



Town of Oakville

Council Minutes

Date: March 27, 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. Clohec, Chief Administrative Officer
- N. Sully, Commissioner of Corporate Services and Treasurer
- 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 27th day of March, 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

Councillor Knoll declared an interest with respect to recommendation 3 of item 7.5 - 2023 Budgets for Business Improvements Areas as he is the CEO, a Director and shareholder of Film.Ca Cinemas Inc. and Film.Ca Productions Inc. which is a member of the Kerr Street Business Improvement Area.

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

4.1 Minutes of the Regular Session of Council, FEBRUARY 27, 2023

4.2 Minutes of the Regular Session of Planning and Development Council, MARCH 6, 2023

4.3 Minutes of the Special Session of Council, MARCH 7, 2023

4.4 Minutes of the Special Session of Council, MARCH 8, 2023

4.5 Minutes of the Regular Session of Planning and Development Council, MARCH 20, 2023

**4.6 Minutes of the Special Session of Council, MARCH 20, 2023
(Reconvened meeting of March 8, 2023)**

Moved by Councillor Xie

Seconded by Councillor McNeice

1. That the minutes of the regular session of Council dated February 27, 2023 be approved.
2. That the minutes of the planning and development session of Council dated March 6 and March 20, 2023 be approved.
3. That the minutes of the special session of Council dated March 7, 2023, March 8, 2023 and March 20, 2023 be approved.

CARRIED

5. Public Presentation(s)

There were no public presentations.

6. Committee of the Whole

Moved by Councillor Duddeck
Seconded by Councillor Nanda

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 Park Naming

Moved by Councillor Adams

1. That the report titled Park Naming dated March 14, 2023 from the Parks and Open Space Department, be received.
2. That the names of all new Parks and Open Spaces, as listed within Table 1 of the report dated March 27, 2023, be approved.

CARRIED

7.2 Conservation Halton - Permission to Enter Agreement

Moved by Councillor Adams

1. That staff be authorized to enter a licence agreement with Conservation Halton on the terms set out in the report from the Parks and Open Space department and Legal department dated March 14, 2023.
2. That the Town Solicitor be authorized to enter into minor amendments and short term renewals of the licence agreement, if required.

CARRIED

7.3 North Service Road and Eighth Line Expropriation, By-law 2023-031 – March 27, 2023

Moved by Councillor Adams

1. That the expropriation of the easements and lands set out in Appendix “A” (the “**Required Interests**”), be approved for the municipal purposes of road widening, reconstruction and improvements to a segment of North Service Road East and Eighth Line and all ancillary works thereto.
2. That the CAO and Town Clerk be authorized and directed to sign expropriation plans and Certificates of Approval showing the Required Interests being expropriated.
3. That the Town Solicitor be authorized and directed to cause the said expropriation plans, when so signed and sealed, to be registered at the Land Registry Office for Halton and thereby effect the expropriation of the Required Interests.
4. That the Realty Services Manager, CAO, Town Solicitor, or any one of them, be authorized and directed to execute and serve all notices and other documents and take such steps which are necessary to carry out the expropriation of the Required Interests or which are required by the *Expropriations Act* in respect of the Required Interests.
5. That a Notice of Possession be served requiring possession of the Required Interests at least three (3) months after the date of service of the said notice, and all necessary steps be taken to obtain possession of the Required Interests on the day permitted under the *Expropriations Act*.
6. That an offer of an amount in full compensation for the registered owners’ interest in the Required Interests, and an offer for immediate payment of 100% of the market value, as estimated by the Town’s appraiser, be served, together with a copy of the appraisal report, all in accordance with section 25 of the *Expropriations Act*.
7. Where the registered owner refuses to accept the section 25 offer, that the CAO be delegated authority to approve the compensation for any partial or full minutes of settlement based on market value for the Required Interests, together with any other compensation

for which the owners may be entitled to under the *Expropriations Act* in accordance with the procedures and within the monetary threshold limits set out in Appendix “B”.

8. That any minutes of settlement approved by the CAO be executed in accordance with by-law 2013-057.
9. That staff be authorized to undertake any relocation/removal works of structures located within the expropriated Required Interests necessary to commence the construction work if the expropriated owner and the Town cannot reach a settlement, and the Director of Transportation and Engineering be authorized to enter into any agreements required to effect such work.
10. That By-law 2023-031, authorizing the expropriation of the Required Interests, be passed.

CARRIED

7.4 Wallace Park Tennis Club License Renewal – March 27, 2023

Moved by Councillor Adams

That staff be authorized to renew the license agreement with the Wallace Park Tennis Club for a two year period, to be executed in accordance with By-law 2013-057.

CARRIED

7.5 2023 Budgets for Business Improvement Areas

Moved by Councillor Adams

1. That the 2023 Recommended Budget for the Downtown Oakville Business Improvement Area, requiring a levy of \$1,194,612, as shown in Appendix A, be approved.
2. That the 2023 Recommended Budget for the Bronte Village Business Improvement Area, requiring a levy of \$369,285, as shown in Appendix B, be approved.
3. That the 2023 Recommended Budget for the Kerr Village Business Improvement Area, requiring a levy of \$431,260, as shown in Appendix C, be approved.

4. That the relevant Board of Management approve any subsequent revision or reallocation of funds, within these budgets. The resolution shall be provided to the Treasurer, or designate of the town, who shall determine the significance of the change and advise if it requires Council approval.
5. That the Boards of Management ensure that the procurement of supplies and services, within the approved budgets, meet the requirements of the town's Purchasing By-law.

The Mayor called the vote on clauses 1, 2, 4 and 5.

CARRIED

The Mayor called a separate vote on clause 3.

