

FORTY-FOURTH Meeting - Regular Session

The Town of Oakville Council met in regular session this 30th 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
- Roger Lapworth
- 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
- D. Carr, Town Solicitor
- P. Bouillon, Assistant Clerk, Licensing and By-law Services
- P. Sauvageot, Director of Internal Audit
- N. Sully, Senior Manager, Financial Planning and Policy
- C. Best, Town Clerk
- L. Morgan, Committee Coordinator
- Regrets: Councillors - Ralph Robinson

Declarations of Pecuniary Interest

Councillor Lapworth declared an indirect pecuniary interest with respect to the Oakville & District Humane Society, Item 5 of the Administrative Advisory Committee report of November 24, 2009, as he is a member of its Board of Directors, Acting Chair and a signatory to the proposed agreement.

Confirmation of Minutes of the previous Council Meeting(s)

Minutes of the Regular Session of Council, **NOVEMBER 16, 2009**

Confidential Minutes of the Closed Session of Council, **NOVEMBER 16, 2009** (*See Confidential Agenda*)

Minutes of the Regular Session of Council, **NOVEMBER 23, 2009**

Moved by Councillor Khan

Seconded by Councillor Knoll

That the minutes of the regular meetings of Council dated November 16, 2009 and November 23, 2009, and the confidential minutes of the closed session of Council dated November 16, 2009, be approved.

CARRIED

Standing Committee / Committee of the Whole Reports

Standing Committee Reports

2010 Budget Committee, **NOVEMBER 12, 2009, reconvened
NOVEMBER 17 and 18, 2009**

Moved by Councillor Adams Seconded by Councillor Johnston

That the recommendations of the 2010 Budget Committee meeting of
November 12, 2009, reconvened November 17 and 18, 2009, be approved.

CARRIED

Community Services Committee, **NOVEMBER 24, 2009**

Moved by Councillor Chapin Seconded by Councillor Knoll

That the recommendations of the Community Services Committee meeting of
November 24, 2009, be approved.

CARRIED

Administrative Services Committee, **NOVEMBER 24, 2009**

Moved by Councillor Johnston Seconded by Councillor Khan

That the recommendations of the Administrative Services Committee meeting
of November 24, 2009, be approved, subject to the separation of Item 5 – The
Oakville & District Humane Society.

CARRIED

Moved by Councillor Khan Seconded by Councillor Johnston

That the recommendation of the Administrative Services Committee meeting of
November 24, 2009, pertaining to Item 5 – The Oakville & District Humane
Society, be approved.

CARRIED

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

AGENDA ITEM(S)

1. Student Housing

- **Notice of Motion introduced at the Council meeting of
November 16, 2009**

Moved by Councillor Adams Seconded by Councillor Khan

WHEREAS the demand for student housing in the community is currently
exceeds the available supply of residence housing on campus at Sheridan
College; and

(continued)

WHEREAS off campus student housing is creating challenges for local residents;

THEREFORE BE IT RESOLVED that Council request Sheridan College to provide additional student residence space on campus; and

THAT a copy of this Resolution be forwarded to local Members of Provincial Parliament, Minister of Training, Colleges and Universities, Sheridan College Board of Governors and Dr. Robert W. Turner, President and CEO, Sheridan College.

CARRIED

NEW BUSINESS

(Notice of Motion, Emergency, Congratulatory or Condolence)

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 December 14, 2009:

Campaign Contributions

- **Moved by Councillor Elgar, seconded by Councillor Johnston**

WHEREAS Section 70(3) the *Municipal Elections Act, 1996* permits campaign contributions from the following:

- a) An individual who is normally resident in Ontario
- b) A corporation that carries on business in Ontario
- c) A trade union that holds bargaining rights for employees in Ontario;

WHEREAS the role of Council is defined in the *Municipal Act* to represent the public and to consider the well-being and interests of the municipality;

WHEREAS campaign contributions should reflect the support of the voters who elect the candidates;

WHEREAS various reviews of election finances have given rise to concerns relating to the potential influence of contributions from land and property development corporations;

WHEREAS the Government of Canada and various provinces have prohibited contributions from corporations and trade unions relating to their respective elections;

WHEREAS the Province of Ontario has enabled the City of Toronto to pass a by-law to prohibit donations to municipal campaigns from corporations and trade unions in that City; and

WHEREAS all municipalities in Ontario should be entitled to the same legislative ability as that provided to the City of Toronto;

THEREFORE BE IT RESOLVED that the Province of Ontario be requested to amend the *Municipal Elections Act, 1996* to provide all municipalities in Ontario with the authority to pass a by-law that would prohibit a corporation or trade union as cited in the *Act* from being eligible to make a contribution to or for any candidate for an office on the respective municipal council; or alternatively the Province be requested to amend the *Act* to delete corporations and trade unions from being eligible to make campaign contributions to municipal election candidates throughout the Province.

