

TWENTY-SECOND Meeting - Regular Session

The Town of Oakville Council met in regular session this 20th day of June 2005 in Council Chambers of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:30 p.m.

- Present: Mayor - Ann Mulvale
- Councillors - Tom Adams
- Keith Bird
- Cathy Duddeck
- Allan Elgar
- Marc Grant
- Jeff Knoll
- Mike Lansdown
- Fred Oliver
- Ralph Robinson
- Renee Sandelowsky
- Janice Wright
- Staff - M. J. Chechalk, CAO / Town Manager
- R. Green, Commissioner of Infrastructure Services
- L. Reed, Commissioner of Corporate Services
- D. Lunardo, Commissioner of Community Services
- D. Carr, Acting Senior Corporate Counsel
- J. Courtemanche, Director of Corporate Communications
- C. Best, Town Clerk
- K. Patrick, Supervisor of Council & Committee Services
- Regrets: Councillor - Chris Stoate

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

Confirmation of Minutes of the previous Council Meeting(s)

Minutes of the Regular Session of Council, JUNE 7, 2005

Minutes of the Regular Session of Council, JUNE 13, 2005
Reconvened June 14, 2005

Moved by Councillor Grant

Seconded by Councillor Knoll

That the minutes of the regular meetings of Council dated June 7, 2005 and June 13, 2005 be approved.

CARRIED

STANDING COMMITTEE / COMMITTEE OF THE WHOLE REPORTS

Community Services Committee, JUNE 14, 2005

Moved by Councillor Grant

Seconded by Councillor Knoll

That the recommendations of the Community Services Committee meeting of June 14, 2005 be approved, except for Item #3 - By-law 2005-069 – A by-law to stop up and close for all purposes a public highway known as Country Squire Lane being Parts 14 and 15 on Reference Plan 20R-15377 and Declaration of Surplus and Sale, Parts 14, 15, 19 and 20 on Reference Plan 20R-15377 and C1 – Agreement of Purchase and Sale – Country Squire Lane, which are to be deferred until the Council Meeting of August 10, 2005 to allow for the permanent road closing notice to be posted for four successive weeks before the passing of the by-law.

CARRIED

Administrative Services Committee, JUNE 14, 2005

Moved by Councillor Elgar

Seconded by Councillor Knoll

That the recommendations of the Administrative Services Committee meeting of June 14, 2005 be approved except for Item #2 - Ward Newsletters and Item #4 - Oakville Environmental Fund, which are to be separated for the purpose of discussion.

CARRIED

2. Ward Newsletters

- Report from Corporate Communications, June 2, 2005

Moved by Councillor Elgar

Seconded by Councillor Sandelowsky

1. That one edition of the Ward newsletter be produced in 2005;
2. That one edition of the Ward newsletter be produced in 2006; and
3. That Council direct staff to explore opportunities to expand e-communications in 2006.

Moved by Councillor Wright

Seconded by Councillor Grant

That consideration of Item #2 – Ward Newsletters of the Administrative Services Committee meeting of June 14, 2005 be referred back to staff for a further report addressing additional options.

The Mayor clarified that the referral motion as it related to clause 1 was to address a concern in Ward 6 only and that other Members of Council were not in support of this referral. The Mayor proposed that clause 1 of Councillor Elgar and Sandelowsky's motion be modified to exclude Ward 6 to allow for a further report as follows:

1. That one edition of the Ward newsletter be produced in 2005, excluding Ward 6 which will be subject to a further staff report.

CARRIED

The Mayor called the vote on the referral of clauses 2 and 3 as moved by Councillor Wright and seconded by Councillor Grant.

CARRIED

Administrative Services Committee, JUNE 14, 2005 continued

Moved by Councillor Lansdown

Seconded by Councillor Adams

That the recommendation of the Administrative Services Committee meeting of June 14, 2005 pertaining to Item #4 – Oakville Environmental Fund, be approved as amended in clause 1 by the deletion of the word “sensitive” to reflect that the Fund would support the acquisition of “environmental lands”; it being noted that the staff report inadvertently included the words environmental “significant” and environmentally “sensitive” lands whereas the Minutes of Settlement approved by Council on August 5, 2003 referenced environmental lands only.

