



Town of Oakville Council Minutes

Date: February 28, 2022
Time: 6:30 p.m.
Location: Virtual Meeting

Mayor and Council: Mayor Burton (In Person)
Councillor Adams
Councillor Chisholm
Councillor Elgar
Councillor Gittings
Councillor Grant
Councillor Haslett-Theall
Councillor Knoll
Councillor Lishchyna
Councillor Longo
Councillor O'Meara
Councillor Parmar
Councillor Robertson
Councillor Sandhu

Regrets: Councillor Duddeck

Staff: J. Clohecyc, Chief Administrative Officer (In person)
N. Sully, Commissioner of Corporate Services and Treasurer (In person)
C. Bell, Commissioner of Community Services
N. Garbe, Commissioner of Community Development
P. Fu, Commissioner of Community Infrastructure (In person)
D. Carr, Town Solicitor
V. Tytaneck, Town Clerk (In person)
J. Marcovecchio, Council and Committee Coordinator (In person)

The Town of Oakville Council met in regular session, via videoconference, this 28th day of February, 2022 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 6:30 p.m.

1. O Canada

2. Regrets

As noted above.

3. Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

4. Confirmation of Minutes of the previous Council Meeting(s)

4.1 Minutes of the Regular Session of Council, JANUARY 31, 2022

4.2 Minutes of the Special Session of Planning and Development Council, FEBRUARY 15, 2022

4.3 Confidential Minutes of the Closed Special Session of Planning and Development Council, FEBRUARY 15, 2022

Moved by Councillor Lishchyna

Seconded by Councillor Gittings

1. That the minutes of the regular session of Council dated January 31, 2022, be approved.
2. That the minutes of the special session of Planning and Development Council and the closed special session of Planning and Development Council dated February 15, 2022, be approved.

CARRIED

5. Public Presentation(s)

There were no public presentations.

6. Committee of the Whole

Moved by Councillor Knoll
Seconded by Councillor Adams

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

CARRIED

7. Consent Item(s)

In accordance with Section 2(8) of the Procedure By-law, the items were considered out of order.

7.2 Future Uses for Reservoir Park

Moved by Councillor Adams

That the report entitled “Future Uses for Reservoir Park”, from the Parks and Open Space department dated February 15, 2022, be received.

CARRIED

7.4 Memorandum of Understanding – Smart Commute Program

Moved by Councillor Adams

1. That the report entitled “Memorandum of Understanding – Smart Commute Program” from the Transportation and Engineering Department, dated February 15, 2022 be received.
2. That the authority to allow the Town of Oakville to represent the other Halton municipalities, and enter into and sign the Halton Municipalities Smart Commute Memorandum of Understanding, be delegated to the Director of Transportation and Engineering.
3. That the authority to allow the Town of Oakville, on behalf of the Halton municipalities, to enter into and sign the Smart Commute Regional Partner Memorandum of Understanding be delegated to the Director of Transportation and Engineering.

CARRIED

7.5 Grant Funding and Capital Projects

Moved by Councillor Adams

1. That the staff report dated February 22, 2022, entitled *Grant Funding and Capital Projects* from the Finance department, be received.
2. That new capital projects for the Corporate Enterprise Payment Strategy Review (\$101,760) and the Property and Land Development Service Digital Plan Review (\$152,640) be added to the 2022 budget to be financed from provincial grants.
3. That the 2022 budget be amended to replace \$230,000 in capital reserve funding with \$234,048 in provincial grant funding in projects 21112202 Data Management and 53112203 Development Engineering Permit Process Review.
4. That a new capital project for Multi-Use Trail Upper Middle Road be added to the 2022 budget in the amount of \$700,000 to be funded from federal grants (\$525,000) and capital reserve (\$175,000).
5. That the 2022 budget be amended to add \$86,800 in federal grant funding to project 52212106 Basketball Court-North Oakville, and to replace \$656,250 in development charge funding and \$750,000 in cash-in-lieu of parkland funding with \$1,406,250 in federal grant funding for projects 52212102 North Park Sports Park-South parcel and 52212007 Wallace Park Redevelopment.
6. That a new capital project for Building Information Modelling be added to the 2022 budget in the amount of \$201,000 to be financed from the Building Enterprise Reserve.

CARRIED

7.1 Temporary On-street Parking Program

Moved by Councillor Adams

1. That the report from Municipal Enforcement Services dated February 15, 2022, outlining the temporary on-street parking permit programs, be received; and
2. That staff update the Temporary On-Street Parking Procedure MS-REG-001-002 to include paid temporary on-street parking permits as outlined in the report from Municipal Enforcement Services dated February 15, 2022; and

3. That staff review the Multiple Vehicle Permits to develop appropriate fees to ensure these parking permits are issued on a cost recovery basis.

CARRIED

7.3 2022 Halton Court Services Business Plan and Budget

Moved by Councillor Adams

1. That the 2022 Business Plan and Budget for Halton Court Services and the accompanying Capital Reserve contribution, as detailed in the report from the Finance department dated February 15, 2022 and attached as Appendix A, be approved.
2. That the draft Terms of Reference with respect to an external review of Halton Court Services, as detailed in the report from the Finance department dated February 15, 2022 and included as part of Appendix A, be approved.