Great White Oak Tree on Bronte Road

- **Moved by Councillor Elgar, seconded by Councillor Duddeck**

WHEREAS the Town of Oakville recognizes that municipal trees contribute to the town's urban landscape and provide a wide variety of social, community, economic, and environmental benefits including climate moderation, air quality improvements, water conservation, habitat for birds, and other wildlife and increased property values;

WHEREAS the Town of Oakville was named the 2007 Forest Capital of Canada by the Canadian Forestry Association because of its proactive stewardship and sound practices toward sustainable forest development, management, and conservation;

WHEREAS enhancing the natural environment is a key goal for the town and the preservation of the natural environment is a key component in making Oakville the most livable town in Canada;

WHEREAS the white oak tree located on the east side of Regional Road 25 (Bronte Road) at the Halton Regional Centre is estimated to be 250+ years old;

WHEREAS the Tree Canada Foundation has stated that "trees of this size and health are a rarity in the southern Ontario landscape – their protection is done routinely in Europe where natural heritage is revered;

WHEREAS in January 2006, the Ontario Urban Forest Council placed the viability of the tree in the top category of thirty years or more and described the tree's appearance as "striking" and "majestic"; and

WHEREAS on December 21, 2006, Halton Regional Council approved a resolution that preserved the white oak tree on Bronte Road by rerouting the scheduled road widening project around the tree, leaving it intact;

THEREFORE BE IT RESOLVED that the great white oak tree on Bronte Road be designated, under the *Ontario Heritage Act*, resulting in it becoming the first stand-alone heritage tree in Oakville.

Climate Change

- **Moved by Councillor Elgar, seconded by Councillor Adams**

WHEREAS a global reduction in the emissions of carbon dioxide (CO₂) and the creation of greenhouse gases (GHG) is necessary to slow climate change and reduce the risks to our economy, human health, the physical environment, forests and animal species, and quality of life; and

WHEREAS human activities have caused a dramatic increase in the amount of carbon dioxide (CO₂) in the earth's atmosphere, since the mid 1700s, with the concentration of CO₂ rising from about 280 parts per million (ppm) to reach 387 ppm in 2009, and this amount is likely the highest concentration in the atmosphere in the past 20 million years; and

(continued)

WHEREAS evidence presented in the Intergovernmental Panel of Climate Change (IPCC) November 2007 report indicates that "Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level" and "Most of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic GHG concentrations. It is likely that there has been significant anthropogenic warming over the past 50 years averaged over each continent (except Antarctica)"; and

WHEREAS the scientific evidence reported in peer-reviewed journals is growing by the day and it suggests that the pace of climate change has surpassed the worst-case scenarios predicted just a few years ago; and

WHEREAS reducing greenhouse gases makes economic sense, and new and improved infrastructure, renewable energy technologies, energy efficiency, energy conservation, waste reduction, building retrofits, transit, walking, cycling, water conservation, better fleet management, more effective wastewater treatment, and distribution, etc., can reduce short-term and/or long-term municipal operating costs and help maintain community services, while having a positive impact on the environment as supported by The Stern Review on the Economics of Climate Change, the Pembina Institute's Climate Leadership, Economic Prosperity, and the World Development Report 2010: Development and Climate Change; and

WHEREAS the impacts of climate change as well as the responsibility for mitigation and adaptation will fall primarily on municipalities; and

WHEREAS municipalities are leaders among governments in Canada when it comes to making climate change a priority; and

WHEREAS local community-based emission reductions can be lower cost compared to many other approaches, while also providing important social, economic, and environmental benefits to citizens and businesses; and

WHEREAS mayors and municipal leaders responsible for the well-being of communities across Canada have urged federal and provincial/territorial governments to make climate protection a priority; and

WHEREAS the Federation of Canadian Municipalities continues to support the 2005 World Mayors and Municipal Leaders Declaration on Climate Change committing municipal governments, each according to their individual circumstances and abilities, to reduce greenhouse gas emissions by 30 percent from 1990 levels by 2020 and by 80 percent by 2050, in line with the Kyoto targets and those suggested for the 15th United Nations Climate Change Conference (COP-15); and

WHEREAS Climate Action Network International recently awarded Canada its "Fossil of the Week" award for doing "the most to block progress in climate negotiations";

(continued)