CARRIED

(Councillor Knoll, having declared a pecuniary interest on this item, did not vote on Clause 3.

7.6 2023 Halton Court Services Business Plan

Moved by Councillor Adams

1. That the 2023 Business Plan and Budget for Halton Court Services and the accompanying Reserve Fund transfers, as detailed in the report from the Finance department dated March 14, 2023 and attached Appendix A, be approved.
2. That the Mayor and Clerk be authorized to execute any required documents and/or agreements to give effect to the transfer of Part III Provincial Offences Act prosecutions subject to the satisfaction of the Joint Management Board.
3. That the Mayor and Clerk sign a letter to the Ministry of the Attorney General in support of more Justice of Peace appointments and for those appointments to be in a more timely fashion in an effort to provide a solution to the severe lack of judicial resources.
4. That a copy of this report be forwarded to the Corporation of the City of Burlington, the Corporation of the Town of Halton Hills, and the Corporation of the Town of Milton for information.

CARRIED

9. Discussion Item(s)

9.1 Lakeshore Road West Improvements, Mississaga Street to Dorval Drive – Public Engagement and Consultation Process

Moved by Councillor Chisholm

1. That the report titled Lakeshore Road West Improvements, Mississaga Street to Dorval Drive – Public Engagement and Consultation Process, dated March 14, 2023, be received.
2. That Council endorse the Lakeshore Road West Improvements Detail Design Study public engagement and consultation program as outline in the report.
3. That the required radius be doubled for the notice sent by mail and that information pertaining to this matter be made available to the public on the town website.

CARRIED

9.2 2024 Centennial Cup Sponsorship

Moved by Councillor Chisholm

That the sponsorship package for the 2024 Centennial Cup be funded from the Tax Stabilization reserve and the Municipal Accommodation Tax (MAT) reserve, as outlined in the report dated March 14, 2023, from the Economic Development department and that these amounts be incorporated into the 2024 budget.

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 McNeice, Councillor Xie, and Councillor Nanda

CARRIED unanimously on a recorded vote (15 to 0)

10. Confidential Discussion Item(s)

There were no Confidential Discussion Items listed for this agenda.

11. Advisory Committee Minutes

11.1 Accessibility Advisory Committee Minutes - March 9, 2023

Moved by Councillor Gittings

That the minutes of the Accessibility Advisory Committee meeting of March 9, 2023, be received.

CARRIED

8. Confidential Consent Item(s)

8.1 1094 Third Line Lease Update

Moved by Councillor Elgar

CLOSED SESSION

That Council resolve into a closed meeting session for the purpose of dealing with the security of the property of the municipality, a proposed or pending acquisition or disposition of land by the municipality, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to Item 8.1 - 1094 Third Line Lease Update.

CARRIED

RECESS

The meeting recessed at 8:11 p.m. and reconvened in closed session at 8:20 p.m.

Council resolved back into open session at 9:22 p.m.

Moved by Councillor Adams

That the confidential staff report dated March 14, 2023 entitled "1094 Third Line Lease Update" from the Legal Department, be received, and that the staff direction given in closed session be approved.

For (12): Mayor Burton, Councillor Chisholm, Councillor Duddeck, Councillor Gittings, Councillor Grant, Councillor Haslett-Theall, Councillor Knoll, Councillor Lishchyna, Councillor Longo, Councillor McNeice, Councillor Xie, and Councillor Nanda

Against (3): Councillor Adams, Councillor Elgar, and Councillor O'Meara

CARRIED unanimously on a recorded vote (12 to 3)

The Mayor confirmed that the direction given to staff in closed session included an offer to the tenant to end any further extensions of the lease at 1094 Third Line and that a six month extension of the lease be offered to the tenant subject to conditions.

12. Rise and Report to Council

Moved by Councillor Duddeck

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, 7.5 and 7.6, Confidential Consent Item 8.1, Discussion Items 9.1 and 9.2 and Advisory Committee Minutes 11.1, as noted by the Clerk.

CARRIED

Moved by Councillor Xie

Seconded by Councillor Adams

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

CARRIED

13. Information Items (Circulated Electronically)

13.1 Information Items for February 15 - March 14, 2023

13.2 MEMO - Finance Department RE: Annual Indexing of Development Charge Rates

13.3 MEMO - Clerks Department RE: Municipal Clearance for Liquor Sales Licence

14. Status of Outstanding Issues

14.1 Status of Outstanding Issues for March 2023

15. New Business

There was no new business.

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

17. Requests for Reports

17.1 Council Community Benefits Rollover

Moved by Councillor Haslett-Theall

Seconded by Councillor Elgar

That staff provide options to allow the rollover of the annual \$9,000 allocated for Council Community Benefits through their elected term of Office to be consistent with the Regional policy and allow Councillors to have more flexibility in supporting their communication and Ward needs.

CARRIED

17.2 Bronte Village Revitalization Comprehensive Plan

Moved by Councillor McNeice

Seconded by Councillor O'Meara

That staff prepare a report outlining the terms of reference, workplan, resources, and timing needed to create a comprehensive and integrated plan to better coordinate the vision, revitalization, and investments in

Bronte Village, comparable to the approach taken for the Downtown Oakville Plan, their strategic action plan and associated initiatives.

CARRIED

18. Consideration and Reading of By-Laws

18.1 By-law 2023-031

A By-law to authorize the expropriation of easements and fee simple interests along North Service Road and Eighth Line as described in Appendix "A" to this by-law (re: Item 7.3)

18.2 By-law 2023-045

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

Moved by Councillor Gittings

Seconded by Councillor Nanda

That the by-laws noted above be passed.

CARRIED

19. Adjournment

The Mayor adjourned the meeting at 9:34 p.m.

Vicki Tytaneck, Town Clerk