

The Town of Oakville Council met in regular session this 21st day of September 2009, in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:00 p.m.

Councillors

- Tom Adams (Left at 7:09 p.m.)
- Keith Bird
- Cathy Duddeck
- Allan Elgar
- Marc Grant
- Alan Johnston
- Jeff Knoll
- Roger Lapworth
- Fred Oliver
- Ralph Robinson

Regrets: Councillors

- Mary Chapin
- Max Khan

Councillor Knoll declared a pecuniary interest with respect to Item 6 – Kerr Street Improvements (Speers Road to North Service Road, north of QEW) Class Environmental Assessment, of the Community Services Committee meeting of September 15, 2009, as he is a majority shareholder of a corporation located in the area that may be impacted by the environmental assessment.

Minutes of the Regular Session of Council, **SEPTEMBER 14, 2009**

(continued)

Confidential Minutes of the Closed Session of Council, **SEPTEMBER 14, 2009**

Moved by Councillor Robinson Seconded by Councillor Knoll

That the minutes of the regular meetings of Council dated August 10, 2009 and September 14, 2009, special meeting of Council dated September 14, 2009, and confidential minutes of the closed sessions of Council dated August 10, 2009 and September 14, 2009, be approved.

CARRIED

Standing Committee Reports

Community Services Committee, **SEPTEMBER 15, 2009**

Moved by Councillor Duddeck Seconded by Councillor Grant

That the recommendations of the Community Services Committee meeting of September 15, 2009, be approved.

The Mayor called for a separate vote on the recommendation pertaining to Item 6 – Kerr Street Improvements (Speers Road to North Service Road, north of QEW) Class Environmental Assessment, having regard for Councillor Knoll's declaration of pecuniary interest.

CARRIED

(Councillor Knoll, having declared a pecuniary interest, did not vote on this matter.)

The Mayor called for a vote on the remainder of the recommendations of the Community Services Committee meeting of September 15, 2009.

CARRIED

Administrative Services Committee, **SEPTEMBER 15, 2009**

Moved by Councillor Johnston Seconded by Councillor Knoll

That the recommendations of the Administrative Services Committee meeting of September 15, 2009, be approved

CARRIED

Confidential Report of the Closed Session of the Administrative Services Committee, **SEPTEMBER 15, 2009**

Moved by Councillor Johnston Seconded by Councillor Knoll

That the recommendation contained in the confidential report of the Administrative Services Committee meeting of September 15, 2009, be approved as follows:

1. That the following citizen be appointed to the Oakville Public Library Board for a term to expire November 30, 2010:

- Jeff Fairley

(continued)

2. That the following citizen be appointed to the Accessibility Advisory Committee for a term to expire December 31, 2010:
 - Anabella Peschiera; and
3. That the one vacancy currently remaining on the Accessibility Advisory Committee be filled during the annual recruitment process.

CARRIED

COMMITTEE OF THE WHOLE

Moved by Councillor Elgar

Seconded by Councillor Lapworth

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

CARRIED

AGENDA ITEM(S)

1. **Infrastructure Stimulus Fund Contribution Agreement**
 - **Report from Commissioner of Corporate Services,
September 10, 2009**

Moved by Councillor Knoll

1. That By-law 2009-140, a by-law to execute the Infrastructure Stimulus Fund Contribution Agreement, be approved; and
2. That the Mayor and Chief Administrative Officer be authorized to execute four copies of the Contribution Agreement as required by the Province of Ontario.

CARRIED

2. **Mayor's Annual Oakville Status Report**
 - **Report from Strategy, Policy and Communications,
September 9, 2009**

Moved by Councillor Lapworth

That the Mayor's Annual Oakville Status Report be received.

CARRIED

CLOSED SESSION

Moved by Councillor Elgar

That the Committee resolve into a closed meeting session to deal with a matter subject to litigation or potential litigation, including matters before administrative tribunals affecting the municipality, pertaining to Item C-1.

CARRIED

Committee resolved into closed session at 7:19 p.m.

Committee resolved back into open session at 7:50 p.m.

C-1. Fox Farm Developments (OMB Appeal - PL090571) - 2480 Dundas Street West

- Confidential Report from Legal Department, August 17, 2009

Moved by Councillor Elgar

That staff be authorized to proceed as outlined in Option 1, as amended, in the report from the Legal Department, dated August 17, 2009.

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 made recommendations on Consent Item 1, Discussion Item 2, and Confidential Discussion Item C-1, as noted by the Clerk.

Moved by Councillor Knoll

Seconded by Councillor Grant

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

CARRIED

NEW BUSINESS

(Notice of Motion, Emergency, Congratulatory or Condolence)

Councillor Robinson congratulated and thanked the Mayor for hosting a public presentation regarding Crystal Meth and Drug Addiction, to be held on September 22, 2009, at 7:30 p.m., in the South Atrium at the Town Hall. Councillor Robinson advised that the presentation was open to the public and encouraged everyone to attend.

