

THIRTY-FIFTH Meeting - Regular Session

The Town of Oakville Council met in regular session this 5th 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
- Marc Grant
- Alan Johnston
- Max Khan
- Jeff Knoll
- Fred Oliver
- Staff - R. Green, Chief Administrative Officer
- G. Lalonde, Commissioner of Corporate Services
- D. Lunardo, Commissioner of Community Services
- D. Bloomer, Commissioner of Infrastructure and Transportation Services
- J. Clohecy, Commissioner of Planning and Development Services
- D. Carr, Town Solicitor
- B. Cole, Director of Transit Services
- J. Courtemanche, Director of Strategy, Policy and Communications
- N. de Vaal, Director of Recreation and Culture
- C. Toth, Director of Environmental Policy
- M. Brennan, Senior Manager of Recreation Operations
- C. Loughheed, Senior Manager of Cultural Services
- D. Baker, Assistant Town Solicitor
- C. Gall, Accessibility Program Coordinator
- L. Mainville, Special Projects, Culture
- C. Best, Town Clerk
- L. Morgan, Committee Coordinator
- Regrets: Councillors - Allan Elgar
- Roger Lapworth
- Ralph Robinson

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, **SEPTEMBER 21, 2009**

Confidential Minutes of the Closed Session of Council, **SEPTEMBER 21, 2009**

Minutes of the Regular Session of Council, **SEPTEMBER 28, 2009**

Confidential Minutes of the Closed Session of Council, **SEPTEMBER 28, 2009**

(continued)

Moved by Councillor Duddeck Seconded by Councillor Johnston

That the minutes of the regular meetings of Council dated September 21, 2009 and September 28, 2009, and the confidential minutes of the closed sessions of Council dated September 21, 2009 and September 28, 2009, be approved.

CARRIED

Public Presentation(s)

Mayor Burton presented official gifts to the Consul-General of Japan, Mr. Tetsuo Yamashita, representing the City of Neyagawa, in recognition of the 25th anniversary of the Sister City relationship between the City of Neyagawa, Japan, and the Town of Oakville.

Mayor Burton presented a letter of congratulations to Oakville Today founders Lars Melander and Rob Redshaw, and their staff, in recognition of the newspaper's 25th anniversary in publication.

Delegation(s)

Elka Ruth Nola, Coordinator, Oakville Poetry Alliance, re: Cultural Plan, Item 3 of the Community Services Committee meeting of September 29, 2009.

Britta Martini-Miles, Executive Director, CommUnity Art Space, re: Cultural Plan, Item 3 of the Community Services Committee meeting of September 29, 2009.

Sandra MacKay, re: Transit Fare Increase - 2010, Item 6 of the Community Services Committee meeting of September 29, 2009.

Standing Committee / Committee of the Whole Reports

Standing Committee Reports

Community Services Committee, **SEPTEMBER 29, 2009**

Moved by Councillor Chapin Seconded by Councillor Duddeck

That the recommendations of the Community Services Committee meeting of September 29, 2009, be approved subject to the separation of Item 3 – Cultural Plan, and Item 6 – Transit Fare Increase - 2010.

CARRIED

Moved by Councillor Chapin Seconded by Councillor Duddeck

That the recommendation of the Community Services Committee meeting of September 29, 2009, with respect to Item 3 – Cultural Plan, be approved

CARRIED

(continued)

Moved by Councillor Adams Seconded by Councillor Oliver

That the recommendation of the Community Services Committee meeting of September 29, 2009, with respect to Item 6 – Transit Fare Increase – 2010, be approved.

LOST on a recorded vote,
Council voting as follows:

Recorded Vote

<u>Yeas</u>	<u>Nays</u>
Councillor Duddeck	Councillor Knoll
Councillor Bird	Councillor Grant
Councillor Adams	Councillor Chapin
Councillor Johnston	Councillor Khan
Mayor Burton	Councillor Oliver

Moved by Councillor Adams Seconded by Councillor Duddeck

That the matter of transit fares be referred to the 2010 Budget Committee.

