



Town of Oakville

Council Minutes

Date: May 29, 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
- N. Coric, Council and Committee Coordinator

The Town of Oakville Council met in regular session this 29th day of May, 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, APRIL 24, 2023

4.2 Minutes of the Special Session of Council, APRIL 27, 2023

4.3 Confidential Minutes of the Closed Special Session of Council, APRIL 27, 2023

4.4 Minutes of the Regular Session of Planning and Development Council, MAY 15, 2023

4.5 Minutes of the Special Session of Council, MAY 17, 2023

4.6 Minutes of the Special Session of Planning and Development Council, MAY 19, 2023

4.7 Minutes of the Special Session of Planning and Development Council, MAY 23, 2023

Moved by Councillor McNeice

Seconded by Councillor Xie

1. That the minutes of the regular session of Council dated April 24, 2023 be approved.
2. That the minutes of the special sessions of Council dated April 27, 2023 and May 17, 2023 and the confidential minutes of the special session of Council dated April 27, 2023, be approved.
3. That the minutes of the planning and development session of Council dated May 15, 2023 be approved.

4. That the minutes of the special sessions of planning and development Council dated May 19, 2023 and May 23, 2023 be approved.

CARRIED

5. Public Presentation(s)

There were no public presentations.

6. Committee of the Whole

Moved by Councillor Grant

Seconded by Councillor Gittings

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.

9. Discussion Item(s)

9.5 OEC Quarterly Update and AGM

Moved by Councillor Haslett-Theall

1. That the presentation from Rob Lister, President and CEO of Oakville Enterprises Corporation (OEC) regarding the annual business and quarterly update be received.
2. That the resolutions as submitted by the Board Chair of Oakville Enterprises Corporation in the correspondence to the Mayor and Members of Council dated May 11, 2023, with regard to the following matters be approved;
 - a. The appointment of auditors of the Oakville Enterprises Corporation; and
 - b. The acceptance of the consolidated audited financial statements of Oakville Enterprises Corporation for the year ended December 31, 2022, attached as Appendix A.

- c. The compensation for Directors of Oakville Enterprises Corporation and its affiliates be approved as Appendix B.
3. That the Mayor as shareholder representative pursuant to the Shareholder Declaration, be authorized to sign the resolutions for and on behalf of the Town in its capacity as the sole shareholder.

CARRIED

10. Confidential Discussion Item(s)

10.1 Oakville Enterprises Corporation Appointment of Directors and Chair

Confidential Memo dated May 29, 2023 from the Commissioner of Corporate Services

Moved by Councillor Haslett-Theall

1. That the confidential correspondence from the Oakville Enterprises Corporation (OEC) board or Director's chair, outlining the recommended appointment of individuals for the OEC Board attached as Confidential Appendix A, and the confidential memo dated May 29, 2023 from Nancy Sully, Commissioner of Corporate Services be approved. as follows:

<u>Names of Directors</u>	<u>Name of Chair</u>
Mayor Robert Burton	David Brennan
Jane Clohecy	
Lucia Casacia	
Patrick Crowley	
Jane Allen	
Helen Palmer	
Sheryl Watson	
Michele Harradence	
Ian Cockwell	
Harold Holloway	

2. That the Mayor as shareholder representative pursuant to the Unanimous Shareholder Declaration, be authorized to attend a shareholders meeting and/or to sign the resolutions for and on behalf of the Town in its capacity as shareholders of OEC.

CARRIED

7. Consent Item(s)

7.1 By-law 2023-060, to dedicate certain land as part of a public highway – West Street

Moved by Councillor O'Meara

That By-law 2023-060, a by-law to dedicate certain land as part of a public highway (Part of Lots 13 and 14, Plan 198, and part of Old Lakeshore Road closed by By-law 1960-16 – West Street), as attached as Appendix A to this report, be passed.

CARRIED

7.2 Sale of Surplus Land to 321 Morden Road – May 29, 2023

Moved by Councillor O'Meara

That staff be authorized to transfer Part 1 on 20R-22404 to the owner of 321 Morden Road at fair market value to the satisfaction of the CAO and Town Solicitor.

CARRIED

7.3 Sale of Surplus Land to 2487 Old Bronte Road – May 29, 2023

Moved by Councillor O'Meara

That staff be authorized to transfer the surplus road allowance shown on the sketch attached to this report as Appendix A to the owner of 2487 Old Bronte Road at fair market value, conditional on site plan approval, to the satisfaction of the CAO and Town Solicitor.

