

THIRTY-SIXTH Meeting - Regular Session

The Town of Oakville Council met in regular session to consider Planning matters on this 13th day of October 2009 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:00 p.m.

- Present: Mayor - Rob Burton
- Councillors - Tom Adams
- Keith Bird
- Mary Chapin
- Cathy Duddeck
- Allan Elgar
- Marc Grant
- Alan Johnston
- Max Khan
- Jeff Knoll
- Fred Oliver
- Ralph Robinson
- Staff - D. Anderson, Director, Planning Services
- J. Huctwith, Assistant Town Solicitor
- J. Kwast, Director of Development Services
- C. McConnell, Manager of Current Planning and Urban Design
- D. Childs, Acting Manager of Long Range Planning
- R. Thun, Senior Planner
- D. de Groot, Planner
- D. Capper, Planner
- S. Schappert, Heritage Planner
- V. Tytaneck, Assistant Clerk
- A. Zampieri, Committee Assistant
- Regrets: Councillor - Roger Lapworth

Declarations of Pecuniary Interest

Councillor Adams declared a pecuniary interest with respect to Item 1 – North Oakville Zoning By-law Town Initiated—File:42.03.80, with regard to those sections relating to drive-through facilities as his spouse has accepted a position with the TDL Group Corp.

Committee of the Whole

Moved by Councillor Grant

Seconded by Councillor Duddeck

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

CARRIED

AGENDA ITEMS

1. **Public Meeting Report**
North Oakville Zoning By-law
Town Initiated-- File: 42.03.80
- Report from Planning Services, September 24, 2009

Moved by Councillor Duddeck

That comments, directions and definitions with respect to drive-through facilities from the statutory public meeting and Sections 4.9, 5.0, 7.0 and Table 5.1 of staff report PD-084-09 dated September 24, 2009 be received.

CARRIED

(Councillor Adams, having declared a pecuniary interest, did not vote on this item.)

Moved by Councillor Duddeck

That comments from the statutory public meeting and staff report PD-084-09 dated September 24, 2009, with respect to the Town initiated North Oakville Zoning By-law, excluding those comments, directions and definitions with respect to drive-through facilities, be received.

CARRIED

Moved by Councillor Elgar

That the memorandum from Planning Services, regarding the North Oakville Zoning By-law Town Initiated File: 42.03.80, Removal of Drive-Through Provisions, dated October 13, 2009, be received.

CARRIED

(Councillor Adams, having declared a pecuniary interest, did not vote on this item.)

2. **Public Meeting Report, Proposed Zoning By-law Amendment and Draft Plan of Subdivision, Davis Minardi Home Corporation and Denbridge Developments Inc. Neyagawa Boulevard and Dundas Street West, File No.: Z.1320.04 and 24T-05016**
- **Report from Planning Services, October 7, 2009**

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

- Mr. Chris Matson, on behalf of Applicant, Davis Minardi-Denbridge, re: Applicant submission;
- Mr. Ted Cieciora, on behalf of Victor Saric, re: differences between the application and the North Oakville Master Plan and storm water management issues.

Moved by Councillor Knoll

That Report PD-079-09 regarding the Zoning By-law Amendment (File No.: Z.1320.04) and Draft Plan of Subdivision (File No.: 24T-05016) application submitted by Davis Minardi Home Corporation and Denbridge Development Inc. be received.

CARRIED

3. **Sustainable Halton - ROPA 38 Update**
- **Report from Planning Services, September 18, 2009**

Moved by Councillor Elgar

That Report PD-083-09 entitled "Sustainable Halton – ROPA 38 Update" from the Planning Services Department be received.

CARRIED

4. **Recommendation Report - Proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Condominium Approval JRB Design Build GP-UOC Ltd. Z.1715.21 & 24CDM 09001/1715**
- **Report from Planning Services, September 28, 2009**

Moved by Councillor Duddeck

1. That the application for an Official Plan Amendment submitted by JRB Design Build GP-UOC Ltd. (File # Z.1715.21) to implement a site specific building height be approved and that By-law 2009-143, a By-law which implements Official Plan Amendment 301, be passed;
2. That the application for a Zoning By-law Amendment submitted by JRB Design Build GP-UOC Ltd. (File # Z.1715.21) for site specific regulations to allow for a mixed use development be approved and that By-law 2009-144 be passed;
3. That the Director of Planning Services give approval to the Draft Plan of Condominium (24CDM 09001/1715) submitted by JRB Design Build GP-UOC Ltd. prepared by J. H. Gelbloom Surveying Limited and dated December 19, 2008, subject to the conditions contained in Appendix "B" of staff report PD-87-09; and,
4. That Halton Region be required to modify the recently adopted Livable Oakville Official Plan to allow a building of up to 5 storeys in height to be developed on the subject property.

CARRIED

5. **Heritage Oakville Advisory Committee (September 22, 2009)**

Moved by Councillor Duddeck

That the minutes of the Heritage Oakville Advisory Committee meeting of September 22, 2009, be received.

CARRIED

- C-1. **Ontario Municipal Board Appeal - Silwell - Block 3, 4 and 15, Plan 20M-1032**
- **Confidential Report from Legal Department, September 21, 2009**

Moved by Councillor Knoll

That staff be authorized to proceed in accordance with Option 1 for the conduct of the appeals before the Ontario Municipal Board in Case File No. PL090510, as described in the report from the Legal Department dated September 21, 2009.

CARRIED

**C-2. Ontario Municipal Board Hearing - 3047 Lakeshore Road West
- Confidential Report from Legal Department,
September 30, 2009**

Moved by Councillor Robinson

1. That staff be authorized to prepare Minutes of Settlement in accordance with the Legal report dated September 30, 2009 and that the Mayor and Clerk be authorized to execute these Minutes of Settlement, accordingly.
2. That the Region of Halton be requested to modify the recently adopted Livable Oakville Official Plan to reflect the settlement.
3. That staff be directed to bring forward the necessary reports with respect to a Declaration of Surplus Lands for a portion of the road allowance of Lakeshore Road West in the vicinity of 3047 Lakeshore Road West.

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 Public Hearing Items 1 and 2, Confidential Discussion Items C-1 and C-2, Discussion Item 3 and 4, and Advisory Committee Minutes Item 5, as noted by the Clerk.

Moved by Councillor Knoll

Seconded by Councillor Johnston

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

CARRIED

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Elgar

Seconded by Councillor Chapin

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

- 2009-143 A by-law to adopt an amendment to the Official Plan of the Oakville Planning Area, Official Plan Amendment 301 (28, 36 & 42 Lakeshore Road West and 88, 90 & 94 Chisholm Street) File: Z1715.21
- 2009-144 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, as amended to permit the development of lands at the southwest corner of Lakeshore Road West and Chisholm Street for a mixed use, commercial and residential development. (JRB Design Build GP-UOC Ltd.) File # Z1715.21

2009-152 A by-law to confirm the proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

The meeting adjourned at 8:18 p.m.

ROB BURTON
MAYOR

VICKI TYTANECK
ASSISTANT CLERK