

THIRTY EIGHTH Meeting - Regular Session

The Town of Oakville Council met in regular session this 18th day of December 18, 2006, in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:30 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
- Ralph Robinson
- Staff - R. Green, Chief Administrative Officer
- D. Bloomer, Commissioner of Infrastructure and Transportation Services
- G. Lalonde, Commissioner of Corporate Services
- D. Lunardo, Commissioner of Community Services
- D. Carr, Town Solicitor
- C. Best, Town Clerk
- R. Boyes, Fire Chief
- B. Sumak, Deputy Fire Chief, Operations
- A. Glynn, Deputy Fire Chief, Support Services
- L. Bourns, Director of Human Resources
- J. Courtemanche, Director of Strategy, Policy and Communications
- N. de Vaal, Director of Culture and Recreation
- L. Morgan, Committee Coordinator

Declarations of Pecuniary Interest

Councillor Adams declared a pecuniary interest with respect to Item 2 - Revision to Banking By-law, of the Administrative Services Committee report of December 12, 2006, as he is employed by the BMO Financial Group.

Confirmation of Minutes of the Previous Council Meeting(s)

Minutes of the Regular Session of Council, NOVEMBER 27, 2006

Minutes of the Inaugural Session of Council, DECEMBER 4, 2006

Minutes of the Regular Session of Council, DECEMBER 11, 2006

Moved by Councillor Knoll

Seconded by Councillor Elgar

That the minutes of the regular meetings of Council dated November 27, 2006, and December 11, 2006, and the Inaugural meeting of Council dated December 4, 2006, be approved.

CARRIED

DELEGATION

Francine Landry, Chair, and Jane Hawkrigg, Vice-Chair, of the Citizens' Task Force – Oakville's 150th Anniversary, re: 150th Anniversary Citizens' Task Force Final Report on the Proposed Calendar of Events, Item 2 of the Community Services Committee of December 12, 2006.

STANDING COMMITTEE / COMMITTEE OF THE WHOLE REPORTS

Community Services Committee, DECEMBER 12, 2006

Moved by Councillor Knoll

Seconded by Councillor Chapin

That the recommendation of the Community Services Committee meeting of December 12, 2006, be approved.

CARRIED

Administrative Services Committee, DECEMBER 12, 2006

Moved by Councillor Elgar

Seconded by Councillor Adams

That the recommendation of the Administrative Services Committee meeting of December 12, 2006, be approved, subject to the separation of Item 2 – Revision to Banking By-law, in recognition of the declared pecuniary interest.

CARRIED

Moved by Councillor Elgar

Seconded by Councillor Khan

That the recommendation of the Administrative Services Committee meeting of December 12, 2006, respecting Item 2 – Revision to Banking By-law, be approved subject to deleting the word "amended" and inserting in lieu thereof the word "passed", to read as follows:

"That By-law 2006-218 authorizing the banking signatory for cheques, be passed to reflect the revised titles of Town staff in the Finance Department and the CAO's office."

CARRIED

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

AGENDA ITEMS

C-1. Appointment of Deputy Fire Chief, Support Services

- **Report from the Fire Department, November 16, 2006**

Moved by Councillor Robinson

Seconded by Councillor Grant

That By-law 2006-188 to appoint Andy Glynn as Deputy Fire Chief, Support Services, be passed.

CARRIED

NEW BUSINESS

In accordance with Section 7(7) of the Procedure By-law 2005-030, these Notices of Motion be considered at the Council Meeting of January 15, 2006.

Notice of Motion regarding the Acting Mayor By-law 2006-207
(From Councillor Robinson, Ward 1, and Councillor Oliver, Ward 2)

WHEREAS By-law 2006-207, passed on December 4th 2006, establishes the determination of Acting Mayor in accordance with alphabetical order of Members names in accordance with the provisions of the Procedure By-law; and

WHEREAS there is interest in revising the order to ensure that Members are able to meet the responsibilities of the by-law;

THEREFORE BE IT RESOLVED that Section 1.4(1) of the Procedure By-law be waived for the 2006-2010 term of Council and the Clerk be requested to bring forward an amendment to By-law 2006-207 to alter the alphabetical order of Members of Council to indicate that Councillor Robinson will serve as Acting Mayor during the month of October and Councillor Oliver will serve as Acting Mayor during the month of November.

