



Town of Oakville

Council Minutes

Date: January 30, 2023
Time: 6:30 p.m.
Location: Council Chamber

Mayor and Council:

- Mayor Burton
- Councillor Adams
- Councillor Chisholm
- Councillor Duddeck
- Councillor Elgar
- Councillor Gittings
- Councillor Grant
- Councillor Haslett-Theall
- Councillor Knoll
- Councillor Lishchyna
- Councillor Longo
- Councillor McNeice
- Councillor Nanda
- Councillor O'Meara
- Councillor Xie

Staff:

- J. Clohecy, Chief Administrative Officer
- N. Sully, Commissioner of Corporate Services and Treasurer
- C. Bell, Commissioner of Community Services
- N. Garbe, Commissioner of Community Development
- P. Fu, Commissioner of Community Infrastructure
- D. Carr, Town Solicitor
- V. Tytaneck, Town Clerk
- J. Warren, Council and Committee Coordinator

The Town of Oakville Council met in regular session this 30th day of January, 2023 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, DECEMBER 19, 2022

4.2 Minutes of the Regular Session of Planning and Development Council, JANUARY 23, 2023

Moved by Councillor Elgar

Seconded by Councillor Duddeck

1. That the minutes of the regular session of Council dated December 19, 2022, be approved.
2. That the minutes of the Planning and Development session of Council dated January 23, 2023, be approved.

CARRIED

5. Public Presentation(s)

There were no public presentations.

6. Committee of the Whole

Moved by Councillor Lishchyna

Seconded by Councillor Longo

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

CARRIED

7. Consent Item(s)

7.1 Bronte Veterans Garden

Moved by Councillor Chisholm

1. That the installation of a plaque at Bronte Veterans Garden in recognition of the contribution of (former) Councillor Ralph Robinson be approved.
2. That the re-naming of Bronte Veterans Garden to Ralph Robinson Memorial Veterans Garden be withdrawn.

CARRIED

7.2 Staff Report – Corporate Policy Update – January 30, 2022

Moved by Councillor Chisholm

1. That updates to the Financial Operation Control Policy be approved, and that updates to the related procedures be received:
 - a. Banking Services Procedure;
 - b. External Auditors - Year End Procedure;
 - c. Accounts Payable Procedure;
 - d. Accounts Receivable Procedure;
 - e. Petty Cash Procedure; and
 - f. Cash Handling Procedure.
2. That updates to the Development Charge Interest Procedure be received.
3. That the Occupational Health, Safety and Workplace Violence Policy and related Workplace Violence Procedure be approved.

CARRIED

7.3 By-law 2023-006 A By-law to Authorize the Temporary Borrowing of Monies for 2023

Moved by Councillor Chisholm

That By-law 2023-006 be passed authorizing the temporary borrowing of monies to meet current expenditures should the need arise in 2023, until taxes are collected and other revenues are received.

CARRIED

7.4 Burnhamthorpe Road Construction Cost Sharing Agreement with Milton

Moved by Councillor Chisholm

That staff be authorized to execute the Burnhamthorpe Road construction cost sharing agreement with Milton.

CARRIED

7.5 Community Spirit Awards Update

Moved by Councillor Chisholm

1. That the 2023 Community Spirit Awards Update report be received.
2. That the current citizen members of the Community Spirit Awards (CSA) Selection Committee as listed below, be reappointed to the Committee until the end of 2023:
 - a. July Lilly
 - b. Cindy Heinz
 - c. David White
 - d. Cara Penkett
3. That the Clerk's department advertise during the third quarter of 2023 for new appointments to the Community Spirit Awards (CSA) Selection Committee to be appointed for the remaining term of Council, 2024 to 2026.

CARRIED

8. Confidential Consent Item(s)

There were no Confidential Consent Items.

9. Discussion Item(s)

9.1 2022 Audit Planning Report

Moved by Councillor Haslett-Theall

That the Audit Planning Report prepared by KPMG for the 2022 fiscal year be received.