CARRIED

7.4 Servicing Easement for 3171 Lakeshore Road West – May 29, 2023

Moved by Councillor O'Meara

1. That staff be authorized to transfer a servicing easement over Block 80 on Plan M257 to the owner of 3171 Lakeshore Road West at fair market value to the satisfaction of the CAO and Town Solicitor.
2. That staff be authorized to include underground services as a permitted use under the previously approved access easement that will be transferred to the owner of 3171 Lakeshore Road West over Part 1 on the draft plan attached as Appendix "B" to this report.

CARRIED

7.5 Investing in Canada Infrastructure Program – Purchase of Oakville Transit's first 15 conventional battery electric buses

Moved by Councillor O'Meara

That the 2023 capital budget be amended to add \$3.92 million to project 54412104 Electric Replacement Buses and that \$4.48 million be added to project 54412206 Electric Replacement Buses to cover the increased cost for the purchase of 15 electric conventional buses with \$6.50 million funded from the Transit equipment reserve and \$1.90 million from the Capital Reserve.

CARRIED

7.6 2022 Development Charges, Cash in Lieu of Parkland, Bonus Zoning and Community Benefits Charge Reserve Fund Statements

Moved by Councillor O'Meara

That the information in the staff report dated May 16, 2023, entitled *2022 Development Charges, Cash in Lieu of Parkland, Bonus Zoning and Community Benefits Charge Reserve Fund Statements* from the Finance department, be received.

CARRIED

7.7 Proposed New Site Alteration By-law 2023-047

Moved by Councillor O'Meara

That the proposed new Site Alteration By-Law, By-law 2023-047 attached as Appendix A to the report from the Transportation and Engineering department dated May 16, 2023, be approved and passed.

CARRIED

8. Confidential Consent Item(s)

There were no Confidential Consent Items.

9. Discussion Item(s)

9.1 2022 Audit Findings Report

Moved by Councillor Knoll

That the information in the 2022 Audit Findings Report issued by KPMG, the town's external auditor, be received.

CARRIED

9.2 2022 Financial Statements Report

Moved by Councillor Knoll

That the 2022 Town of Oakville Consolidated Financial Statements and the 2022 Town of Oakville Trust Fund Financial Statements be approved.

CARRIED

9.3 2022 Economic Development Annual Report

Moved by Councillor Adams

That the information in the staff report from the Economic Development department titled 2022 Economic Development Annual Report, dated May 16, 2023 be received.

CARRIED

9.4 Former Public Works Site Transfer to Oakville Municipal Development Corporation – May 29, 2023

Moved by Councillor Knoll

1. That the policy for dispositions of real property from the Town to the Oakville Municipal Development Corporation attached to this report as Appendix “A” be approved and adopted.
2. That staff be authorized to transfer the former public works site at 2274 Trafalgar Road to the Oakville Municipal Development Corporation on the principles set out in this report entitled “Former Public Works Site Transfer to Oakville Municipal Development Corporation – May 29, 2023”, and the Town Solicitor be authorized to execute all documentation required to effect such transaction.

CARRIED

9.6 OakvilleMDC AGM, Appointment of Auditors, Directors, Approval of Financial Statements

Moved by Councillor Haslett-Theall

1. That the resolutions submitted by the Board Chair of Oakville Municipal Development Corporation in the correspondence to the Mayor and Members of Council dated May 2, 2023, attached as Appendix A, with regard to the following matters, be approved:
 - a. The appointment of auditors of the Oakville Municipal Development Corporation;
 - b. The compensation for the Directors of the Oakville Municipal Development Corporation, attached;
 - c. The financial statements of Oakville Municipal Development Corporation for the year ended December 31, 2022, attached as Appendix B.
2. That the Mayor as shareholder representative pursuant to the Shareholder Declaration, be authorized to sign the resolution for and on behalf of the Town in its capacity as the sole shareholder.
3. That the information in the OakvilleMDC 2022 Annual Report and Business Plan Update attached as Appendix C, be received.