CARRIED

Administrative Services Committee, **SEPTEMBER 29, 2009**

Moved by Councillor Johnston Seconded by Councillor Knoll

That the recommendations of the Administrative Services Committee meeting of September 29, 2009, be approved.

CARRIED

COMMITTEE OF THE WHOLE

Moved by Councillor Duddeck Seconded by Councillor Knoll

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

CARRIED

AGENDA ITEM(S)

1. **Accessible Customer Service Training**
 - **Report from Clerk's Department, September 21, 2009**

Moved by Councillor Duddeck

That the accessible customer service training provided at the Council meeting of October 5, 2009, be received.

CARRIED

2. **2010 Council and Standing Committee Schedule**
- **Report from Clerk's Department, September 14, 2009**

Moved by Councillor Chapin

That the 2010 Council and Standing Committee Schedule be approved as proposed in Appendix A to the September 14, 2009 report from the Clerk's Department, which recognizes that there will be one scheduled meeting after the 2010 municipal election; and recognizing that where meetings are not required due to insufficient agenda items, the cancellation of such meetings will be posted to the Town website accordingly.

CARRIED

3. **Ontario Power Authority Announcement**
- **Report from Legal Department, September 30, 2009**

Consideration of this matter was deferred until after the closed session of the meeting.

CARRIED

4. **Food Banks**
- **Notice of Motion introduced at the Council meeting of September 21, 2009.**

Moved by Councillor Oliver

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;

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.

CARRIED

5. Disposition of Surplus Lands

- **Notice of Motion introduced at the Council meeting of September 21, 2009.**

Moved by Councillor Grant

That consideration of the proposed notice of motion regarding the disposition of surplus lands be deferred pending further discussion with representatives of the Halton District School Board.

CARRIED

CLOSED SESSION

Moved by Councillor Duddeck

That Committee 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, with respect to Item 3 regarding the Ontario Power Authority Announcement, and Item C-1 addressing litigation or potential litigation of a matter before the Ontario Municipal Board.

CARRIED

The meeting recessed at 8:30 p.m. and reconvened in closed session at 8:37 p.m.

Committee resolved back into open session at 9:23 p.m.

The meeting recessed at 9:23 p.m. and reconvened at 9:35 p.m.

3. Ontario Power Authority Announcement

- **Report from Legal Department, September 30, 2009**

Moved by Councillor Bird

1. That the report of the Legal Department dated September 30, 2009, regarding the announcement by the Ontario Power Authority regarding the location of an electricity generating station on Royal Windsor Drive, be received; and
2. That staff be directed to retain legal counsel and subject matter experts for the purpose of generating options for Council's consideration in response to the September 30, 2009 announcement by the Ontario Power Authority that it will sign a contract with TransCanada Corporation to situate a power plant on Royal Windsor Drive in Oakville.

CARRIED on a recorded vote,
Council voting as follows:

(continued)

Recorded Vote

Yeas

Nays

Councillor Knoll
Councillor Grant
Councillor Duddeck
Councillor Bird
Councillor Chapin
Councillor Khan
Councillor Adams
Councillor Johnston
Councillor Oliver
Mayor Burton

**C-1. Ontario Municipal Board Hearing - 1502 Lakeshore Road East
- Confidential Report from Legal Department, September 30, 2009**

Moved by Councillor Chapin

1. That staff be authorized to prepare Minutes of Settlement substantially in accordance with the following principles:
 - a. dedication of the 15 metre Linear Waterfront Park to the Town at no cost;
 - b. combination of dedication and conservation easement on the floodplain of the Wedgewood Creek;
 - c. waterfront and creek trail system, constructed at developers expense from Lakeshore Road at the west, along the creek and waterfront with a connecting pathway to Maple Grove Drive;
 - d. designation, improvements and long term maintenance of the tableland heritage buildings and structures;
 - e. improvements to street edge planting and reduced pavement surfaces along the proposed private road with unobstructed access to Maple Grove Drive;
 - f. achieving the preservation of a substantial number of mature trees;
 - g. construction of shoreline protection works at the expense of the applicant;
 - h. staff incorporate in the process of preparing site plan conditions, the opportunity for input from the Site Plan Committee; and
2. That the Mayor and Clerk be authorized to execute these Minutes of Settlement, accordingly.