THEREFORE BE IT RESOLVED that the Federation of Canadian Municipalities and the Association of Municipalities of Ontario be requested to urge the Government of Canada, attending the United Nations Climate Change Conference in Copenhagen, to formally endorse enforceable absolute caps on greenhouse gas emissions instead of intensity targets, with a commitment to reduce greenhouse gas emissions by 30 percent from 1990 levels by 2020 and by 80 percent by 2050; and

THAT the Federation of Canadian Municipalities and the Association of Municipalities of Ontario be requested to urge the federal government to engage in mediation and negotiation at the UN conference to approve an effectual, binding agreement in Copenhagen and that Canada repair its reputation and return to a leadership role in environmental protection, leading the charge to battle climate change, affirming Minister Baird's comments in the House of Commons on November 18, 2009 when he said, "We need to have real and meaningful action. We need to have all the big players on board. Canada is committed to doing our part to make a deal happen in Copenhagen"; and

THAT the Federation of Canadian Municipalities and the Association of Municipalities of Ontario be requested to urge the federal government to recognize the important role that municipalities play in providing practical local solutions for reducing greenhouse gas emissions; and

THAT the Federation of Canadian Municipalities and the Association of Municipalities of Ontario be requested to urge the federal government to partner with and support municipalities in undertaking emission reduction projects; and

THAT the Federation of Canadian Municipalities and the Association of Municipalities of Ontario be requested to urge the Government of Canada to seek the re-inclusion of references to the role of and support for local government climate change action in the latest negotiating text of the Conference of the Parties, leading up to the Copenhagen meetings in December 2009; and

THAT a copy of this motion also be forwarded Hillary Buchan-Terrell who will be representing Canada as a youth at the upcoming Copenhagen meetings.

WAIVING OF PROCEDURE BY-LAW

Moved by Councillor Elgar

Seconded by Councillor Khan

That, in accordance with Section 1.2(2), the rules of the Procedure By-law established in Section 6.1(2) be waived to permit consideration of the foregoing Notice of Motion regarding Climate Change upon its introduction this evening.

CARRIED

(continued)

The Mayor called for the vote on the Notice of Motion regarding Climate Change as moved by Councillor Elgar, seconded by Councillor Adams.

CARRIED on a recorded vote,
Council voting as follows:

Recorded Vote

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

REQUESTS FOR REPORTS

Moved by Councillor Chapin Seconded by Councillor Bird

That staff, in consultation with the Oakville & District Humane Society, be requested to report back on improvements to animal regulations within the Town, specifically as it pertains to potential improvements to By-law 2001-083, "A by-law to regulate the keeping of cats", and any other animal related by-laws currently in effect.

CARRIED

Mayor Burton took this opportunity to congratulate Council and staff on having received regional approval of the Town’s official plan “Livable Oakville”.

Mayor Burton also extended Council’s congratulations to Hillary Buchan-Terrell of Oakville who will be representing Canada as a youth at the upcoming United Nations climate change conference in Copenhagen.

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Duddeck Seconded by Councillor Grant

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

- | | |
|----------|--|
| 2009-046 | A by-law to amend By-law 2007-082, being a by-law to make appointments to the Board of Management for the Kerr Street Business Improvement Area. |
| 2009-107 | A by-law to authorize a franchise agreement between the Corporation of the Town of Oakville and Union Gas Limited. (CSC Item 3) |

(continued)

- 2009-155 A by-law to amend By-law 2008-169 being a by-law to establish retention periods for records of the Town of Oakville. (ASC Item 1)
- 2009-169 A by-law to stop up and close for all purposes a portion of Lakeshore Road West (Part of Lot 48, Plan M-10). (CSC Item 5)
- 2009-171 A by-law to stop up and close for all purposes a portion of the North Service Road East and Joshua's Creek Drive (Parts 1, 2, 3 and 4, Plan 20R-18435). (CSC Item 1)
- 2009-177 A by-law to amend By-law 2005-026 (The Oakville Taxicab Licensing By-law). (ASC Item 4)
- 2009-190 A by-law to provide for the construction, demolition and change of use or transfer of permits, inspections and related matters. (ASC Item 2)
- 2009-191 A by-law to a by-law to amend By-law 1984-1 (The Traffic By-law). (CSC Item 4)
- 2009-194 A by-law to confirm the proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

The Mayor adjourned the meeting at 7:25 p.m.

ROB BURTON
MAYOR

CATHIE L. BEST
TOWN CLERK

SEVENTEENTH Meeting - Regular Session

The Community Services Committee met in regular session this 24th day of November 2009, in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:00 p.m.

