

FORTY-THIRD Meeting - Regular Session

The Town of Oakville Council met in regular session to consider Planning matters on this 23rd day of November 2009 in Committee Room 2 of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 1:00 p.m.

- Present: Mayor - Rob Burton
- Councillors - Tom Adams
- Keith Bird
- Mary Chapin
- Cathy Duddeck
- Allan Elgar
- Marc Grant – (arrived at 1:39 p.m.)
- Alan Johnston – (arrived at 1:37 p.m.)
- Jeff Knoll
- Roger Lapworth
- Fred Oliver
- Staff - R. Green, Chief Administrative Officer
- J. Clohecy, Commissioner of Planning and Development
- D. Bloomer, Commissioner of Infrastructure and Transportation Services
- G. Lalonde, Commissioner of Corporate Services
- D. Lunardo, Commissioner of Community Services
- D. Anderson, Director, Planning Services
- J. Huctwith, Assistant Town Solicitor
- J. Kwast, Director of Development Services
- C. Mark, Director, Parks and Open Space
- N. Sully, Senior Manager, Financial Planning and Policy
- C. McConnell, Manager of Long Range Planning
- H. Hecht, Manager of Development Services
- D. Childs, Acting Manager, Current Planning, Urban Design
- K. Biggar, Senior Planner
- L. Musson, Senior Planner
- R. Thun, Senior Planner
- D. Capper, Planner
- L. Gill-Woods, Planner
- I. Waghray, Planner
- B. Stan, Planner
- S. Schappert, Heritage Planner
- C. Van Sligtenhorst, Heritage Planner
- B. Sunderland, Planning Technician
- V. Tytaneck, Assistant Clerk
- C. Tino, Committee Coordinator
- Regrets: Councillors - Max Khan
- Ralph Robinson

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

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

4. Sustainable Halton Update-ROPA 38

- Report from Planning Services, November 9, 2009

Moved by Councillor Adams

1. That the Regional Municipality of Halton be advised that the Town of Oakville supports the general principles underlying the policies proposed in the draft Regional Official Plan Number 38 (ROPA 38); and
2. That Town staff be directed to continue to work with Regional Municipality of Halton to develop a satisfactory resolution to the remaining outstanding matters identified in Report PD-098-09.

CARRIED

5. Livable Oakville Plan - Modifications

- Report from Planning Services, November 17, 2009

Moved by Councillor Duddeck

1. That the Planning Services Report PD: 099-09, dated November 17, 2009, be received.
2. That the Region be requested to approve Livable Oakville with the modifications provided in Appendices A and B to Planning Services Report PD: 099-09, as well as those modifications provided in the supplementary memorandum to the Planning Services Report PD:099-09, dated November 23, 2009 and distributed at the meeting, save and except those in Appendix A (relating to places of worship in Employment areas) where the Region is recommending "no decision", recognizing the Town of Oakville requires a decision.

CARRIED

6. North Oakville Heritage Resources Review and Strategy

- Report from Planning Services, November 9, 2009

Moved by Councillor Duddeck

That the North Oakville Heritage Resources Review and Strategy be referred back to staff to allow for further consultation and a report back to Planning and Development Council in 2010.

CARRIED

7. North Oakville Financial Impact Analysis

- Report from Planning Services, November 17, 2009

Moved by Councillor Adams

1. That the study titled "Town of Oakville – North Oakville Financial Impact Analysis" dated November 2009, and prepared by Hemson Consulting, as required to address the requirements of the North Oakville East and West Secondary Plans, and attached as Appendix A to the November 17, 2009 report from Planning Services, be received as information.
2. That staff be directed to review alternate mechanisms to implement the financial plan for North Oakville and its implications in order to minimize the impact on the tax base.

CARRIED

8. **Recommendation Report, Proposed Official Plan Amendment and Zoning Amendment, Halton Healthcare Services, Dundas Street West and Third Line, File No.: Z.1326.01 (By-law 2009-178 and By-law 2009-179)**
- **Report from Planning Services, November 10, 2009**

Moved by Councillor Elgar

1. That the application for Zoning By-law Amendments submitted by Halton Healthcare Services (File # Z.1326.01) for site specific regulations to allow for the development of a hospital complex be approved.
2. That By-law 2009-179 (ZBA) be passed.
3. That changes to the subject by-law following the public meeting for purposes of clarity are deemed to be minor in nature and as such, under Section 34(17) of the Planning Act, no further notice would be required.

