



## **Town of Oakville**

### **Council Minutes**

**Date:** **March 28, 2022**

**Time:** **6:30 p.m.**

**Location:** **Virtual Meeting**

Mayor and Council:

- Mayor Burton
- Councillor Adams
- Councillor Chisholm
- Councillor Duddeck
- Councillor Elgar
- Councillor Gittings
- Councillor Grant
- Councillor Haslett-Theall
- Councillor Knoll
- Councillor Lishchyna (Left at 8:45 p.m., returned at 8:50 p.m.)
- Councillor Longo
- Councillor O'Meara
- Councillor Parmar
- Councillor Robertson
- Councillor Sandhu

Staff:

- J. Clohec, Chief Administrative Officer (In person)
- N. Sully, Commissioner of Corporate Services and Treasurer
- C. Bell, Commissioner of Community Services (In person)
- N. Garbe, Commissioner of Community Development (In person)
- P. Fu, Commissioner of Community Infrastructure (In person)
- D. Carr, Town Solicitor (In person)
- J. Clarke, Director of Strategic Initiatives and Communications
- V. Tytaneck, Town Clerk
- J. Warren, Council and Committee Coordinator

**The Town of Oakville Council met in regular session, via videoconference, this 28th day of March, 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**

There were no regrets for this meeting.

**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 FEBRUARY 28, 2022**

**4.2 Minutes of the Special Session of Council, MARCH 3, 2022**

**4.3 Minutes of the Regular Session of Planning and Development Council, MARCH 7, 2022**

Moved by Councillor Duddeck

Seconded by Councillor Lishchyna

1. That the minutes of the regular session of Council of Council dated February 28, 2022, be approved.
2. That the minutes of the special session of Council of Council dated March 3, 2022, be approved.
3. That the regular minutes of the Planning and Development session of Council dated March 7, 2022, be approved.

CARRIED

**5. Public Presentation(s)**

There were no public presentations.

**6. Committee of the Whole**

Moved by Councillor Gittings  
Seconded by Councillor Parmar

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

CARRIED

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

**7. Consent Item(s)**

**7.1 Housekeeping by-laws to amend Administrative Penalties for Non-Parking Violations and Orders, the Property Standards, Appeals Committee and delegated authorities By-laws: By-law 2022-031, By-law 2022-032 and By-law-2022-036**

Moved by Councillor Elgar

1. That By-law 2022-031, a by-law to amend Administrative Penalties for Non-Parking Violations and Orders By-law 2021-038 as set out in Appendix A to the report from the Municipal Enforcement Services Department dated March 22, 2022, be passed; and
2. That By-law 2022-032, a by-law to Amend Property Standards By-law 2017-007 as set out in Appendix B to the report from the Municipal Enforcement Services Department dated March 22, 2022; and
3. That By-law 2022-036 a by-law to amend By-law 2010-163 being a by-law to delegate certain powers to the Oakville Appeals Committee and to amend By-law 2021-077 being a by-law to delegate certain powers and duties under *the Municipal Act, 2001, S.O. 2001 c.25, the Planning Act, R.S.O. 1990 c. P. 13*, and other Acts be passed.

CARRIED

**7.2 Additional Planning and Development Council Meeting**

Moved by Councillor Elgar

That an additional Planning and Development Council meeting be scheduled for May 16, 2022, at 6:30 p.m.

CARRIED

**8. Confidential Consent Item(s)**

There were no Confidential Consent Items.

**9. Discussion Item(s)**

**9.1 Roadmap for Town-wide Rainwater Management Strategy**

Moved by Councillor Chisholm

That the report entitled Roadmap for Town-wide Rainwater Management Strategy from the Community Infrastructure Commission, dated March 15, 2022 be received.

CARRIED

**9.2 Oakville Enterprises Corporation (OEC) Quarterly Update**

Moved by Councillor Haslett-Theall

That the presentation from Rob Lister, President and CEO of Oakville Enterprises Corporation regarding the Oakville Enterprises Corporation Quarterly Update, be received.

CARRIED

**9.3 2022 Priority Intergovernmental Requests**

Moved by Councillor Grant

1. That the 2022 priority intergovernmental requests identified in Appendix A of this report be approved.
2. That staff develop a request to assist the town in acquiring parkland to keep up with growth.
3. That staff assist the town with measures that will work around affordable and assisted housing.
4. That staff assist with measures to abolish or reform the Ontario Land Tribunal to make it fairer for residents.

CARRIED

**RECESS**

The meeting recessed at 8:09 p.m. and reconvened at 8:30 p.m.