CARRIED

9.2 Notice of Motion: Election Sign Regulations

Moved by Councillor Nanda

Seconded by Councillor O'Meara

WHEREAS the Town of Oakville has declared a Climate Emergency;

WHEREAS Election signs that are placed on municipal property are overwhelmingly made with plastics having a negative impact on our environment;

WHEREAS Election signs have become a visual clutter on our roadways often distracting drivers and causing blight;

WHEREAS neighbouring municipalities including Burlington, Mississauga, Brampton and the Region of Halton have all banned election signs from the public right of way;

WHEREAS election sign bylaws are often broken and enforcement cannot keep up with infractions;

WHEREAS section 11 of the Municipal Act, 2001 S.O. 2001 c. 25, as amended authorizes municipalities to pass by-laws respecting signs;

WHEREAS subsection 63(1) of the Municipal Act, 2001 S.O. 2001, c. 25, as amended provides that a By-law may prohibit or regulate the placing or standing of an object on or near a highway, and may provide for the removal and impounding or restraining and immobilizing any object placed or standing on or near a highway;

WHEREAS Council deems it necessary and in the public interest to regulate election signs; and

WHEREAS a stand-alone by-law to regulate election signs will help candidates, campaign teams, and the public readily access election sign provisions;

THEREFORE BE IT RESOLVED THAT:

No person shall display an Election Sign at any location other than entirely on private property;

No person shall display an Election Sign on private property without the permission or consent of the owner of the property;

No person shall display, or permit to be displayed, an Election Sign which is in a state of disrepair so as to be unsafe or unsightly; and

THAT staff develop a comprehensive set of rules that ensure signs are installed safely so as not to cause harm or hazard to residents on private property.

Moved by Councillor Lishchyna

That the motion be referred to staff to undertake community consultation and report back, including legal advice, on the existing by-law regulations and availability of election signage, and options to further regulate and prohibit election signage, including third party elections signs on public property and the resources and cost of implementation.

CARRIED

Moved by Councillor Duddeck

That the information provided from the public and Council be received.

CARRIED

9.3 Oakville Transit – The provision of Energy Infrastructure and Energy Services Agreements – RFP-48-2021

Moved by Councillor Longo

1. That the Town enter into an Energy Infrastructure Contract (EIC) over a twenty (20) year period with the successful proponent of RFP-48-2021 for the provision of Energy Infrastructure to Oakville Transit for the electrification of the transit fleet.
2. That the Town enter into an Energy Services Agreement (ESA) for a term of twenty (20) years with the successful proponent of RFP-48-2021 for the Provision of Energy Services for Oakville Transit for the electrification of the transit fleet.
3. That the Town enter into a design-build agreement with the successful proponent of RFP-48-2021 to expand the existing transit facility and accommodate the energy infrastructure for electrifying the transit fleet.
4. That the EIC, ESA, and design-build agreements be executed in accordance with By-law 2013-057.
5. That staff be directed to continue exploring funding opportunities and evaluate the potential buy-out options outlined in the agreements.

CARRIED

10. Confidential Discussion Item(s)

10.1 Citizen Appointments to the Accessibility Advisory Committee, Committee of Adjustment, Heritage Oakville Advisory Committee and the Oakville Public Library Board of Directors for the 2022 to 2026 Term of Council

Moved by Councillor Chisholm

That a Special Committee of Council be appointed to consider and report back to the February 27, 2023 or March 27, 2023 Council meeting, regarding the citizen appointments to the Accessibility Advisory Committee, Committee of Adjustment, Heritage Oakville Advisory Committee and the Oakville Public Library Board of Directors, consisting of the Mayor and seven members (one representing each Ward).