CARRIED

8. Confidential Consent Item(s)

There were no Confidential Consent Items.

9. Discussion Item(s)

9.1 Notice of Motion - Joint and Several Liability

Moved by Councillor O'Meara

Seconded by Councillor Chisholm

WHEREAS municipal governments provide essential services to the residents and businesses in their communities;

WHEREAS the ability to provide those services is negatively impacted by exponentially rising insurance costs;

WHEREAS one driver of rising insurance costs is the legal principle of 'joint and several liability,' which assigns disproportionate liability to municipalities for an incident relative to their responsibility for it;

WHEREAS the Government of Ontario has the authority and responsibility for the legal framework of 'joint and several liability';

WHEREAS the Premier of Ontario committed to review the issue in 2018 with a view to helping municipal governments manage their risks and costs; and

WHEREAS the Association of Municipalities of Ontario on behalf of municipal governments has provided recommendations in this source document to align municipal liability with the proportionate responsibility for incidents and capping awards;

THEREFORE BE IT RESOLVED, That the Town of Oakville does hereby support AMO's recommendations;

BE IT FURTHER RESOLVED, That the Town of Oakville does hereby call on the Attorney General of Ontario to work with municipal governments to put forward a plan of action to address "joint and several liability" before the end of the government's current term so that municipalities can continue to offer high quality services to their communities; and

THAT a copy of this resolution be sent to the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, the Region of Halton, City of Burlington, Town of Milton, Town of Halton Hills, local Members of Parliament and Members of Provincial Parliament.

For (14): Mayor Burton, Councillor Adams, Councillor Chisholm, Councillor Elgar, Councillor Gittings, Councillor Grant, Councillor Haslett-Theall, Councillor Knoll, Councillor Lishchyna, Councillor Longo, Councillor O'Meara, Councillor Parmar, Councillor Robertson, and Councillor Sandhu

Absent (1): Councillor Duddeck

CARRIED unanimously on a recorded vote (14 to 0)

9.2 Cannabis Legalization Review

Moved by Councillor Adams

That the report from Municipal Enforcement Services Dated February 15, 2022 titled Cannabis Legalization Review be received.

CARRIED

9.3 Oakville Public Library 2022-2024 Strategic Plan

Moved by Councillor Haslett-Theall

That the Oakville Public Library (OPL) 2022-2024 Strategic Plan be received.

CARRIED

9.4 Recovery Update

Moved by Councillor Lishchyna

That the following recommendations contained in the minutes of the COVID-19 Recovery Committee meeting of February 23, 2022, attached as Appendix A, be approved effective March 1, 2022:

1. That the Mayor's Declaration of Emergency of March 24, 2020 remain in place and that the decision to terminate be revisited upon the expiry of the Region of Halton's Mask By-law 47-20 or upon termination of the Declaration of Emergency by the Regional Chair of The Regional Municipality of Halton;
2. The Town will follow provincial public health measures, including any requirements of Halton Public Health, and as a result will no longer require the public to show proof of vaccination when entering town facilities. The relevant procedure will be revised accordingly;
3. Town Hall will reopen to the public as follows:
 - a. ServiceOakville counter,
 - b. Boardrooms in the north/west corner of town hall and the south atrium may be booked for public use;
4. That Council and Committee meetings continue to be held virtually and upon further lifting of public health measures, that a hybrid model be used for Council and Committee meetings;
5. The Town's Covid-19 Vaccination Policy and Procedure for staff, members of Council, tenants and members of boards and committees and contractors remain unchanged.

CARRIED

9.5 Metrolinx Burloak and Kerr Grade Separation Projects

Moved by Councillor Chisholm

That the verbal update from the CAO regarding the Metrolinx Burloak and Kerr Grade Separation Projects, be received.

CARRIED

10. Confidential Discussion Item(s)

There were no Confidential Discussion Items.

11. Advisory Committee Minutes

There were no Advisory Committee Minutes.

12. Rise and Report to Council

Moved by Councillor Longo

That this committee rise and report.

CARRIED

The Mayor arose and reported that the Committee of the Whole has met and as made recommendations on Consent Items 7.1, 7.2, 7.3, 7.4, and 7.5, and Discussion Items 9.1, 9.2, 9.3, 9.4, and 9.5 as noted by the Clerk.

Moved by Councillor Lishchyna

Seconded by Councillor Grant

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

CARRIED

13. Information Items (Circulated Electronically)

Councillor Adams asked about the staff response to a communication received from No Noise Nuisance Ontario included in Council Information for January 26 - February 1, 2022.

14. Status of Outstanding Issues

15. New Business

Mayor Burton advised that management and Unifor have agreed to meet on the matter of the Oakville Transit strike.

WAIVING OF PROCEDURE

Moved by Councillor Sandhu
Seconded by Councillor Longo

That in accordance with Section 14.1(2) of the Procedure By-law, the Rules of Procedure be waived to permit consideration of the Notices of Motion regarding Item 15.1 - Bronte Harbour Navigational Beacon, Item 15.2 - Support of Ukraine's Sovereignty, and Item 15.3 - Site Plan Applications for 560 and 772 Winston Churchill Blvd, to be considered upon their introduction this evening.