CARRIED on a recorded vote,
Council voting as follows:

Recorded Vote

Yeas

Nays

Councillor Grant
Councillor Duddeck
Councillor Chapin
Councillor Khan
Councillor Adams
Councillor Johnston
Councillor Oliver
Mayor Burton

Councillor Knoll
Councillor Bird

RISE AND REPORT TO COUNCIL

Moved by Councillor Johnston

That this Committee rise and report.

CARRIED

The Mayor arose and reported that the Committee of the Whole has met and made recommendations on Discussion Items 1 – 5, and Confidential Discussion Item C-1, as noted by the Clerk.

Moved by Councillor Oliver

Seconded by Councillor Duddeck

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

CARRIED

REQUESTS FOR REPORTS

Moved by Councillor Adams

Seconded by Councillor Khan

That staff be requested to report on options to strengthen and enhance the residential zoning by-laws and Lodging House By-law to help reduce nuisance issues such as noise, vehicle parking and poor property maintenance associated with the use of homes for rental to large numbers of individuals who are often unrelated.

CARRIED

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Grant

Seconded by Councillor Johnston

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

- | | |
|----------|---|
| 2009-137 | A by-law to amend By-law 1984-1 (The Traffic By-law).
(Re: CSC Item 4) |
| 2009-138 | A by-law to amend By-law 1999-159 (The Parks By-law) and to repeal By-law 1962-55 (The Bicycle By-law). (Re: CSC Item 4) |
| 2009-154 | A by-law to confirm the proceedings of a meeting of Council. |
| 2009-158 | A by-law to amend By-law 2006-216, being a by-law to make appointments to the Board of Management for the Bronte Village Business Improvement Area. |

CARRIED

ADJOURNMENT

The Mayor adjourned the meeting at 9:44 p.m.

ROB BURTON
MAYOR

CATHIE L. BEST
TOWN CLERK

THIRTEENTH Meeting - Regular Session

The Community Services Committee met in regular session this 29th day of September 2009, in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:00 p.m.

- Present: Chairperson - Councillor Allan Elgar
- Mayor - Rob Burton (Left at 8:21 p.m. - Returned at 8:38 p.m.)
- Councillors - Tom Adams
- Mary Chapin
- Cathy Duddeck
- Marc Grant
- Ralph Robinson
- Staff - D. Lunardo, Commissioner of Community Services
- D. Bloomer, Commissioner of Infrastructure and
- Transportation Services
- B. Cole, Director of Transit Services
- N. de Vaal, Director of Recreation and Culture
- D. Lambert, Director of Engineering and Construction
- L. Sims, Chief Executive Officer, Oakville Public Library
- P. Bouillon, Assistant Clerk, Licensing and By-law Services
- P. Allen, Manager of Design and Construction
- C. Loughheed, Senior Manager of Cultural Services
- M. Millman, Manager of Realty Services
- J. Phoenix, Manager of Planning and Accessible Services
- S. Tam, Manager of Traffic Operations
- N. Chandra, Assistant Town Solicitor
- I. Arab, Senior Project Leader, Capital Projects
- C. Clapham, Sustainable Transportation Program Coordinator
- L. Morgan, Committee Coordinator

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

1. **Traffic Control Signal Agreement - Town of Halton Hills**
- **Report from Department of Roads and Works, August 25, 2009**

Moved by Councillor Duddeck

That the Mayor and Clerk be authorized to execute the Traffic Control Signal Agreement with the Town of Halton Hills, as detailed in the report from the Department of Roads and Works Operations, dated August 25, 2009.

CARRIED

2. **Release of Existing Easement and Dedication of New Easement - 297 O'Donaghue Avenue**

- **Report from Legal Department, September 10, 2009**

Moved by Councillor Duddeck

1. That the release of easement on the lands identified as Part 2 on reference plan 20R-6588 and Part 2 on reference plan 20R-16450, be approved;
2. That a new easement to be registered over Part 1 on Plan 20R-16450 to protect for the storm sewer interests, be approved;
3. That the Mayor and Clerk be authorized to execute all requisite documentation for the release and receipt of these easements; and
4. That the Town Solicitor be authorized to make minor amendments to the documentation as may be required to complete the transaction without a further report to Council.