Notice of Motion regarding Pesticides
(From Councillor Knoll, Ward 5 and Councillor Elgar, Ward 4)

WHEREAS Section 130 of the *Municipal Act, 2001*, authorizes the Town to enact by-laws which provide for the protection of the "health, safety and well-being" of Town residents; and

WHEREAS Municipal regulation of pesticide use has been challenged in the Courts and the rights of Municipal Councils to enact such by-laws have been upheld; and

WHEREAS over 120 other Canadian municipalities have already adopted pesticide regulation by-laws; and

WHEREAS the issue of pesticide regulation has been the subject of extensive public consultation and Council debate over the past six years in Oakville; and

WHEREAS the Council of the Town of Oakville desires to respond to the concerns expressed by Town residents about the health risks associated with the non-essential use of pesticides; and

WHEREAS regulating the non-essential use of pesticides will help to promote and protect the health of Town residents;

NOW THEREFORE be it resolved:

1. That By-law 2007-xxx, a by-law to regulate the use of pesticides within the Town of Oakville, be passed and that such by-law shall come into force and effect on January 1, 2008.

(continued)

Notice of Motion regarding Pesticides (continued)

2. That a Task Force be formed, comprised of:
 - i two (2) Members of Council;
 - ii two (2) members nominated by Gardens off Drugs;
 - iii one (1) citizen member of the Environmental Strategic Plan Committee;
 - iv the Director of Environmental Policy; and
 - v the Director of Park of Parks and Open Space;

to provide advice to Council on the creation and execution of an education plan to enhance efforts already being undertaken by the Town and Region of Halton to support the objectives of the proposed by-law and the development of a strategy to encourage cooperation and support from retailers in the Town who presently sell pesticides; and

Staff be requested to prepare terms of reference for this Task Force for Council's approval.

The committee should meet as soon, and as often, as practical in order to have a plan ready for the consideration of Council as soon as possible prior to the summer of 2007, with the goal of commencing the approved public education and awareness activities as soon as possible prior to the implementation date.

3. That staff develop an implementation strategy drawing on best-practices from other municipalities that have adopted pesticide regulation by-laws in their communities. Staff be requested to present this strategy to Council by April 30, 2007.
4. That Council request the Region of Halton to consider passing a similar by-law, which would supersede the Oakville by-law upon enactment.

Moved by Councillor Knoll

Seconded by Councillor Elgar

That consideration of the Notice of Motion and proposed by-law as introduced by Councillors Knoll and Elgar relating to the regulation of the use of pesticides, be referred to a Special Meeting of Council on February 5, 2007, at 6:00 p.m.

CARRIED

REQUESTS FOR REPORTS

Moved by Councillor Duddeck

Seconded by Councillor Lapworth

That staff be requested to prepare a report to be presented to the Heritage Oakville Committee, at the earliest opportunity, addressing whether or not the property at 42 Lakeshore Road West should be designated as a property of value and interest under Section 29 of the *Ontario Heritage Act*.

CARRIED

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Elgar Seconded by Councillor Knoll

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

- 2006-188 A by-law to appoint a Deputy Fire Chief, Support Services.
- 2006-203 A by-law to provide for an interim tax levy in 2007.
- 2006-211 A by-law to amend By-law 2004-164, A by-law to authorize fees or charges for certain services.
- 2006-212 A by-law to amend By-law 2005-034 – A by-law to appoint a Chief Building Official and Inspectors, and to establish a Code of Conduct pursuant to the *Building Code Act*.
- 2006-214 A by-law to amend By-law 1990-24 – A by-law to appoint Municipal Law Enforcement Officers.
- 2006-218 A by-law respecting banking, the signing of cheques, bills of exchange and other negotiable instruments, the mechanical reproduction of signatures, the payment of accounts and the giving of receipts and discharges.
- 2006-219 A by-law to confirm proceedings of a meeting of Council.

CARRIED

A separate vote was called on By-law 2006-218 in recognition of Councillor Adams' declaration of pecuniary interest.

CARRIED

ADJOURNMENT

Moved by Councillor Knoll Seconded by Councillor Adams

That this meeting now adjourn.

CARRIED

The meeting adjourned at 7:53 p.m.

ROB BURTON
MAYOR

CATHIE L. BEST
TOWN CLERK

FIRST Meeting - Regular Session

The Community Services Committee met in regular session this 12th day of December 2006, in Committee Room 1 of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:30 p.m.