**9.4 Recovery Update – March 28, 2022**

Moved by Councillor O'Meara

1. That the minutes of the COVID-19 Recovery Committee meeting of March 22, 2022, attached as Appendix A, be received.
2. That the following recommendation of the COVID-19 Recovery Committee be approved:

That Members of Council and staff transition back to the Council Chamber for the April 25, 2022 Council meeting, and that public attendance be further considered at a future Emergency Control Group meeting.

CARRIED

**9.5 Former Hospital Lands update on Seniors Block – March 28, 2022**

Moved by Councillor Gittings

1. That the Oakville Municipal Development Corporation (“OMDC”) be requested to market and seek out opportunities for the redevelopment of a portion of the former Oakville Trafalgar Memorial Hospital Site identified as the Seniors Block, Civic Square and former Oakville Trafalgar High school Building (collectively the “Property”).
2. That staff be delegated authority to complete the sale of the Property based on recommendations from the OMDC provided all the conditions set out in this report and the confidential staff report dated March 15, 2022, entitled *Confidential Former Hospital Lands Update on the Seniors Block – March 28, 2022* from the Legal department, are satisfied to the satisfaction of the CAO and Town Solicitor.
3. That the OMDC be paid a management fee of 1.5% of the purchase price for its work marketing and securing a buyer for the Property upon successful completion of the transaction.

CARRIED

**10. Confidential Discussion Item(s)**

**10.1 Confidential Former Hospital Lands Update on the Seniors Block – March 28, 2022**

Moved by Councillor Gittings

That the recommendation contained in the confidential report dated March 15, 2022, from the Legal Department, be approved.

CARRIED

**10.4 Citizen Appointment to the Oakville Public Library Board and the Community Spirit Awards Selection Committee-March 28, 2022**

Moved by Councillor Knoll

That a determination regarding the current vacancies on the Oakville Public Library Board be deferred to allow the Chief Executive Officer of Oakville Public Library the opportunity to assess and rank applications based on the Board approved skills matrix and to provide the Clerk's department a further report to the June 20, 2022 Council meeting.

CARRIED

Moved by Councillor Chisholm

That the vacancy on the Community Spirit Awards Committee be filled as recommended by Julie Pennal, the current Chair of the Community Spirit Awards.

CARRIED

**15. New Business**

**15.1 Notice of Motion re: Grade Separation**

**WAIVING OF PROCEDURE**

Moved by Councillor Haslett-Theall

Seconded by Councillor Elgar

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 – Notice of Motion – Grade Separation, to be considered upon its introduction this evening.

CARRIED

Moved by Councillor Chisholm

Seconded by Councillor Robertson

WHEREAS in 2015, Ontario's government announced it would partner with the federal government to help to build new road-under-rail grade separations in Halton Region. Ontario's Regional Express Rail initiative would provide faster, more frequent GO rail service, with electrification on core segments rail network;

WHEREAS two Oakville grade separation projects at Burloak Drive (in partnership with the City of Burlington) and Kerr Street were included;

WHEREAS Environmental Assessments were undertaken in 1994 for the Burloak project and 2009 for the Kerr project;

WHEREAS in December 2017, Ontario's government announced Infrastructure Ontario (IO) and Metrolinx had issued a Request for Qualifications (RFQ) to build and finance the Lakeshore West Corridor Infrastructure Improvements project which included both the Burloak and Kerr St. grade separation projects;

WHEREAS in April 2018, agreements with the public transit authority Metrolinx on the timing, scope and costs for the Burloak and Kerr Street projects were reached;

WHEREAS in October 2018, all parties of the Burloak Separation agreed on a capped cost share for a total project cost of \$60 million (Oakville's share at \$15 million) and a total project cost for the Oakville share of the Kerr St. separation of \$65 million;

WHEREAS on February 18, 2022 Metrolinx staff met with the Mayors of Oakville and Burlington to advise them that each municipality would now be required to provide an additional \$29.25 million on top of the agreed capped cost share, for a total share of approximately \$45 million each for the Burloak project;

WHEREAS at the same time Metrolinx advised Oakville costs the Kerr St. project had now ballooned to \$233 million, an increase that approximately doubled the original cost of the project. As a result, Metrolinx would defer the Kerr St. grade separation for an undefined length of time; and Burloak would now take 5 years to complete as opposed to the two-year time frame;

WHEREAS the Mayors of Oakville and Burlington on February 25, 2022 requested Metrolinx to immediately engage to address the cost increase, expressing significant disappointment in the process, the multiple delays and late request for additional funding;