In accordance with Section 6.1(2) of the Procedure By-law, the following Notices of Motion will be considered at the next Council meeting to be held on October 5, 2009.

Food Banks

- Moved by Councillor Oliver, seconded by Councillor Duddeck

WHEREAS approximately nine percent of the population of Oakville lives below the poverty line and may therefore encounter difficulty in ensuring the availability of sufficient and healthy food choices within the household;

WHEREAS over 1000 families use the Kerr Street Market food bank, operated by the Kerr Street Ministries, several hundred access the Salvation Army Community Church food bank and others rely on the Fareshare food bank within the Town;

(continued)

WHEREAS the economic climate has put an additional strain on the food banks to meet the needs of a growing client base within the Town; and

WHEREAS a strategic goal of the Town is to be the “most livable Town in Canada” which requires a community able to provide food and shelter to its inhabitants;

THEREFORE BE IT RESOLVED that the Town issue a corporate communications bulletin encouraging all residents to assist the local food banks through cash or non-perishable food donations to enable the continuation of their charitable and commendable work within the community.

Disposition of Surplus Lands

- Moved by Councillor Grant, seconded by Councillor Robinson

WHEREAS Ontario’s Places to Grow Act recognizes that in order to accommodate future population growth, support economic prosperity and achieve a high quality of life for all Ontarians, planning must occur in a rational and strategic way;

WHEREAS the Government of Ontario recognizes within the Places to Grow Act that an integrated and coordinated approach to making decisions about growth across all levels of government will contribute to maximizing the value of public investments;

WHEREAS a key purpose of the Places to Grow Act is to enable decisions about growth to be made in ways that sustain a robust economy, build strong communities and promote a healthy environment and a culture of conservation;

WHEREAS the Government of Ontario’s Places to Grow Act encourages municipalities, conservation authorities, non-governmental organizations and other interested parties to develop a system of publicly accessible parkland, open space and trails including shoreline areas, within the Greater Golden Horseshoe;

WHEREAS the Places to Grow Act encourages municipalities to establish an urban open space system within built-up areas, which may include rooftop gardens, communal courtyards and public parks;

WHEREAS the sale of existing, public green space or active or passive parkland associated with surplus school sites by local school boards solely and fully for commercial redevelopment is fundamentally contrary to the intent, purpose and spirit of the Places to Grow Act for the Greater Golden Horseshoe as identified above;

WHEREAS a large majority of existing public green space or active or passive parkland associated with surplus schools sites and owned by local school boards have been in use by the public for decades and have become significant elements of that community’s system of publicly accessible parkland, open space and trails; and

(continued)

WHEREAS local school boards are constrained in their consideration of innovative, community oriented and future focused opportunities for the disposal of surplus properties necessary to meet the purpose, intent and spirit of the Places to Grow Act because of Ontario Regulation 444/98 (Disposition of Surplus Real Property) and in particular the Government's requirement that an "offer must be for sale, lease or other disposition of the property at fair market value";

THEREFORE BE IT RESOLVED,

THAT the Government of Ontario immediately amend Ontario Regulation 444/98 (Disposition of Surplus Real Property) to require meaningful consideration of innovative, community oriented and future focused opportunities for the disposal of surplus properties necessary to meet the purpose, intent and spirit of the Places to Grow Act by supporting a municipality's system of publicly accessible parkland, open space and trails and further;

THAT the Government of Ontario and the Ministry of Education direct local school boards to explore innovative, community oriented and future focused opportunities for the disposal of surplus properties with local municipalities on a 'first right of refusal basis' in order to meet the purpose, intent and spirit of the Places to Grow Act by supporting a municipality's system of publicly accessible parkland, open space and trails and further;

THAT the Government of Ontario and the Ministry of Education introduce sufficient flexibility in the Ontario Regulation 444/98 (Disposition of Surplus Real Property) requirement for local school boards to sell, lease or otherwise dispose of property at fair market value for the purposes of those projects that meet the purpose, intent and spirit of the Places to Grow Act by supporting a municipality's system of publicly accessible parkland, open space and trails; and

THAT this resolution be circulated to the Premier of Ontario, the Ontario Minister of Education, local Members of Provincial Parliament, the Halton District School Board, the Halton Catholic District School Board and the Association of Municipalities of Ontario.