Present: Chairperson - Councillor Mary Chapin

Councillors - Tom Adams
- Allan Elgar
- Marc Grant

Staff - D. Lunardo, Commissioner of Community Services
- D. Bloomer, Commissioner of Infrastructure and
- Transportation Services
- N. de Vaal, Director of Recreation and Culture
- D. Lambert, Director of Engineering and Construction
- M. Millman, Manager of Realty Services
- E. Zutis, Manager of Infrastructure Planning
- L. Veres, Recreation Supervisor
- L. Morgan, Committee Coordinator

Regrets: Councillors - Cathy Duddeck
- Ralph Robinson

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

AGENDA ITEMS

1. **By-law 2009-171 - A by-law to stop up and close for all purposes a portion of the North Service Road East and Joshua's Creek Drive and Declaration of Surplus and Sale of a portion of North Service Road East and Joshua's Creek Drive, being Parts 1, 2, 3 and 4 on Plan 20R-18435**
- Report from Legal Department, October 26, 2009

Moved by Councillor Elgar

1. That By-law 2009-171, a by-law to stop up and close for all purposes a portion of North Service Road East and Joshua's Creek Drive (Parts 1, 2, 3, and 4, on Reference Plan 20R-18435), be passed;
2. That the Legal Department be authorized to register By-law 2009-171 in compliance with the *Municipal Act, 2001*;
3. The lands described as Parts 1, 2, 3 and 4, on Reference Plan 20R-18435, attached to the Legal Department report dated October 26, 2009, be declared surplus to the requirements of the Town of Oakville; and
4. 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.

CARRIED

2. **Ingledene Ditches - 1263 and 1267 Ingledene Drive**
- **Report from Department of Engineering and Construction, November 10, 2009**

Moved by Councillor Elgar

That the report on the Ingledene Drive ditches from the Department of Engineering and Construction, dated November 10, 2009, be received.

CARRIED

3. **Union Gas Franchise Agreement**
- **Report from Department of Engineering and Construction, November 9, 2009**

Moved by Councillor Elgar

That By-law 2009-107, a by-law to authorize a franchise agreement between the Corporation of the Town of Oakville and Union Gas Limited, be passed.

CARRIED

4. **By-law Amendment 2009-191 to By-law 1984-1 (Traffic By-law)**
- **Report from Department of Engineering and Construction, November 12, 2009**

Moved by Councillor Elgar

That By-law 2009-191, a by-law to amend By-law 1984-1 (The Traffic By-law), be passed.

CARRIED

5. **By-law 2009-169 - A by-law to stop up and close for all purposes a portion of Lakeshore Road West (Part of Lot 48, Registered Plan M-10) and Declaration of Surplus and Sale of a portion of Lakeshore Road West, being Part 3 on Registered Plan 20R-18434**
- **Report from Legal Department, October 26, 2009**

Moved by Councillor Elgar

1. That By-law 2009-169, a by-law to stop up and close for all purposes a portion of Lakeshore Road West (Part of Lot 48, Plan M-10), being Part 3 on Registered Plan 20R-18434, be passed;
2. That the Legal Department be authorized to register By-law 2009-169 in compliance with the *Municipal Act, 2001*;
3. That the lands described as Parts 1 and 3, Reference Plan 20R-18434 attached to the Legal Department report dated October 26, 2009, be declared surplus to the requirements of the Town of Oakville;

(continued)

4. 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
5. That the sale of the lands described as Parts 1 and 3, Reference Plan 20R-18434 pursuant to the terms of Minutes of Settlement dated, October 13, 2009, be approved ,and the Mayor and Clerk be authorized to execute all documentation required for the transfer of said lands.

CARRIED

6. **Naming of North Park Quad Pad Arenas**

- **Report from Department of Recreation and Culture, November 2, 2009**

Moved by Councillor Adams

1. That the proposed naming criteria for the quad pad arena as outlined in the Recreation and Culture Department report dated November 2, 2009, be approved; and
2. That the Selection Committee forward its selected name for the quad pad arena to the Community Services Committee for consideration by Council.

CARRIED

7. **Community Spirit Awards - New Access Award**

- **Report from Department of Recreation and Culture , November 2, 2009**

Moved by Councillor Grant

That the Access Award as outlined in the Recreation and Culture report dated November 2, 2009, be approved as a new category of the annual Community Spirit Awards.

CARRIED

8. **Community Message Boards**

- **Report from Department of Engineering and Construction, November 9, 2009**

Moved by Councillor Elgar

That the existing Community Mobile Sign Program under By-law 2006-005 be maintained status quo.