CARRIED

9. **Recommendation Report**
North Oakville Zoning By-law
Town Initiated-- File: 42.03.80
- **Report from Planning Services, November 12, 2009**

Moved by Councillor Adams

1. That the Town initiated North Oakville Zoning By-law (File: Z. 42.03.80) be approved and that By-law 2009-189 be passed;
2. That the North Oakville Implementation Strategy, undertaken as required by the North Oakville East Secondary Plan, be declared complete;
3. That upon the North Oakville Zoning By-law coming into effect, staff be directed to request the removal of the Minister's Zoning Order (MZO), regulation 481/73 as it applies to the North Oakville Secondary Plan areas; and
4. That, pursuant to Section 34(19) of the Planning Act, changes made to the North Oakville Zoning By-law following the October 13, 2009 public meeting be deemed to be minor and not requiring further public notice.

5. That the memorandum dated November 23, 2009 from the Planning Services Department entitled Item 9 – November 23, 2009 Planning and Development Council Meeting Recommendation Report, North Oakville Zoning By-law, be received.

CARRIED

10. Heritage Oakville Advisory Committee (November 10, 2009)
- Report from Clerk's Department, November 10, 2009

Moved by Councillor Duddeck

That the following recommendations pertaining to Items 5a to 5e – Heritage Permit Applications, of the Heritage Oakville Advisory Committee minutes from its meeting on November 10, 2009, be approved and the remainder of the minutes received:

5a. Heritage Permit Application HP33/09-42.20T - 394 Trafalgar Road - Front Porch Addition

1. That Heritage Permit Application HP33/09-42.20A, as submitted by owners Mr. And Mrs. G. Bush (revised October 19, 2009) for a front porch addition, be approved; and
2. That this heritage permit expire two years from the date of final approval by Council.

5b. Heritage Permit Application HP35/09-42.20L - 392 Lakeshore Road East - Alterations to Wall

1. That Heritage Permit Application HP35/09-42.20L, as submitted by owners Dr. Anthony Miller and Mrs. Sheena Miller for alterations to an exterior wall at 392 Lakeshore Road East, be approved subject to the window manufacturer and product details being submitted to the Manager of Heritage Planning for final approval; and
2. That this heritage permit expire two years from the date of final approval by Council.

5c. Heritage Permit Application HP36/09-42.20N -41 Navy Street - Repairs to Stucco

1. That Heritage Permit Application HP36/09-42.20N, as submitted by owner Neil Mathew Jamieson for replacement of stucco and restoration of trim at 41 Navy Street, be approved; and
2. That this heritage permit expire two years from the date of final approval by Council.

5d. Heritage Permit Application HP34/09-42.20C - 467 Chartwell Road - Alterations to Coach House

1. That Heritage Permit Application HP34/09-42.20C, as submitted by owner Alexandra Fell for alterations to the coach house at 467 Chartwell Road, be approved subject to final details on the doors and windows being submitted to the Manager of Heritage Planning for final approval; and

2. That this heritage permit expire two years from the date of final approval by Council.

5e. Heritage Permit Application HP06/09-42.40W - 56 Water Street - Addition and Alterations to Oakville Club

1. That the construction of an addition on the east elevation of the Oakville Club at 56 Water Street, as proposed in Heritage Permit Application HP 06/09-42.20W, as submitted by The Oakville Club, be denied;
2. That renovations to the main club building, renovations to the accessory buildings, and replacement of the fence, as proposed in Heritage Permit HP 06/09-42.20W, as submitted by The Oakville Club, be approved; and
3. That this heritage permit expire two years from the date of final approval by Council.

CARRIED

RECESS

The meeting recessed at 3:30 p.m.

FORTY-THIRD Meeting - Regular Session

The Town of Oakville Council reconvened in regular session to consider Planning matters on this 23rd day of November 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
- Roger Lapworth
- Fred Oliver

Staff - J. Clohec, Commissioner of Planning and Development
- D. Anderson, Director, Planning Services
- J. Huctwith, Assistant Town Solicitor
- J. Kwast, Director of Development Services
- C. McConnell, Manager of Long Range Planning
- L. Musson, Senior Planner
- D. Capper, Planner
- B. Stan, Planner

- V. Tytaneck, Assistant Clerk
- C. Tino, Committee Coordinator

Regrets: Councillor - Ralph Robinson

1. **Public Meeting Report**
Proposed Official Plan and Zoning By-law Amendments
Melrose investments Inc. and Rosehaven Homes Limited
File No. Z.1613.56
- **Report from Planning Services, October 26, 2009**