CARRIED

AGENDA ITEMS

1. **By-law 2005-097 – A by-law to amend By-law 1990-024, a by-law to appoint Municipal Law Enforcement Officers**
- **Report from the Legal Department, June 10, 2005**

Moved by Councillor Duddeck

Seconded by Councillor Adams

That By-law 2005-097 be passed, a by-law to amend By-law 1990-024, a by-law to appoint Municipal Law Enforcement Officers.

CARRIED

IN-CAMERA

Moved by Councillor Wright

Seconded by Councillor Duddeck

That Council resolve into a closed meeting session for the purpose of receiving advice that is subject to solicitor-client privilege and potential litigation dealing with an item of new business relating to the fatal accident which occurred on private lands under development on June 18, 2005.

CARRIED

Council resolved in-camera at 8:01 p.m.

Council resolved out of camera at 8:40 p.m.

NEW BUSINESS

Moved by Councillor Wright

Seconded by Councillor Adams

That Council receive the verbal update pertaining to the matter of new business.

CARRIED

**REGIONAL REPORTS AND QUESTION PERIOD REGARDING TOWN BOARDS
AND ADVISORY COMMITTEES**

Councillor Lansdown advised Council of the following:

At the Lake Ontario Shoreline Algae Action Committee meeting of Friday, June 17, 2005 the Region of Halton Long Range Planning Department advised that a new committee is being created called the 'Halton Stewardship Committee'. Councillor Lansdown requested Councillor Wright, Chair of the Region's Planning & Public Works Standing Committee to investigate possible similarities with respect to the roles and functions of this new committee and that of Conservation Halton.

That the Canada Mortgage and Housing Corporation, the National Homelessness Initiative and the Regional Municipality of Halton will hold a one day forum to share best practices in affordable housing and homelessness services from communities across the country. The forum will be held on Wednesday, June 29, 2005 at 8:30 a.m. to 4:30 p.m. at the Oakville Conference Centre, 2515 Wyecroft Road.

That at the Region of Halton's Health & Social Services Committee meeting of June 14, 2005 the Commissioner of Health & Social Services reported that the four Region of Halton United Way committees have committed to work collaboratively, deal with issues of joint interest and establish an increased level of discussion and coordination with the Region as well as with each other.

Councillor Grant advised that the month of June is Senior's Month, Recreation Month and Tourism Month.

Mayor Mulvale advised that the Oakville Waterfront Festival will be held the weekend of June 24 to June 26, 2005.

REQUESTS FOR REPORTS

Councillor Lansdown requested that the Town of Oakville Planning staff investigate the Region of Halton's 'Ninth Line Land Use Study' and the effect that it will have on the Town of Oakville's 'Mixed Use Trafalgar Corridor Study' and report back to Planning and Development Council.

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Wright

Seconded by Councillor Duddeck

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

2005-064 A by-law to amend 1981-66 (The Fire Route By- Law), as amended by By-law 2004-063, By-law 2002-131, By-law 2001-112, By 2000-173, By-law 1999-225; By-law 1999-049; By-law 1998-182; By-law 1998-082; By-law 1997-222; By-law 1997-108; By-law 1997-016; By-law 1996-147; By-law 1996-042; By-law 1995-222; By-law 1995-156; By-law 1994-173; By-law 1994-051; By-law 1993-138; By-law 1993-038; By-law 1992-183; By-law 1992-082; By-law 1991-276; By-law 1991- 216; By-law 1991-183; By-law 1991-115; By-law 1990-281; By-law 1990-263; By-law 1990-244; By-law 1990-225;

(continued)

Reading of By-laws continued

By-law 1990-153; By-law 1989-281; By-law 1989-276;
By-law 1989-247; By-law 1989-138; By-law 1989-108;
By-law 1989-085; By-law 1989-008; By-law 1988-178;
By-law 1987-312; By-law 1987-262; By-law 1987-033;
By-law 1986-201; By-law 1985-264; By-law 1985-067;
By-law 1984-243; By-law 1984-242; By-law 1984-097;
By-law 1984-040; By-law 1983-215; By-law 1983-102;
By-law 1983-045; By-law 1983-036; By-law 1983-024;
By-law 1982-152; and By-law 1982-122.

