable economic business case, Halton Region be requested to undertake construction of the necessary external servicing under the Infrastructure Staging Plan and Financing Plan framework.

CARRIED

7. **Economic Development Strategy 2009-2019**  
- **Report from Economic Development Department,  
June 12, 2009**

Moved by Councillor Knoll

That the Economic Development Strategy 2009-2019, attached as Appendix B to the June 12, 2009 report PD-070-09 from the Economic Development Department, be approved, and that it form the basis for the development of the Economic Development Department business plan as part of the 2010-2013 operating budget and the 2010-2019 capital forecast requirements.

CARRIED

The meeting recessed at 7:58 p.m. and reconvened at 8:04 p.m.

8. **Heritage Register Update**  
- **Report from Planning Services, June 5, 2009**

Moved by Councillor Robinson

That the list of properties to be included in the Heritage Register of Properties of Cultural Heritage Value or Interest (Not Designated) found in Appendix C of the June 5, 2009 report from Planning Services, be endorsed.

CARRIED

9. **Power Generation Facilities Review Update**  
- **Report from Planning Services, June 17, 2009**

Moved by Councillor Johnston

That Planning Services Report PD-068-09, dated June 17, 2009, be received.

CARRIED

10. **Recommendation Report**  
**Proposed Official Plan & Zoning By-law Amendments**  
**Rosehaven Homes Ltd. & Melrose Investments Inc.**  
**Z.1613.55**  
- **Report from Planning Services, June 18, 2009**

Moved by Councillor Bird

1. That report PD-064-09 dated June 18, 2009 from the Planning Services Department be received,
2. That application Z.1613.55, as submitted by Rosehaven Homes Ltd. and Melrose Investments Inc., be denied.

CARRIED

**CLOSED SESSION**

Moved by Councillor Elgar

That Council resolve into a closed meeting session to deal with matters pertaining to advice that is subject to litigation or potential litigation including matters before administrative tribunals affecting the municipality relating to Items C-1 and C-2.

CARRIED

Council resolved into closed session at 8:27 p.m.

Council resolved back into open session at 8:51 p.m.

**C-1. Ontario Municipal Board Hearing - 12 Colonial Crescent  
- Confidential Report from Legal Department, June 18, 2009**

Moved by Councillor Chapin

That staff participate in the Ontario Municipal Board Hearing with respect to 12 Colonial Crescent (PL090343) in accordance with the Legal report dated June 18, 2009.

CARRIED

**C-2. Ontario Municipal Board Fee Appeals by Davis-Minardi and Denbridge Developments Inc. (jointly) and Arrassa Investments Inc. and Timsin Holding Corp. (jointly)  
- Confidential Report from Legal Department, June 24, 2009**

Moved by Councillor Knoll

1. That staff be authorized to settle the fee appeals by Davis-Minardi and Denbridge Developments Inc. (jointly) and Arrassa Investments Inc. and Timsin Holding Corp. (jointly) in accordance with the report from the Legal Department dated June 24, 2009.
2. That the Mayor and Clerk be authorized to enter into an agreement with Davis-Minardi and Denbridge Developments Inc. (jointly) and Arrassa Investments Inc. and Timsin Holding Corp. (jointly) on terms set out in the report from the Legal Department dated June 24, 2009.

CARRIED

**11. Supplemental Report # 2 - 2008/2009 Regional Servicing Allocation Program  
- Report from Planning Services, July 2, 2009**

Moved by Councillor Knoll

That further to Oakville Council's May 4, 2009 resolution and submissions to the Region regarding the 2008/2009 Water & Wastewater Allocation Program, the Region of Halton be advised that the Town of Oakville continues to endorse the allocation of units north of Dundas to the MAM Group, Davis Minardi and Denbridge lands and the Timsin/Arrassa lands through the 2008/2009 Regional Allocation program without a requirement for an additional contribution to North Park or the requirement for additional parkland for which servicing has been granted.

CARRIED

**RISE AND REPORT TO COUNCIL**

Moved by Councillor Robinson

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, 2, and 3, Confidential Consent Item C-1, Public Hearing Item 4, Discussion Items 5, 6, 7, 8, 9, 10, and 11, and Confidential Discussion Item C-2, as noted by the Clerk.

Moved by Councillor Johnston

Seconded by Councillor Lapworth

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

CARRIED

**NEW BUSINESS**

Councillor Lapworth, as Chair of the Canada Day Committee, offered congratulations and thanks to various groups and organizations, staff and Members of Council for the success of Oakville's Canada Day celebrations.

**CONSIDERATION AND READING OF BY-LAWS**

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

Moved by Councillor Johnston

Seconded by Councillor Lapworth

2009-082 A by-law to adopt an amendment to the Official Plan of the Oakville Planning Area, Official Plan Amendment No. 297 (File: Ontario Realty Corporation – Z.1506.09) **(Re: Item 5)**

2009-083 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, as amended, and to rezone lands located at the south-east corner of Joshua's Creek Drive and Upper Middle Road, Concession 2, Part of Lot 6, S.D.S. as shown as the affected lands on Schedule 'A' to this By-law (File: Ontario Realty Corporation – Z.1506.09) **(Re: Item 5)**

2009-088 A by-law to amend the Comprehensive Zoning By-law 1984-63 as amended, to rezone the Heath and Odessa Parkettes from residential to O1 - Public Open Space. (42.03.82) - Town of Oakville **(Re: Item 4)**

2009-106 A by-law to assume Registered Plan 20M-750 **(Re: Item 1)**

2009-122 A by-law to confirm the proceedings of a meeting of Council.

**ADJOURNMENT**

The meeting adjourned at 8:59 p.m.

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ROB BURTON  
MAYOR

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VICKI TYTANECK  
ASSISTANT CLERK