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

- Mr. Clifford Korman, of Kirkor Architects and Planners on behalf of the applicant, re: Applicant submission;
- Mr. Joseph Sarnecki, on behalf of the Oakville Lakeside Residents Association, re: opposition to application, citing height concerns, effect on existing community, removal of trees and problem with setbacks;
- Mr. John Canham, re: opposition to application, citing inappropriate redevelopment for historical neighbourhood, problem with proposed height of building, shadowing and traffic issues;
- Mr. Russ Buckland, re: opposition to application expressing concerns regarding height and neighbourhood compatibility;
- Mr. David Johnston, re: opposition to application expressing concerns regarding non-compliance with Official Plan and by-laws, height concerns and parking issues;
- Mr. John Taylor, on behalf of Trafalgar Chartwell Residents Association, re: opposition to application expressing concerns regarding height of proposal and setting a negative precedent in this historic area;
- Mr. Steve Harrigan, re: opposition to proposal expressing concerns regarding height of proposed building, damage to bedrock, height issues, lack of privacy and shadowing issues.

Moved by Councillor Bird

That comments from the public with respect to the Official Plan and Zoning By-law Amendment applications (File No. Z.1613.56) submitted by Melrose Investments Inc. and Rosehaven Homes Limited be received.

CARRIED

2. **Public Meeting Report**
Proposed Official Plan and Zoning By-law Amendments
Melrose Investments Inc. and Rosehaven Homes Limited
File No.: Z.1613.57
- **Report from Planning Services, October 26, 2009**

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

- Mr. Clifford Korman, of Kirkor Architects and Planners on behalf of the applicant, re: Applicant submission;
- Ms. Ruth Victor, re: on behalf of PPK Commercial Holdings, opposition to application, citing height issues;
- Mr. Russ Buckland, re: opposition to application expressing concerns regarding height and neighbourhood compatibility;

- Mr. David Johnston, re: opposition to application expressing concerns regarding non-compliance with Official Plan and by-laws, height concerns and reduced yard setbacks;
- Mr. John Taylor, on behalf of Trafalgar Chartwell Residents Association, re: opposition to application expressing concerns regarding height of proposal and setting a negative precedent in this historic area;
- Mr. Steve Harrigan, re: opposition to application expressing concerns regarding height and damage to bedrock;
- Ms. Denise Purcell, re: opposition to application citing height and neighbourhood compatibility issues and issues regarding intensification in old Oakville;
- Mr. Will Jenkins, re: opposition to proposal expressing concerns regarding height and character of area; and
- Mr. Joseph Kus, re: in support of application, expressing support for additional housing and intensification.

Moved by Councillor Bird

That comments from the public with respect to the Official Plan and Zoning By-law Amendment applications (File: Z.1613.57) by Melrose Investments Inc. and Rosehaven Homes Limited be received.

CARRIED

3. **Issues Report - Proposed Zoning By-law Amendment and
Draft Plan of Subdivision Approval
Dominic D'Urzo.
Z.1611.15 & 24T 09001/1611
- Report from Planning Services, November 2, 2009**

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

- Ms. Ruth Victor, re: on behalf of the applicant, re: Applicant submission.

Moved by Councillor Bird

That comments from the public regarding the Zoning By-law Amendment application (Z.1611.15) and Draft Plan of Subdivision (24T-09001/1611) submitted by Dominic D'urzo, be received.

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 Public Hearing Items 1, 2 and 3, Discussion Items 4, 5, 6, 7, 8, and 9, and Advisory Committee Minutes Item 10, 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

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Knoll

Seconded by Councillor Grant

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

- 2009-175 A by-law to declare that certain land is not subject to part lot control - (Blocks 23, 24 and 26, Plan 20M-1024 – Bronte Community Developments Corporation)
- 2009-176 A by-law to declare that certain land is not subject to part lot control - (Blocks 1, 2, 3 and 4, Plan 20M-1047 – Basingstoke Enterprises, Elmbank Lane and Stone Glen Mews)
- 2009-179 A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, as amended, to permit the development of lands described as Part of Lot 26 and 27 Concession 1, NDS for healthcare and related uses (Halton Healthcare Services) File No.: Z.1326.01
- 2009-189 A by-law under Section 34 of the Planning Act to introduce new zoning categories, zone-specific zoning regulations, general zoning regulations and definitions for the area subject to the North Oakville East Secondary Plan and the North Oakville West Secondary Plan, and to remove these areas from the application of the Town of Oakville's Comprehensive Zoning By-law No. 1984-63. **(Re: Item 5)**
- 2009-183 A by-law to confirm the proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

The meeting adjourned at 8:36 p.m.

ROB BURTON
MAYOR

VICKI TYTANECK
ASSISTANT CLERK