CARRIED

9.7 Halton Digital Access Strategy – Halton Digital Access Services Corporation Final Approval

Moved by Councillor Lishchyna

1. That Council takes the following actions regarding the creation and operation of Halton Digital Access Services Corporation (“**HDASC**”) as described in this report entitled Halton Digital Access Strategy – Halton Digital Access Services Corporation Final Approval, May 16, 2023
 - a. Adopt the business case and receive the results of public consultation as described in this report; endorse the creation of a Municipal Services Corporation (“**MSC**”) to be known as “Halton Digital Access Services Corporation” to operate the businesses as described in this report; and approve the subscription of shares of HDASC by the Town;
 - b. As required by subsection 7(1) of Ontario Regulation 599/06: *Municipal Services Corporations* as a condition of creating a MSC, adopt the Asset Transfer Policy as described in this report (and included as attachment 1);
 - c. Authorize the CAO (or designate) to act as an incorporator of HDASC and the Town’s representative on the HDASC Board of Directors;
 - d. Approve the Town entering into the following agreements described in this report:
 - i. Unanimous Shareholders Agreement;
 - ii. HDASC Municipal Pole License Agreement; and
 - iii. Any related ancillary agreements the CAO deems are reasonably required for the creation or operation of HDASC, all in content satisfactory to the CAO, and in form satisfactory to the Director of Legal Services.
 - e. Approve the Town, as a shareholder of HDASC, to authorize HDASC to enter into:
 - i. Unanimous Shareholders Agreement;

- ii. HDASC Municipal Pole License Agreements;
 - iii. Loan Agreement and related ancillary documents; and
 - iv. Related ancillary agreements the CAO deems are reasonably required for the creation or operation of HDASC, all in content satisfactory to the CAO, and in form satisfactory to the Town Solicitor.
- f. Delegate to the CAO (or designate) the authority to execute the agreements described above, in her capacity as a director of HDASC, or as authorized signatory for the Town as a shareholder of HDASC, as the case may be, and sign such other documents, agreements or forms and to do such other things as are reasonably required for the creation and operation of HDASC.
2. That this report be sent to Halton Region, City of Burlington, Town of Milton and the Town of Halton Hills.

CARRIED

10. Confidential Discussion Item(s)

10.2 Halton Digital Access Strategy – Halton Digital Access Services Corporation Final Approval (Confidential Appendix B to Item 9.7)

Moved by Councillor Lishchyna

That the information in the Confidential Report dated May 23, 2023 from the Community Development Commission be received.

CARRIED

9. Discussion Item(s)

9.8 Procedure By-law Review

Moved by Councillor Chisholm

1. That the Budget Standing Committee size and composition be amended to reflect a membership of all Council members, and that a Chair be elected annually.
2. That revisions to the Procedure By-law reflecting this change be brought forward to a future Council meeting.

3. That the Clerk consider the comments of Council in finalizing the draft procedure by-law for consideration by Council.

CARRIED

Moved by Councillor Nanda

That staff report back with the finalized version of the Procedure By-law 2023-066 in June 2023.

CARRIED

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 made recommendations on Consent Items 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, Discussion Items 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8 and Confidential Discussion Items 10.1 and 10.2 as noted by the Clerk.

Moved by Councillor Xie

Seconded by Councillor Gittings

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

CARRIED

13. Information Items (Circulated Electronically)

13.1 Council Information Items for April 5 - May 16, 2023

13.2 MEMO - Community Infrastructure RE: Free transit for youth and seniors on Oakville Transit beginning May 1, 2023

- 13.3 **MEMO – Oakville Transit RE: PRESTO Open Payment – Debit Cards**
- 13.4 **MEMO - Finance RE: Staff Direction – Item 10.2 - 2022 Financial Results and Surplus Disposition**
- 13.5 **MEMO – Recreation and Culture RE: Pop-Up Food Bank Market – Town Hall Pilot**
- 13.6 **MEMO – Clerk’s Department RE: Municipal Clearance for Liquor Sales Licence**

14. Status of Outstanding Issues

14.1 Status of Outstanding Issues for May 2023

15. New Business

The Mayor invited everyone to attend a celebration for Black Music Month on June 1, 2023 from 10:30-11 a.m. at Town Hall and the flag raising for Pride month on June 5, 2023 from 9-9:30 a.m.

Councillor O'Meara offered condolences to the family and friends of Ken Pollock a Bronte Fire Fighter who served the community for many years.

Councillors Xie and Nanda extended gratitude for all those who supported and attended Asian Heritage Month events.

15.1 Notice of Motion - Endorse OBCM Motion on Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement

WAIVING OF PROCEDURE

Moved by Councillor Duddeck
Seconded by Councillor Haslett-Theall

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 15.1 - Notice of Motion - Endorse OBCM Motion on Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement, upon its introduction this evening.