CARRIED

3. **Cultural Plan**

- **Report from Department of Recreation and Culture, September 4, 2009**

Moved by Councillor Chapin

1. That the Cultural Plan entitled "Enabling Culture to Thrive in Oakville: Oakville's Strategic Directions for Culture", dated September 4, 2009, (as per Appendix A) be approved in principle;
2. That staff be requested to report back in 2010 with a list of cultural priorities; and
3. That the specific financial impacts be referred to staff for consideration in the Town's 10 year capital forecast and the annual operating budget process.

CARRIED

4. **Active Transportation Master Plan - Final Report By-law 2009-137 and By-law 2009-138**

- **Report from Department of Engineering and Construction, August 17, 2009**

Moved by Councillor Adams

1. That the staff report entitled "Active Transportation Master Plan - Final Report", dated August 17, 2009, be received;

(continued)

2. That By-law 2009-137, a by-law to amend By-law 1984-1 (The Traffic By-law), be passed subject to amending clause 1b to revise the proposed new clause 4(4)(e)(i) to read as follows:
 - “(i) Despite subclause 4(1)(b)(i) , a child under eleven (11) years of age may ride a bicycle with all wheels less than *fifty-one (51) centimetres or twenty (20) inches* on a sidewalk located within any area designated in Schedule “28”. For greater certainty, no one is permitted to ride a bicycle along a sidewalk located within any designated area in Schedule “28”;
3. That By-law 2009-138, a by-law to amend By-law 1999-159 (The Parks By-law) and repeal By-law 1962-55 (The Bicycle By-law), be passed; and
4. That staff be requested to report on options to allow cyclists to use sidewalks adjacent to arterial roads where no on-road cycling facility or off-road multi-use trails exist.

CARRIED

5. **Speers Road Improvements (Bronte Road to Kerr Street) Class Environmental Assessment**

- **Report from Department of Engineering and Construction, September 2, 2009**

Moved by Councillor Adams

1. That the Environmental Study Report and the preferred planning solution for the Speers Road Class Environmental Assessment Study (Bronte Road to Kerr Street), dated August, 2009 be approved;
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; and
3. That staff be requested to report back on the feasibility and functionality of enhancing transit vehicle use of Speers Road and cycle lanes on Speers Road, during the detailed engineering design process, including options that physically separate cycling from through traffic.

CARRIED

6. **Transit Fare Increase - 2010**

- **Report from Transit Services, September 8, 2009**

Moved by Councillor Adams

1. That the report dated September 8, 2009, from the Transit Services Department, be received;
2. That the proposed Transit fare rates for 2010 as detailed in Table 2 of the report dated September 8, 2009, be approved and implemented effective Friday, January 1, 2010; and

(continued)

- 3 That staff be requested to report on the use of reduced children's fares for children aged 0-18 years in other municipalities and the general implications of Oakville adopting a reduced fare for children aged 12 years and under.

CARRIED

7. **Harbours Advisory Committee (August 26, 2009)**

Moved by Councillor Duddeck

That the minutes of the Harbours Advisory Committee meeting of August 26, 2009, be received.

CARRIED

8. **Youth Advisory Committee (September 10, 2009)**

Moved by Councillor Duddeck

That the minutes of the Youth Advisory Committee meeting of September 10, 2009, be received.

CARRIED

ADJOURNMENT

The Chair adjourned the meeting at 9:54 p.m.

THIRTEENTH Meeting - Regular Session

The Administrative Services Committee met in regular session this 29th 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 Alan Johnston
- Councillors - Keith Bird
- Max Khan
- Jeff Knoll
- Fred Oliver
- Staff - G. Lalonde, Commissioner of Corporate Services
- C. Best, Town Clerk
- J. Courtemanche, Director of Strategy, Policy and Communications
- N. Chandra, Assistant Town Solicitor
- P. Bouillon, Assistant Clerk, Licensing and By-law Services
- N. Sully, Senior Manager, Financial Planning and Policy
- E. Roberts, Manager, Revenue and Taxation
- C. Gall, Accessibility Program Coordinator
- C. Tino, Committee Coordinator
- Regrets: Councillor - Roger Lapworth

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

AGENDA ITEM(S)

Clerk's Note: With the concurrence of the Committee the items were taken out of order.