CARRIED

9. **Transit Advisory Committee (October 21, 2009)**

Moved by Councillor Grant

That the minutes of the Transit Advisory Committee meeting of October 21, 2009, be approved.

CARRIED

ADJOURNMENT

The Chair adjourned the meeting at 7:10 p.m.

SEVENTEENTH Meeting - Regular Session

The Administrative Services Committee met in regular session this 24th day of November, 2009 in Committee Room 1 of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:00 p.m.

- Present: Chairperson - Councillor Fred Oliver
- Mayor - Rob Burton
- Councillors - Keith Bird (arrived at 7:40 p.m.)
- Alan Johnston
- Max Khan
- Jeff Knoll (arrived at 7:06 p.m.)
- Roger Lapworth
- Staff - G. Lalonde, Commissioner of Corporate Services
- C. Best, Town Clerk
- P. Bouillon, Assistant Clerk, Licensing and By-law Services
- N. de Vaal, Director, Recreation and Culture
- P. Sauvageot, Director, Internal Audit
- J. Tutert, Acting Director, Building Services and Chief Building Official
- M. Brennan, Senior Manager, Recreation Operations
- N. Sully, Senior Manager, Financial Planning and Policy
- C. Tino, Committee Coordinator

Declarations of Pecuniary Interest

Councillor Lapworth declared an indirect pecuniary interest with respect to Item 5, The Oakville & District Humane Society, as he is a member of their Board of Directors, Acting Chair and a signatory to the proposed agreement.

AGENDA ITEM(S)

1. Records Retention By-law Update
- Report from Clerk's Department, November 2, 2009

Moved by Councillor Johnston

That By-law 2009-155, a by-law to amend Schedule A of By-law 2008-169, a by-law establishing retention periods for records of the Town of Oakville, be passed.

CARRIED

2. Fees for the Processing of Building Permits
- Report from Finance Department, November 04, 2009

Moved by Councillor Johnston

1. That By-law 2009-190, a by-law under the *Building Code Act, 1992*, respecting permits for construction, demolition and change of use or transfer of permits, inspections and related matters be approved; and

(continued)

2. That By-law 2009-018 be repealed.

CARRIED

3. **Oakville Dispute Mediators**

- **Report from Clerk's Department, November 6, 2009**

Moved by Mayor Burton

That the presentation by the Oakville Dispute Mediators be received.

CARRIED

4. **Licensing Report**

- **Report from Clerk's Department, November 9, 2009**

Moved by Mayor Burton

1. That Ted Yao be appointed as an alternate Administrative Penalties Hearing Officer for a period of one year, effective January 1, 2010 and staff be authorized to extend this appointment annually for a period of not greater than 5 years in total;
2. That By-law 2009-177, a by-law to amend Taxicab Licensing By-Law 2005-026, be approved; and
3. That further revisions to business licensing fees to achieve cost recovery be postponed until 2011 to enable further review of electronic services and multi year licenses in 2010.

CARRIED

5. **The Oakville & District Humane Society**

- **Report from Commissioner of Corporate Services, November 17, 2009**

Moved by Councillor Johnston

That Council authorize the Mayor and Clerk to execute the agreement between the Corporation of the Town of Oakville and The Oakville & District Humane Society (ODHS), as corrected, to include the word "Act" in recital "A" of the Agreement.

CARRIED

(Councillor Lapworth declared a pecuniary interest and did not participate in the vote.)

6. **Community Centres Review**

- **Report from Department of Internal Audit, November 3, 2009**

Moved by Mayor Burton

That the Community Centres Review attached as Appendix A to the November 3, 2009 report of the Director, Internal Audit be received.

CARRIED

7. **Accessibility Advisory Committee (October 8, 2009)**

Moved by Councillor Johnston

That the minutes of the Accessibility Advisory Committee meeting of October 8, 2009, be received.

CARRIED

C-1. **Security of the Property of the Municipality**

- **Report from Department of Internal Audit, November 3, 2009**

Moved by Councillor Johnston

That the Security Cameras – Community Centres report of the Director, Internal Audit dated November 3, 2009, be received.

CARRIED

C-2. **Personal Information About Identifiable Individuals**

- **Report from Clerk's Department, November 16, 2009**

Moved by Councillor Johnston

That the recommended citizen appointments to Advisory Committees be referred back to staff and staff be requested to solicit input on these recommendations from the Council and staff representatives to the various committees.

CARRIED

ADJOURNMENT

Moved by Councillor Bird

That this meeting now adjourn.

CARRIED

The meeting adjourned at 7:42 p.m.