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Johnston

Seconded by Councillor Lapworth

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

- | | |
|----------|---|
| 2009-040 | A by-law to provide for the levying of a tax for the year 2009 on Halton Healthcare Services Corp. (Oakville), Sheridan College of Applied Arts & Technology, and Central West Specialized Developmental Services. (Re: ASC Item 2) |
| 2009-100 | A by-law to dedicate certain land as part of a public highway (Part of Lot 15, Concession 3 SDS, designated as Parts 1, and 8 to 19, inclusive, on Plan 20R-18168 – Cross Avenue). (Re: CSC Item 1) |
| 2009-135 | A by-law to repeal By-law 2005-216, being a by-law to appoint Patti Elliott-Spencer as Director of Finance and Treasurer. |

(continued)

- 2009-140 A by-law to execute the Infrastructure Stimulus Fund Contribution Agreement.
- 2009-141 A by-law to confirm the proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

The Mayor adjourned the meeting at 7:54 p.m.

ROB BURTON
MAYOR

CATHIE L. BEST
TOWN CLERK

TWELFTH Meeting - Regular Session

The Community Services Committee met in regular session this 15th day of September 2009, in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:03 p.m.

- Present: Chairperson - Councillor Cathy Duddeck
- Mayor - Rob Burton
Councillors - Allan Elgar
- Marc Grant
- Staff - D. Bloomer, Commissioner of Infrastructure and
- Transportation Services
- D. Lambert, Director of Engineering and Construction
- C. Mark, Director of Parks and Open Space
- S. McMillan, Manager of Traffic Engineering
- M. Millman, Manager of Realty Services
- A. Bell, Traffic Technologist
- L. Morgan, Committee Coordinator
- Regrets: Councilllors - Tom Adams
- Mary Chapin
- Ralph Robinson

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

1. **By-law 2009-100 - A by-law to dedicate certain land as part of a public highway - (Part 1, and Parts 8 to 19, inclusive, Plan 20R-18168 - Cross Avenue)**
- **Report from Legal Department, May 13, 2009**

Moved by Councillor Elgar

That By-law 2009-100, a by-law to dedicate certain land as part of a public highway (Part 1, and Parts 8 to 19, inclusive, Plan 20R-18168 – Cross Avenue); be passed.

CARRIED

2. **Declaration of Surplus of a portion of Lakeshore Road West - Identified as Part 1 of a Draft Reference Plan**
- **Report from Legal Department, July 20, 2009**

Moved by Councillor Elgar

1. That lands described as Part 1 on the draft reference plan attached to the Legal Department report dated July 20, 2009, be declared surplus to the requirements of the Town of Oakville;
2. That the Legal Department be directed to give notice to the public of the proposed disposition of said lands in compliance with the Town of Oakville By-law 1995-71; and

(continued)

3. That the sale of said lands to Hush Homes Inc., pursuant to the terms of Minutes of Settlement dated April 27, 2009, be approved and the Mayor and Clerk be authorized to execute all documentation required for the transfer of the lands.

CARRIED

3. **Encroachment - 2293 West Oak Trails Boulevard**
- **Report from Legal Department, August 14, 2009**

Moved by Councillor Elgar

1. That an Encroachment Agreement for Parts 1 and 2 on the draft reference plan attached to the Legal Department report dated August 14, 2009, be approved; and
2. That the Mayor and Clerk be authorized to execute the Agreement with Mattamy Commercial Centres for the West Oak Trails Plaza to the satisfaction of the Town Solicitor.

CARRIED

4. **Transfer of Woodside Branch Library from Oakville Public Library Board to the Town of Oakville - 1274 Rebecca Street**
- **Report from Legal Department, August 20, 2009**

Moved by Councillor Elgar

1. That the transfer of ownership of the Woodside Branch Library from the Oakville Public Library Board to The Corporation of the Town of Oakville, be approved; and
2. That the Mayor and Clerk be authorized to execute all required documentation to complete the transfer.

CARRIED

5. **Youth Development Centre - Lease Renewal - 177 Cross Avenue**
- **Report from Legal Department, July 20, 2009**

Moved by Councillor Elgar

1. That the Lease Renewal Agreement for 177 Cross Avenue, be approved; and
2. That the Mayor and Clerk be authorized to execute the Lease Renewal Agreement.

CARRIED

6. **Kerr Street Improvements (Speers Road to North Service Road, north of QEW) Class Environmental Assessment**
- **Report from Department of Engineering and Construction, August 24, 2009**

Moved by Councillor Elgar

1. That the Environmental Study Report and the preferred planning solution for Kerr Street Improvements (Speers Road to North Service Road north of QEW), dated June, 2009 be approved; and
2. That the "Notice of Completion" be published for this study in the local newspaper and the Environmental Study Report be placed on the public record for the required 30 day review period.

CARRIED

7. **Environmental Strategic Plan Advisory Committee (June 24, 2009)**

Moved by Councillor Elgar

That the minutes of the Environmental Strategic Plan Advisory Committee meeting of June 24, 2009, be received.

CARRIED

8. **Cultural Advisory Committee (July 8, 2009)**

Moved by Councillor Elgar

That the minutes of the Cultural Advisory Committee meeting of July 8, 2009, be received.