CARRIED

Moved by Councillor Elgar

That the following members be appointed to the Special Committee of Council:

Mayor Burton

Councillor McNeice - Ward 1

Councillor Chisholm - Ward 2

Councillor Gittings - Ward 3

Councillor Longo - Ward 4

Councillor Knoll - Ward 5

Councillor Adams - Ward 6

Councillor Nanda - Ward 7

CARRIED

11. Advisory Committee Minutes

11.1 Accessibility Advisory Committee Minutes - December 8, 2022

Moved by Councillor Gittings

That the minutes of the Accessibility Advisory Committee meeting of December 8, 2022, be received.

CARRIED

12. Rise and Report to Council

Moved by Councillor Lishchyna

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 Items 7.1, 7.2, 7.3, 7.4 and 7.5, Discussion Items 9.1, 9.2 and 9.3, Confidential Discussion Item 10.1, and Advisory Committee Minutes 11.1, as noted by the Clerk.

Moved by Councillor McNeice
Seconded by Councillor Knoll

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

CARRIED

13. Information Items (Circulated Electronically)

13.1 Information Items for December 7, 2022 – January 11, 2023

14. Status of Outstanding Issues

14.1 Outstanding Issues Listing for January 2023

15. New Business

Mayor Burton proclaimed February 2023 to be Black History Month in the Town of Oakville.

Mayor Burton offered condolences to the family of former Mayor of Mississauga, Hazel McCallion after her passing on January 29, 2023.

Councillor Chisholm offered congratulations to Doug Sams, Executive Director of Kerr Village on his appointment as President of Ontario Business Improvement Area Association (OBIAA).

Mayor Burton offered congratulations to Gary O'Neill on celebrating 10 years with the Kerr Street Mission.

In accordance with Section 14.1(2) of the Procedure By-law, the following Notices of Motion will be considered at the next Council meeting to be held on February 27, 2023.

15.1 Notice of Motion - 2024 Centennial Cup Bid

Moved by Councillor Chisholm
Seconded by Councillor Duddeck

WHEREAS the Oakville Blades have submitted a bid to host the 2024 Centennial Cup at the Sixteen Mile Sports Complex to Hockey Canada;

WHEREAS Oakville is a hockey town and the Sixteen Mile Sports Complex is the ideal host location for the 2024 Centennial Cup;

WHEREAS the state-of-the-art facility offers all of the amenities needed to comfortably host all 10 participating teams and the tens of thousands of spectators throughout the tournament;

WHEREAS when the concept for Sixteen Mile Sports Complex was originally conceived, it was for hosting events such as the 2024 Centennial Cup as part of the town's vision to become a leading destination for national and international tournaments and events;

WHEREAS the Centennial Cup tournament will attract: a minimum of 42,500 spectators, a minimum of 3082 hotel room nights and Hockey Canada predicts upwards of a positive \$5 million economic impact for the 2024 event;

WHEREAS the Council for the host city of Estevan, Saskatchewan committed \$150,000 over two years to be the top sponsors of the 2022 Centennial Cup national Junior A hockey championship after they were awarded the tournament;

AND WHEREAS hosting the 2024 Centennial Cup will give the Town national exposure and will deliver economic spin-offs and benefits for our local restaurants, businesses and hospitality industry.

NOW THEREFORE BE IT RESOLVED THAT the Town of Oakville and Town Council support the Oakville Blades' bid to host the 2024 Centennial Cup;

AND THAT staff report back with appropriate sponsorship opportunities and options for Council to consider before the Centennial Cup tournament is awarded;

AND THAT the Town, Visit Oakville and Council will support the Oakville Blades organization to ensure that the 2024 Centennial Cup is the biggest and most successful tournament in its history.

15.2 Notice of Motion - In Opposition to Bill 3, Strong Mayors, Building Homes Act, 2022 and Bill 39, Better Municipal Governance Act 2022

WAIVING OF PROCEDURE

Moved by Councillor Elgar
Seconded by Councillor Gittings

That in accordance with Section 2(2) of the Procedure By-law, Section 14.1(2) of the Procedure By-law be waived to permit consideration of the Notice of Motion regarding Item 15.2 - In Opposition to Bill 3, Strong Mayors, Building Homes Act, 2022 and Bill 39, Better Municipal Governance Act, 2022, upon its introduction this evening.