- Present: Chairperson - Councillor Tom Adams
- Mayor - Rob Burton
Councillors - Mary Chapin
- Cathy Duddeck
- Allan Elgar
- Marc Grant
- Ralph Robinson
- Staff - D. Bloomer, Commissioner of Infrastructure and
Transportation Services
- D. Lunardo, Commissioner of Community Services
- B. Sumak, Deputy Fire Chief, Operations
- A. Glynn, Deputy Fire Chief, Support Services
- J. Courtemanche, Director of Strategy, Policy and
Communications
- N. de Vaal, Director of Recreation and Culture
- D. Baker, Assistant Town Solicitor
- M. Millman, Manager of Realty Services
- D. Prpich, Manager of Strategic Initiatives
- L. Morgan, Committee Coordinator
- Also Present: Councillors - Alan Johnston (Arrived 7:55 p.m.)
- Jeff Knoll (Arrived 7:55 p.m.)
- Roger Lapworth (Arrived 7:55 p.m.)

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

AGENDA ITEMS

- 1. Transfer of Fire Apparatus – Petro Canada**
- Report from the Fire Department, November 3, 2006

Moved by Councillor Robinson

That the report from the Fire Chief dated November 3, 2006, with respect to the transfer of a fire apparatus vehicle from Petro Canada to the Town of Oakville, be received for information.

CARRIED

2. 150th Anniversary Citizens' Task Force Final Report on the Proposed Calendar of Events

- **Report from Department of Strategy, Policy and Communications, December 5, 2006**

Moved by Councillor Robinson

1. That the report on the work of the Citizens' Task Force – Oakville's 150th Anniversary, dated December 5, 2006, be received;
2. That staff be requested to report back through budget with detailed business plans and cost implications for the 150th Anniversary events and legacy fund, as well as staffing implications;
3. That the unexpended funds from the 2006 budget for the 150th Anniversary be carried forward to 2007; and
4. That the matter regarding financial support for the three BIAs be referred back to the Citizens' Task Force – Oakville's 150th Anniversary, for further review.

CARRIED

3. Oakville Youth Advisory Committee (October 12, 2006)

Moved by Councillor Grant

That the minutes of the Oakville Youth Advisory Committee from its meeting held on October 12, 2006, be received.

CARRIED

4. Oakville Youth Advisory Committee (November 9, 2006)

Moved by Councillor Grant

That the minutes of the Oakville Youth Advisory Committee from its meeting held on November 9, 2006, be received.

CARRIED

C-1. Sale of Public Works Site – 2274-2320 Trafalgar Road, Confidential Report CSC from Legal Department, May 16, 2006

- **Confidential Report from the Legal Department, November 24, 2006**

Moved by Councillor Robinson

That the recommendation contained in the confidential report dated November 24, 2006, from the Legal Department, be approved.

CARRIED

C-2. Acquisition of Lands at 80 Speers Road, Oakville

- Confidential Report from the Legal Department, November 10, 2006

Moved by Councillor Robinson

That the recommendation contained in the confidential report dated November 10, 2006, from the Legal Department, be approved.

CARRIED

C-3. Land Acquisition – 610 South Service Road West

- Confidential Report from the Legal Department, November 10, 2006

Moved by Councillor Robinson

That the recommendation contained in the confidential report dated November 10, 2006, from the Legal Department, be approved.

CARRIED

C-4. Lease Renewal with Fisheries and Oceans Canada – Bronte Harbour

- Confidential Report from the Legal Department, November 13, 2006

Moved by Councillor Robinson

That the recommendation contained in the confidential report dated November 13, 2006, from the Legal Department, be approved.

CARRIED

C-5. Lease Renewal Agreement for 300 Church Street – Michael Galione Barber Shop and 110-116 Reynolds Street – Many Faces Beauty Salon

- Confidential Report from the Legal Department, November 13, 2006

Moved by Councillor Robinson

That the recommendation contained in the confidential report dated November 13, 2006, from the Legal Department, be approved.

CARRIED

C-6. Licence with Hydro One Networks Inc. – Part of Lot 4, Concession 2, SDS between Kingsway Drive and Ford Drive

- Confidential Report from the Legal Department, November 10, 2006

Moved by Councillor Robinson

That the recommendation contained in the confidential report dated November 10, 2006, from the Legal Department, be approved.