- 2005-076 A by-law to assume certain land as part of a public highway
(Part 1, Plan 20R-16103 – Harbourside Court)
- 2005-085 A by-law to acquire certain lands for or in connection with
intersection improvements on the North Services Road and
Third Line
- 2005-090 A by-law to authorize the temporary road closure of Chartwell
Road from Lakeshore Road East to 147 Chartwell Road for the
period of July 4, 2005 to July 15, 2005
- 2005-097 A-law to amend By-law 1990-024 – A by-law to appoint Municipal
Law Enforcement Officers
- 2005-098 A by-law to confirm proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

Moved by Councillor Duddeck

Seconded by Councillor Adams

That this meeting now adjourn.

CARRIED

The meeting adjourned at 8:54 p.m.

ANN MULVALE
MAYOR

CATHIE L. BEST
TOWN CLERK

TENTH Meeting - Regular Session

The Community Services Committee met in regular session this 14th day of June 2005 in the Trafalgar Room of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:30 p.m.

Present: Chairperson - Councillor Janice Wright

Mayor - Ann Mulvale
Councillors - Marc Grant
- Ralph Robinson
- Renee Sandelowsky
- Chris Stoate

Staff: - R. Green, Commissioner of Infrastructure Services
- D. Lunardo, Commissioner of Community Services
- K. Patrick, Supervisor, Council & Committee Services
- D. Bloomer, Director of Engineering & Construction
- M. Millman, Manager of Realty Services
- B. Sumak, Deputy Fire Chief
- B. deHoog, Road Coordinator Permit Coordinator
- D. Wong, Traffic Engineer

Regrets: Councillor - Cathy Duddeck

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

Agenda Items

1. **By-law Amendment 2005-064, A by-law to amend By-law 1981-066 (The Fire Route By-law), as amended**
- Report from the Fire Department, May 18, 2005

Moved by Mayor Mulvale

That By-law 2005-064 be passed, being a by-law to amend By-law 1981-066 (The Fire Route By-law), as amended to incorporate the fire routes which have been approved by the Fire Department.

CARRIED

2. **By-law 2005-076 – A by-law to assume certain land as part of a public highway (Part of Block 10, Plan M-239, designated as Part 1 on Plan 20R-16103 – Harbourside Court)**
- Report from the Legal Department, June 2, 2005

Moved by Mayor Mulvale

That By-law 2005-076, be passed – A by-law to assume certain land as part of a public highway (Part of Block 10, Plan M-239, designated as Part 1, Plan 20R-16103 – Harbourside Court.

CARRIED

3. **By-law 2005-069 – A by-law to stop up and close for all purposes a public highway known as Country Squire Lane being Parts 14 and 15 on Reference Plan 20R-15377 and Declaration of Surplus and Sale, Parts 14, 15, 19 and 20 on Reference Plan 20R-15377**

- Report from the Legal Department, May 16, 2005

Moved by Mayor Mulvale

1. That Council pass By-law 2005-069, a by-law to stop and close for all purposes a public highway known as Country Squire Lane being Parts 14 and 15, Reference Plan 20R-15377;
2. That the Town-owned property referred to as Parts 14, 15 19 and 20 on Reference Plan 20R-15377 be declared surplus to the needs of the Town of Oakville;
3. That the Legal Department be directed to give notice to the public of the proposed disposition of said lands in compliance with the *Municipal Act* and Town of Oakville By-law 1995-071;
4. That Council authorize the sale and conveyance of Part 14 to the abutting owners, Canadian Tire Corporation at market value as detailed in the confidential report on this same agenda;
5. That Council authorize the sale and conveyance of the building located on Parts 19 and 20 to the Ministry of Transportation-Ontario (“MTO”) at market value as detailed in the confidential report on this same agenda; and
6. That Council authorize the conveyance of the lands, excluding building, being Parts 19 and 20 to MTO in accordance with the terms and conditions of the original conveyance to the Town by MTO.