CARRIED

15.1 Notice of Motion - Bronte Harbour Navigational Beacon

Moved by Councillor O'Meara
Seconded by Councillor Robertson

WHEREAS, The Bronte Village Area is a designated Ontario Tourist Area;

WHEREAS, the 12-Mile Creek pier and Waterfront Park are major tourist designations for Oakville, Ontario and international guests;

WHEREAS, the 12-Mile Creek pier and navigation light and beacon are under the authority of the Canadian Coast Guard;

WHEREAS, in 2021 the lighthouse structure and navigational beacon was removed by the federal government and replaced with a small box and new beacon; and

WHEREAS, the federal government has complete authority over the piers and beacons and has in numerous circumstances replaced beacons with lighthouse structures in the past including the lighthouse at 16-Mile Creek;

THEREFORE BE IT RESOLVED THAT, The Town of Oakville calls on the federal government to work with the Town to replace the box and beacon at the 12 Mile Creek with a lighthouse and beacon similar to the one installed on the 16 Mile Creek so it may serve as a tourist feature/destination and that this motion be circulated to both Oakville MPs and the Minister of Fisheries, Oceans and the Canadian Coast Guard.

CARRIED

15.2 Notice of Motion - Support of Ukraine's Sovereignty

Moved by Councillor Lishchyna

Seconded by Mayor Burton

WHEREAS Ukraine and its people are facing an unprovoked and unjustified attack on their sovereignty;

WHEREAS Canada is home to the third largest Ukrainian population in the world outside of Ukraine;

WHEREAS Oakville has a large Ukrainian population and many of our community's members have family and friends in Ukraine;

WHEREAS Town Council is distraught at the horrific scenes coming out of Ukraine including images of families struggling and baseless violence; and

WHEREAS Oakville stands with Ukraine and Ukrainian-Canadian communities across the country and strongly condemns the unprovoked attack by the Putin regime;

THEREFORE IT BE RESOLVED THAT Town Council supports the right of the Ukrainian people to live in a peaceful and sovereign country;

THAT Town Council supports the Government of Canada's economic sanctions imposed on Russia and the lethal, non-lethal and humanitarian aid to Ukraine;

THAT Town Council supports the Government of Ontario's humanitarian aid to Ukraine;

THAT Town Council supports efforts by the international community to prevent the further escalation of hostilities against the people of Ukraine and its sovereignty;

THAT Town Council requests that the Canadian Federal government along with the Ontario Provincial Government welcome those fleeing the

war into Canada and Ontario at an accelerated pace and continue to provide humanitarian assistance to the people of Ukraine; and

THAT a copy of this resolution be sent to the Prime Minister of Canada, the Minister of Foreign Affairs, the Minister of National Defence, the Minister of International Development, the Minister of Immigration, Refugees and Citizenship, Premier of Ontario, Ontario Minister responsible for immigration policies and programs, local Halton Members of Parliament, Halton Members of Provincial Parliament, Ambassador of Ukraine to Canada, the Ukrainian Canadian Congress, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, Ontario Big City Mayor's Caucus and be made available to the public.

For (14): Mayor Burton, Councillor Adams, Councillor Chisholm, Councillor Elgar, Councillor Gittings, Councillor Grant, Councillor Haslett-Theall, Councillor Knoll, Councillor Lishchyna, Councillor Longo, Councillor O'Meara, Councillor Parmar, Councillor Robertson, and Councillor Sandhu

Absent (1): Councillor Duddeck

CARRIED unanimously on a recorded vote (14 to 0)

15.3 Notice of Motion - Site Plan Applications for 560 and 772 Winston Churchill Blvd

Moved by Councillor Haslett-Theall

Seconded by Councillor Gittings

WHEREAS Site Plan Control By-law 2019-114 provides that at the request of Town Council the Director of Planning shall present site plans to Council at any time prior to final approval; and

WHEREAS Site Plan applications for 560 and 772 Winston Churchill Blvd. border residential land uses, must be comprehensively planned and address matters outlined in s.41 (4) and (7) of the Planning Act including the D6 Guidelines related to Land Use Compatibility;

THEREFORE BE IT RESOLVED, THAT the Director of Planning be requested to refer these Site Plans to Council for consideration and review.

CARRIED

16. Regional Reports and Question Period Regarding Town Boards and Advisory Committees

There were no regional reports and question period regarding town boards and advisory committees.

17. Requests for Reports

There were no requests for reports.

18. Consideration and Reading of By-Laws

18.1 By-law 2022-014

A by-law to dedicate certain land as part of a public highway (Part of Block 274, Plan 20M-761 – Scotch Pine Drive).

18.2 By-law 2022-026

A by-law to confirm the proceedings of a meeting of Council.

Moved by Councillor Elgar

Seconded by Councillor Haslett-Theall

That the by-law(s) noted above be passed.

CARRIED

19. Adjournment

The Mayor adjourned the meeting at 8:38 p.m.

Vicki Tytaneck, Town Clerk