CARRIED

ADJOURNMENT

Moved by Councillor Duddeck

That this meeting now adjourn.

CARRIED

The meeting adjourned at 8:12 p.m.

FIRST Meeting - Regular Session

The Administrative Services Committee met in regular session this 12th day of December, 2006 in Committee Room 2 of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:30 p.m.

- Present: Chairperson - Councillor Keith Bird
- Councillors - Alan Johnston
- Max Khan
- Jeff Knoll
- Roger Lapworth
- Fred Oliver
- Staff - G. Lalonde, Commissioner of Corporate Services
- C. Best, Town Clerk
- V. Tytaneck, Assistant Clerk
- P. Elliott-Spencer, Director of Finance & Treasurer
- E. Bourns, Director of Human Resources
- L. Horlor, Deputy Treasurer & Senior Manager, Financial Operations
- B. Sumak, Deputy Fire Chief, Operations
- A. Glynn, Deputy Fire Chief, Support Services
- E. Roberts, Manager of Revenue & Tax Collector
- J. Marcovecchio, Committee Coordinator

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

AGENDA ITEMS

1. **Tax Levy By-law for 2007 Interim Taxation**
- **Report from the Finance Department, November 29, 2006**

Moved by Councillor Oliver

That By-law 2006-203, a by-law to provide for an interim tax levy in 2007, be approved.

CARRIED

2. **Revision to Banking By-law**
- **Report from the Finance Department, November 27, 2006**

Moved by Councillor Oliver

That By-law 2006-218 authorizing the banking signatory for cheques, be amended to reflect the revised titles of Town staff in the Finance Department and the CAO's Office.

CARRIED

Clerk's note: By-law 2007-003 as noted in the staff report dated November 27, 2006, from the Finance Department, has been changed to By-law 2006-218 to indicate a by-law number for 2006.

3. **Proposed Fee Increase – Marriage Licences**

- Report from the Clerk's Department, November 15, 2006

Moved by Councillor Oliver

1. That the fee for a marriage licence be increased effective January 1, 2007 from \$115.00 to \$125.00, and
2. That By-law 2006-211, a By-law to amend By-law 2004-164, a By-law to authorize fees or charges for certain services, be passed accordingly.

CARRIED

4. **Release of Agreement 704275 between St. Volodymyr Cathedral and the Town – Part Lot 23, Concession 1, SDS, being Part 6, Plan 20R-16278**

- Report from the Legal Department, October 20, 2006

Moved by Councillor Oliver

That the Mayor and Clerk be authorized to execute release of Agreement 704275 with respect to that part of Lot 23, Concession 1, SDS, designated as Part 6, Plan 20R-16278.

CARRIED

5. **By-law 2006-212 – A by-law to amend By-law 2005-034 – A by-law to appoint a Chief Building Official and Inspectors, and to establish a Code of Conduct pursuant to the *Building Code Act***

- Report from the Legal Department, November 28, 2006

Moved by Councillor Oliver

That By-law 2006-212 – A by-law to amend By-law 2005-034 – A by-law to appoint a Chief Building Official and Inspectors, and to establish a Code of Conduct pursuant to the *Building Code Act*, be passed.

CARRIED

Clerk's note: By-law 2006-210 as noted in the staff report dated November 28, 2006, from the Finance Department, has been changed to By-law 2006-212 due to a duplication in the by-law number.

6. **By-law 2006-214 – A by-law to amend By-law 1990-24 – A by-law to appoint Municipal Law Enforcement Officers**

- Report from the Legal Department, November 27, 2006

Moved by Councillor Oliver

That By-law 2006-214 – A by-law to amend By-law 1990-24 – A by-law to appoint Municipal Law Enforcement Officers, be passed.

CARRIED

7. **Corporate Work Accommodation Policy**

- **Report from the Human Resources Department, December 6, 2006**

Moved by Councillor Knoll

1. That the Corporate Work Accommodation Policy, be referred back to staff to be brought back for future consideration with the recommended procedures.
2. That the Oakville Fire Department, be permitted to temporarily increase the Department's full time equivalent (FTE) level by two, and that the Fire Department Budget, be increased commencing in 2007 for the cost of the work accommodations, until such time as the accommodations cease.

CARRIED

ADJOURNMENT

Moved by Councillor Oliver

That this meeting now adjourn.

CARRIED

The meeting adjourned at 7:40 p.m.