CARRIED

4. **Patio Encroachment – D. Martini’s, 2318 Lakeshore Road West**

- Report from the Department of Engineering & Construction, June 6, 2005

Moved by Mayor Mulvale

That the request by 1444908 Ontario Incorporated (carrying on business as D. Martini’s) to establish an outdoor patio on the road allowance adjacent to 2318 Lakeshore Road West from April 15, 2005 to October 31, 2005 be approved, subject to executing an encroachment agreement with the Town of Oakville.

CARRIED

5. **Patio Encroachment – Fish Bones Oyster Bar & Grille, 335 Kerr Street**

- Report from the Department of Engineering & Construction, June 2, 2005

Moved by Mayor Mulvale

That the request by 1397929 Ontario Incorporated (carrying on business as Fish Bones Oyster Bar and Grille) to establish an outdoor patio on the road allowance adjacent to 335 Kerr Street from April 15, 2005 to October 31, 2005 annually, be approved subject to executing an encroachment agreement with the Town of Oakville.

CARRIED

6. **Temporary Road Closure – 147 Chartwell Road**
- **Report from the Department of Engineering & Construction, June 6, 2005**

Moved by Mayor Mulvale

That By-law 2005-090 be passed, to authorize the temporary road closure of Chartwell Road from Lakeshore Road East to 147 Chartwell Road for two days during the period of July 4, 2005 to July 15, 2005.

CARRIED

C2. **Expropriation Third Line and Dundas Street**
- **Confidential Report from the Legal Department, May 24, 2005**

Moved by Mayor Mulvale

That the recommendation contained in the confidential report dated May 24, 2005 from the Legal Department be approved.

CARRIED

ADVISORY COMMITTEE MINUTES

Accessibility Advisory Committee (April 14, 2005)

Moved by Councillor Robinson

That the following recommendation (Item 3(a) of the minutes) of the Accessibility Advisory Committee from its meeting of April 14, 2005 be approved and the remainder of the minutes be received:

That the Town of Oakville's Accessibility Advisory Committee recommend to Council that staff review the document from the Canadian National Institute for the Blind entitled the "CNIB Position for Accessible Pedestrian Signals in Canada".

That staff use this document to provide assistance in the following research and report back to the Accessibility Advisory Committee:

- a. **to assist staff of the Traffic Advisory Committee in the preparation of the report with respect to the time allotted for pedestrian crossings near hospitals and facilities for seniors or the disabled within the Town of Oakville, that was presented to the Community Services Committee of April 12, 2005 and was approved at the Council Meeting of April 18, 2005; and**
- b. **to determine the possible methods of applying this document in the Oakville community.**

CARRIED

ADVISORY COMMITTEE MINUTES continued

Parks & Recreation Advisory Committee (May 4, 2005)

Oakville Youth Advisory Committee (May 12, 2005)

Seniors Advisory Committee (May 25, 2005)

Moved by Councillor Robinson

That the minutes of the Parks & Recreation Advisory Committee meeting of May 4, 2005, the minutes of the Oakville Youth Advisory Committee meeting of May 12, 2005 and the minutes of the Seniors Advisory Committee meeting of May 25, 2005, be received.

CARRIED

IN-CAMERA

Moved by Mayor Mulvale

That Council 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 on this evening's agenda.

CARRIED

Council resolved in-camera at 7:45 p.m.

Council resolved out of camera at 7:51 p.m.

**C1. Agreement of Purchase and Sale – Country Squire Lane
- Confidential Report from the Legal Department, May 16, 2005**

Moved by Councillor Robinson

That the recommendation contained in the confidential report dated May 16, 2005 from the Legal Department be approved, and upon Council approval the report of the Community Services Committee be revised to reflect the recommendation publicly.