CARRIED

9. **Transit Advisory Committee (July 8, 2009)**

Moved by Councillor Elgar

That the minutes of the Transit Advisory Committee meeting of July 8, 2009, be received.

CARRIED

10. **Harbours Advisory Committee (July 22, 2009)**

Moved by Councillor Elgar

That the minutes of the Harbours Advisory Committee meeting of July 22, 2009, be received.

CARRIED

11. **Seniors Advisory Committee (July 22, 2009)**

Moved by Councillor Elgar

That the minutes of the Seniors Advisory Committee meeting of July 22, 2009, be received.

CARRIED

12. **Cultural Advisory Committee (August 12, 2009)**

Moved by Councillor Elgar

That the minutes of the Cultural Advisory Committee meeting of August 12, 2009, be received.

CARRIED

ADJOURNMENT

The Chair adjourned the meeting at 7:09 p.m.

TWELFTH Meeting - Regular Session

The Administrative Services Committee met in regular session this 15th day of September 2009, in Committee Room 1 of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:00 p.m.

- Present: Chairperson - Councillor Keith Bird
- Mayor - Rob Burton (Arrived at 7:10 p.m.)
Councillors - Alan Johnston
- Jeff Knoll
- Roger Lapworth
- Staff - G. Lalonde, Commissioner of Corporate Services
- V. Tytaneck, Assistant Clerk, Council, Committee and Public Services
- L. Sims, Chief Executive Officer, Oakville Public Library
- P. Elliott–Spencer, Director of Finance and Treasurer
- N. Chandra, Assistant Town Solicitor
- C. Tino, Committee Coordinator
- Regrets: Councillors - Max Khan
- Fred Oliver

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

AGENDA ITEM(S)

1. **Annual Statement of Development Charges Reserve Fund**
- **Report from Finance Department, August 30, 2009**

Moved by Councillor Johnston

That the August 30, 2009 report from the Finance Department regarding the Annual Statement of Development Charges Reserve Fund be received for information and a copy of the report be forwarded to the Ministry of Municipal Affairs and Housing in accordance with the requirements of the *Development Charges Act, 1997, (DCA)*.

CARRIED

2. **2009 Levying By-law for Provincial Institutions**
- **Report from Finance Department, August 1, 2009**

Moved by Councillor Johnston

That By-law 2009-040, a by-law to provide for the levying of tax on Provincial Institutions for the year 2009, be approved

CARRIED

CLOSED SESSION

Moved by Councillor Johnston

That this Committee resolve into a closed meeting session for the purpose of dealing with a matter pertaining to personal matters about an identifiable individual with respect to Item C-1.

CARRIED

Committee resolved into closed session at 7:04 p.m.

Committee resolved out of closed session at 7:15 p.m.

C-1. Personal Matters About an Identifiable Individual

- Report from Clerk's Department, July 15, 2009

(Resolution disclosed publicly following Council approval.)

1. That the following citizen be appointed to the Oakville Public Library Board for a term to expire November 30, 2010:
 - Jeff Fairley
2. That the following citizen be appointed to the Accessibility Advisory Committee for a term to expire December 31, 2010:
 - Anabella Peschiera; and
3. That the one vacancy currently remaining on the Accessibility Advisory Committee be filled during the annual recruitment process.

CARRIED

3. Accessibility Advisory Committee (June 11, 2009)

Moved by Councillor Knoll

That the minutes of the Accessibility Advisory Committee meeting of June 11, 2009, be received.

CARRIED

4. Accessibility Advisory Committee (July 9, 2009)

Moved by Councillor Knoll

That the minutes of the Accessibility Advisory Committee meeting of July 9, 2009, be received.

CARRIED

5. **Accessibility Advisory Committee (August 13, 2009)**

Moved by Councillor Knoll

That Items 4a, 5a and 5c of the minutes of the Accessibility Advisory Committee meeting of August 13, 2009, be approved and the remainder of the minutes be received:

4a. Annual Accessibility Open House - Planning Session

That the Accessibility Advisory Committee recommend to Council that staff be requested to review and report back regarding the feasibility of adding an 'accessibility' category, to the annual Community Spirit Awards.

5a. Customer Service Corporate Practices

1. That the information regarding Customer Service Corporate Practices, be received; and
2. That the Accessibility Advisory Committee recommend to Council that staff be requested to review the accessible parking spaces at Town Hall for improvement in their proximity to the main entrance.

5c. Accessibility Advisory Committee Site Plan Review Working Group Report

1. That the Accessibility Advisory Committee recommend to Council that staff be requested to report back on providing Site Plan training to all members of the Committee; and
2. The development of a rotation schedule that would allow all Committee members a chance to review site plans.

CARRIED

ADJOURNMENT

Moved by Mayor Burton

That this meeting now adjourn.

CARRIED

The meeting adjourned at 7:17 p.m.