CARRIED

Moved by Councillor O'Meara
Seconded by Councillor Duddeck

WHEREAS the Government of Ontario has enacted Bill 3 Strong Mayors, Building Homes Act 2022 and Bill 39 Better Municipal Governance Act 2022,

AND WHEREAS these bills amend various statutes with respect to special powers and duties of heads of council,

AND WHEREAS these special powers have been applied to the City of Toronto and the City of Ottawa and are intended to include additional municipalities in future,

AND WHEREAS Bills 3 and 39 give Mayors additional authority and powers including the capacity to veto some decisions of Council, the ability to pass and repeal bylaws with only one-third support of Council, the power to propose and adopt Municipal budgets, the faculty to hire, dismiss and direct senior staff to develop policy proposals, the authority to create or re-organize municipal departments and the power to create committees and choose the chairs of same,

AND WHEREAS, advancing the power of Mayors while depleting authority and powers from Councils undermines the ability of Ward Councillors to effectively represent their constituencies,

AND WHEREAS increased asymmetry of power at the Council table diminishes local representation and local democracy,

AND WHEREAS no public consultation or debate with elected Council or citizens was undertaken in devising or enacting these fundamental changes to our governance,

AND WHEREAS the Province asserts these powers will allow more homes to be built,

AND WHEREAS no evidence has been provided to support this claim.

THEREFORE, BE IT RESOLVED,

THAT Oakville Town Council opposes Bill 3, the Strong Mayors, Building Homes Act, 2022, and Bill 39, Better Municipal Governance Act 2022 and asks that the Government of Ontario reconsider this legislation; and

THAT changes to the Municipal Act, 2001 are unnecessary and will negatively affect the Town of Oakville, and

THAT if the stated goal of this legislation is to construct more housing in Ontario, this can be accomplished through other means including amendment of the Planning Act and funding of more affordable housing, and

THAT a letter be written by the Mayor communicating his and Council's opposition, to be sent to the Premier of Ontario and to the Minister of Municipal Affairs and Housing, and

THAT this resolution be distributed to the leaders of all parties represented in the Legislature, all Ontario Members of Provincial Parliament, all Ontario municipalities and the Association of Municipalities of Ontario.

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 McNeice, Councillor Nanda, Councillor O'Meara, and Councillor Xie

CARRIED unanimously on a recorded vote (15 to 0)

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

17. Requests for Reports

There were no requests for report.

18. Consideration and Reading of By-Laws

18.1 By-law 2023-002

A by-law to amend By-law 1984-1 (Traffic By-law).

18.2 By-law 2023-006

A by-law to authorize the temporary borrowing of monies for 2023. (Re: Item 7.3)

18.3 By-law 2023-019

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

Moved by Councillor Chisholm

Seconded by Councillor Xie

That the by-laws noted above be passed.

CARRIED

19. Delegated Authority By-laws

The following by-laws were prepared under the authority of amending By-law 2022-022 - A by-law to amend By-law 2021-077, a by-law to delegate certain powers and duties under the Municipal Act, S.O. 2001 c.25, the Planning Act, R.S.O. 1990 c. P.13, and other Acts:

19.1 By-law 2022-117

A by-law to remove the "H52" Holding Symbol from 1235 Wheat Boom Drive, Town of Oakville, File No. Z.1309.07.

19.2 By-law 2022-118

A by-law to remove the "H8" and "H12" Holding Symbols from 6-78 Settlers Road East, 3286-3440 Millicent Avenue, 4-14 Marvin Avenue, 4, 14, and 15 Bowbeer Road, 6-74 William Crawley Way, 3404-3465 Mosley Gate, 57 and 69 Viva Gardens, and 3227-3429 Sixth Line (formerly 3369 Sixth Line), File No. Z.1315.12.

20. Adjournment

The Mayor adjourned the meeting at 8:44 p.m.

Vicki Tytaneck, Town Clerk