CARRIED

Adjournment

Moved by Councillor Stoate

That this meeting now adjourn.

CARRIED

The meeting adjourned at 7:53 p.m.

EIGHTH Meeting - Regular Session

The Administrative Services Committee met in regular session this 14th, day of June, 2005 in the Oakville Room of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:30 p.m.

Present: Chairperson - Councillor Allan Elgar

Mayor - Ann Mulvale (Arrived at 7:55 p.m.)
Councillors - Jeff Knoll
- Tom Adams (Arrived at 7:50 p.m.)
- Fred Oliver
- Keith Bird
- Mike Lansdown

Staff: - L. Reed, Commissioner, Corporate Services
- M. Lewis, Director of Finance & Treasurer
- J. Courtemanche, Director of Corporate Communications
- E. Roberts, Manager of Revenues & Tax Collector
- P. Bouillon, Assistant Clerk, Licensing & By-Law Services
- N. Karamians, Committee Co-ordinator

Also Present: Councillors - Ralph Robinson (Arrived at 8:05 p.m.)
- Renee Sandelowsky (Arrived at 8:05 p.m.)
- Janice Wright (Arrived at 8:00 p.m.)
- Cathy Duddeck (Arrived at 8:12 p.m.)
- Marc Grant (Arrived at 8:00 p.m.)

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

Items

**5. Request for a Minor Variance to the Sign By-law from Maple Grove Village, Located at 511 Maple Grove Drive
- Report from the Clerk's Department, May 3, 2005**

Moved by Councillor Bird

That the request for a minor variance to the Sign By-law from Maple Grove Village, located at 511 Maple Grove Drive, be referred back to staff for further consultation with the applicant.

CARRIED

**6. Application for Liquor Licence – Double Diamond Restaurant & Pub
- Report from the Clerk's Department, May 20, 2005**

Moved by Councillor Oliver

That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the Town of Oakville objects to the issuance of a liquor licence for the proposed additional outdoor patio area at the Double Diamond Restaurant & Pub at 316 Kerr Street.

CARRIED

1. **By-law 2005-085 – A by-law to Acquire Certain Lands For or In Connection With Intersection Improvements on the North Service Road and Third Line**
- Report from the Legal Department, June 2, 2005

Moved by Councillor Lansdown

That By-law 2005-085, a by-law to acquire certain lands for or in connection with intersection improvements on the North Service Road and Third Line, be passed.

CARRIED

2. **Ward Newsletters**
- Report from Corporate Communications, June 2, 2005

Moved by Councillor Oliver

1. That one edition of the Ward Newsletter be produced in 2005; and
2. That Council direct staff to explore opportunities to expand e-communications in 2006 and research further the opportunity for a Town-wide newsletter in the future.

CARRIED

3. **Tax Adjustments Pursuant to the *Municipal Act, 2001*, Sections 357 and 358**
- Report from the Finance Department, June 1, 2005

Moved by Councillor Lansdown

That the tax adjustments, summarized in Schedule A and detailed in Schedules B and C of the report from the Finance Department dated June 1, 2005, in the amount of \$273,583.43 plus accrued penalty be approved.

CARRIED

4. **Oakville Environmental Fund**
- Report from the Finance Department, May 31, 2005

Moved by Mayor Mulvale

1. That the Mayor and Clerk be authorized to execute an agreement with the Community Foundation of Oakville (CFO) for the creation and administration of an endowment fund, named the Oakville Environmental Fund, to support the acquisition of environmentally sensitive lands and fund environmental initiatives within the Town of Oakville; and
2. That the Town transfer \$150,000 (plus interest earned to date) to the Community Foundation of Oakville to be deposited into the Oakville Environmental Fund.

CARRIED

Adjournment

Moved by Mayor Mulvale

That this meeting now adjourn.

CARRIED

The meeting adjourned at 8:50 p.m.