CARRIED

Moved by Councillor Haslett-Theall

Seconded by Councillor Duddeck

WHEREAS all Ontarians deserve and expect a safe and respectful workplace;

WHEREAS municipal governments, as the democratic institutions most directly engaged with Ontarians need respectful discourse;

WHEREAS several incidents in recent years of disrespectful behaviour and workplace harassment have occurred amongst members of municipal councils;

WHEREAS these incidents seriously and negatively affect the people involved and lower public perceptions of local governments;

WHEREAS municipal Codes of Conduct are helpful tools to set expectations of council member behaviour;

WHEREAS municipal governments do not have the necessary tools to adequately enforce compliance with municipal Codes of Conduct;

WHEREAS Ontario's Big City Mayors (OBCM) support the efforts of MPP Stephen Blais who has introduced the Private Members Bill 5, Stopping Harassment and Abuse by *Local Leaders Act, 2022* which has been endorsed by a number of OBCM member councils;

WHEREAS a fundamental, underlying principle of broadening diversity, equity and inclusion in politics rests on the assumption that the workplace is safe;

WHEREAS we believe that municipal elected officials should be held to account in this way, we also believe that federal and provincial elected officials should take similar actions to hold themselves to account.

THEREFORE BE IT RESOLVED THAT the Town of Oakville endorses:

1. The OBCM support of the call of the Association of Municipalities of Ontario for the Government of Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them in consultation with municipal governments or in the alternative,

and the OBCM support of the province ordering Bill 5 for second reading to expedite this matter;

2. THAT legislation encompasses the Association of Municipalities of Ontario's recommendations for:
 - a. Updating municipal Codes of Conduct to account for workplace safety and harassment;
 - b. Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario;
 - c. Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province;
 - d. Allowing municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner; and
 - e. Prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office.
3. THAT OBCM requests that municipalities and their respective Integrity Commissioners be consulted on the development of any regulations related to the proposed legislation; and
4. THAT this motion be circulated to the Right Honourable Justin Trudeau, Prime Minister of Canada, the Honourable Doug Ford, Premier of Ontario, the Honourable David Lametti, Minister of Justice, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, Kate Manson-Smith, Deputy Minister of Municipal Affairs and Housing, Scott Pierce, Federation of Canadian Municipalities Acting President, and Colin Best, President of the Association of Municipalities of Ontario, Effie Triantafilopoulos MPP for Oakville North, MPP Stephen Crawford for Oakville South, Mayor Bonnie Crombie Chair of OBCM, Mayor Marianne Meed-Ward; Deputy Chair OBCM.

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

17.1 Usage of Personal Fireworks in Oakville

Moved by Councillor Adams
Seconded by Councillor Nanda

That staff report in the fall of 2023 on lessons learned from the experiences of Brampton, Caledon and any other municipality that has adopted a firework use and/or sale prohibition. In addition, and in consultation with the Legal Department, provide options to reduce the use of personal fireworks in the community.

CARRIED

18. Consideration and Reading of By-Laws

18.1 By-law 2023-047

A by-law to regulate site alterations within the Town of Oakville and to repeal By-law Number 2003-021 as amended (re: Item 7.7)

18.2 By-law 2023-056

A by-law to dedicate certain land as part of a public highway (Blocks 566, 567 and 568, Plan 20M-1160, and Block 60, Plan 20M-1164 – North Park Boulevard; Block 61, Plan 20M-1164 – Charles Biggar Drive; Block 180, Plan 20M-1143 – Polly Drive)

18.3 By-law 2023-060

A by-law to dedicate certain land as part of a public highway (Part of Lots 13 and 14, Plan 198, and part of Old Lakeshore Road closed by By-law 1960-16 – West Street) (re: Item 7.1)

18.4 By-law 2023-081

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

Moved by Councillor McNeice
Seconded by Councillor Longo

That the by-laws noted above be passed.

CARRIED

19. Delegated Authority By-laws

The following by-law was 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 2023-007

A by-law to amend Zoning By-law 2009-189, as amended, to permit a temporary office for a period of three years on lands described as 145 Burnhamthorpe Road West, Hulme Developments Limited File No. Z.1217.03

19.2 By-law 2023-024

A by-law to amend Town of Oakville Zoning By-law 2014-014 to make a number of housekeeping, technical and other modifications affecting various Zones. (Town-initiated Omnibus Zoning By-law Amendment, File No. 42.25.21)

19.3 By-law 2023-025

A by-law to amend Town of Oakville Zoning By-law 2009-189 to make a number of housekeeping, technical and other modifications affecting various Zones. (Town-initiated Omnibus Zoning By-law Amendment, File No. 42.26.02)

20. Adjournment

The Mayor adjourned the meeting at 8:50 p.m.

Vicki Tytaneck, Town Clerk