WHEREAS on March 3, 2022 Metrolinx responded in writing, indicating that the request for an additional \$29.5 million for Burloak Grade Separation was lowered to \$19 million;

WHEREAS in discussions with the CAO's from Oakville and Burlington, Metrolinx were in agreement to work together to examine all means to reduce the cost of Burloak as the project continued to be underway, and that Oakville and Metrolinx work together to reduce the Kerr project costs and to continue to move forward with Kerr, albeit following the Burloak project; and

WHEREAS the Oakville Councillors of Ward 1 and 2 issued a news release calling on the Province to ensure that the previous commitments to the construction of both grade separations move forward immediately and at the costs agreed to in 2018;

THEREFORE, BE IT RESOLVED:

THAT Council requests the President and CEO of Metrolinx, the Premier of Ontario, and the Minister of Transportation intervention and involvement to ensure that these priority grade separations, Kerr and Burloak, move forward immediately and in accordance with the 2018 agreed upon costing arrangements.

AND THAT the resolution be forwarded to all Oakville MP's and MPP's, the Region of Halton, and the City of Burlington.

For (15): Mayor Burton, Councillor Adams, Councillor Chisholm, Councillor Duddeck, 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



CARRIED unanimously on a recorded vote (15 to 0)

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

There were no regional reports or questions.

**17. Requests for Reports**

There were no requests for reports.

**10. Confidential Discussion Item(s)**

**10.2 OEC Update–March 28, 2022**

Moved by Councillor Longo

That the confidential briefing report dated March 10, 2022 addressed to Douglas Carr, Town Solicitor from Sean McCaughan, Chief Strategy and Growth Officer of Oakville Enterprises Corporation attached as Confidential Appendix A and distributed to the Mayor and Members of Council only, be received.

CARRIED

**10.3 OEC Update - Legal**

Moved by Councillor Knoll

1. That the Confidential Report entitled OEC Update – Legal from the Legal Department dated March 15, 2022 be received.
2. That staff report back to Council by means of a confidential report from the Legal Department at the April or May, 2022 Council meeting.

CARRIED

**CLOSED SESSION**

Moved by Councillor Gittings

That Council resolve into a closed meeting session for the purpose of dealing with the security of the property of the municipality, a trade secret

or scientific, technical, commercial, financial or labour relations, information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board, and for the purpose of dealing with the security of the property of the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to Item 10.2 - OEC Update and Item 10.3 - OEC Update - Legal.

### **RECESS**

The meeting recessed at 9:03 p.m. and reconvened in closed session at 9:08 p.m.

*Council resolved into closed session at 9:08 p.m.*

*Council resolved back into open session at 10:09 p.m.*

## **11. Advisory Committee Minutes**

There were no Advisory Committee Minutes.

## **12. Rise and Report to Council**

Moved by Councillor Elgar

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, and Discussion Items 9.1, 9.2, 9.3, 9.4, 9.5 and Confidential Discussion Items 10.1, 10.2, 10.3, and 10.4 and the Notice of Motion - Grade Separation, as noted by the Clerk.

Moved by Councillor Duddeck

Seconded by Councillor Longo

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

CARRIED

**13. Information Items (Circulated Electronically)**

**14. Status of Outstanding Issues**

**18. Consideration and Reading of By-Laws**

**18.1 By-law 2022-031**

A by-law to amend Administrative Penalties for Non-Parking Violations and Orders By-law 2021-038 and to amend By-laws 2002-034, 2003- 021, 2005,062, 2006-071, 2007-135, 2007-143, 2008-098, 2009-025, 2009-056, 2009-072, 2011 045, 2013-013, 2015-075, 2016-083, 2017-008, 2017-038, 2018-006, 2018-045, 2018-153 and 2019-060 (re: Item 7.1)

**18.2 By-law 2022-032**

A by-law to amend Property Standards By-law 2017-007, as amended (Administrative Penalties) (re: Item 7.1)

**18.3 By-law 2022-036**

A by-law to amend By-law 2010-163 being a by-law to delegate certain powers to the Oakville Appeals Committee and to amend By-law 2021-077 being a by-law to delegate certain powers and duties under the *Municipal Act, 2001*, S.O. 2001 c.25, the *Planning Act, R.S.O. 1990 c. P. 13*, and other Acts. (re: Item 7.1)

**18.4 By-law 2022-034**

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

Moved by Councillor Haslett-Theall

Seconded by Councillor Chisholm

That the by-laws noted above be passed.

CARRIED

**19. Adjournment**

The Mayor adjourned the meeting at 10:12 p.m.

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Vicki Tytaneck, Town Clerk