1. **Accessibility for Ontarians with Disabilities Act - Review of Proposed Initial Built Environment Standard**
- **Report from Clerk's Department, September 3, 2009**

Moved by Councillor Khan

1. That Appendix A of the staff report dated September 3, 2009, from the Clerk's Department be endorsed as the Town of Oakville's response to the Ministry of Community and Social Services addressing the general requirements of the proposed Initial Built Environment Standard released under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA); and
2. That the internal staff working group be authorized to finalize and submit further comments on behalf of the Town with regard to each specific clause of the standard.

CARRIED

2. **Accessible Public Meetings**

- **Report from Clerk's Department, September 3, 2009**

Moved by Councillor Khan

That the Planning Accessible Meetings Procedure attached as Appendix A to the September 3, 2009 report from the Clerk's Department, be endorsed.

CARRIED

3. **Tax Adjustments Pursuant to the *Municipal Act, 2001*,
Sections 357 & 358**

- **Report from Finance Department, August 17, 2009**

Moved by Councillor Khan

That the tax adjustments, summarized in Schedule A and detailed in Schedules B and C of the report from the Finance Department, dated August 17, 2009, in the amount of \$540,554.41 plus \$33,567.80 in accrued late payment charges, be approved.

CARRIED

4. **Application to Conduct Lottery Events - Ontario Zoroastrian
Community Foundation**

- **Report from Clerk's Department, August 28, 2009**

Moved by Councillor Khan

That the request from Ontario Zoroastrian Community Foundation for approval to conduct lottery events in the Town of Oakville be approved.

CARRIED

5. **Pine Glen Soccer Facility Debt By-Law**

- **Report from Finance Department, August 10, 2009**

This item was withdrawn in accordance with the September 29, 2009, memorandum from the Commissioner of Corporate Services.

6. **Administrative Fee for New Tax Accounts and Ownership
Changes**

- **Report from Finance Department, August 18, 2009**

Moved by Councillor Knoll

That the imposition of an administration fee for new tax accounts and ownership changes on property accounts as outlined in the Finance Report dated August 18, 2009, pursuant to Section 391 of the *Municipal Act*, be approved.

CARRIED

8. **Progress Report and Financial Results as at July 31, 2009**
- **Report from Finance Department, August 26, 2009**

Moved by Councillor Knoll

1. That the Progress Report and Financial Results as at July 31, 2009, be received;
2. That the transfers to and from Reserves and Reserve Funds and transactions contained in this report be approved;
3. That the Treasurer be authorized to fund and close the capital projects as identified in the report;
4. That if the Town has a sufficient surplus at year end the increase in the dividend received from Oakville Hydro be transferred to the tax stabilization reserve;
5. That the 2009 capital budget be amended to include the following projects as identified in the report:
 - a. Microsoft Outlook Implementation to be funded from surpluses in other projects
 - b. Kinaok Arena Rehabilitation, Bronte Athletic Field and North Oakville Artificial Turf projects funded 1/3 Federal grant, 1/3 Provincial grant and 1/3 capital reserve; and
6. That the Growth Rescue Truck capital project budget be increased by \$66,000 to be funded from Development Charges.

CARRIED

7. **Office of the Mayor and Council Staff Support**
- **Report from Mayor Rob Burton, September 10, 2009**

C-1. **Employment Contracts, Office of the Mayor and Council**
- **Confidential Report from the Mayor's Office,**
- **September 10, 2009**

Moved by Councillor Khan

That the report titled "Office of the Mayor and Council Staff Support", dated September 10, 2009, and the copies of the current employment contracts as distributed in the confidential companion report be received.

CARRIED

ADJOURNMENT

Moved by Councillor Bird

That this meeting now adjourn.

CARRIED

The meeting adjourned at 7:26 p.m.