



REPORT

Council

Meeting Date: May 1, 2025

FROM: Clerk's Department

DATE: April 15, 2025

SUBJECT: Procedure By-law Approval of Legislative and General Updates,
By-law 2025-064

LOCATION:

WARD: Town-wide

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RECOMMENDATION:

1. That By-law 2025-064, A by-law to establish rules governing the calling, place, proceedings and provision of public notice of meetings of Council and Committees of Council of The Corporation of the Town of Oakville, attached as Appendix B, be passed.

KEY FACTS:

The following are key points for consideration with respect to this report:

- The current Procedure By-law 2020-011 ("By-law") requires updating and consolidation of amendments. Therefore, staff are recommending repeal and replacement of the current By-law and all amendments to it.
- Staff are bringing forward a new by-law in order to reflect changes in Legislation regarding Strong Mayor Powers and overall housekeeping updates to provide greater clarity on meeting procedure.
- A copy of the proposed changes to the consolidated version of the Procedure By-law 2020-011 can be found in Appendix A; with red text identifying additions and strikeout identifying content to be removed.
- Appendix B contains the new By-law 2025-064 for Council's approval.

BACKGROUND:

Section 238 (2) of the *Municipal Act, 2001*, as amended ("the Act"), states that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings. The current By-law 2020-011 was passed on April 23,

2020 and was subsequently amended to provide for electronic participation for Council and members of the public.

On July 1, 2023, the Ministry of Municipal Affairs and Housing expanded Strong Mayor Powers to 26 large and fast-growing municipalities, including the Town of Oakville. As a result, some updates are required to the Town's Procedure By-law.

COMMENT/OPTIONS:

The updates to the Procedure By-law have been proposed to accommodate the delegation of Mayoral Powers and authorities, where legislated, as well as specifying authorities held by Council.

Appendix A contains all the additions (in red) and deletions (strikethroughs) to the existing By-law 2020-011, as amended.

Sections of the By-law that are quoted directly from the legislation have been italicized to distinguish direct quotes, with footnotes provided. These sections of the by-law would not be amendable through resolution of Council.

Throughout the By-law notations of "his/her" or "he/she" have been replaced with "they" and "their".

Summary of Changes in Procedure By-law 2025-064

1. Definition Changes:

- Acting Mayor - Clarity of role as presiding at meetings and cannot use Strong Mayor Powers
- Advisory Boards - are local Boards under the Act
- Ex-Officio – clarity provided to outline that only the Mayor has this authority

2. General

- Item 9 – was deleted in its entirety as the Procedure By-law governs the notification of materials; The new 9 was an existing item and was moved up.
- Item 10 – removed as it not related to meeting procedure
- Item 14 – removed as it related to the former standing committee structure
- Item 15 - removed as it not related to meeting procedure
- Item 17 – amended to permit switching meetings to a fully virtual format if required.
- Item 18 – section related to electronic participation was removed as it is noted in another section of the By-law
- Item 19 – addition of live streaming language

- Removal of some of the COVID electronic meeting provision and replaced with standard participation language

3. Role of Mayor and Council

- Removal of the need to make a request to participate electronically
- Removal of when the Acting Mayor is determined – this is a redundancy of the Acting Mayor definition

5. Council and Committee Meetings

- Removal of Committee of the Whole from Council and Planning and Development Council. This will result in a need for a mover and seconder for all items on the agenda but will save the need for moving into Committee of the Whole and ratifying decisions at the end of Council. There is no procedural requirement to go into Committee of the Whole.

5.3 Regular Council Meeting

- Subsection (2) was removed as (3) outlines what is considered at meetings
- Land Acknowledgement – has been added to the listing of agenda items to reflect Council's procedure of reciting the Land Acknowledgement at the beginning of each meeting of Regular Council.
- Removal of Planning and Development minutes, which have been moved to Planning and Development Council
- Removal of Outstanding Issues Listing (moved to Council Information Package (CIP))
- Staff Memos circulated through the weekly CIP will continue to be placed on the Council agenda
- Advisory Committee Minutes have been moved up in the agenda to avoid delegations and staff from staying until after Confidential Discussion

5.4 Planning and Development Council Meeting

- Removal of subsection (2) as (3) outlines what is considered at meetings
- Agenda statement for planning matters has been updated to reflect changes in Legislation
- Addition of the minutes from previous Planning and Development Council meeting, so the same decision body receives and approves the minutes
- Advisory Committee Minutes have been moved up in the agenda to avoid delegations and staff from staying until after Confidential Discussion

5.5 Special Meetings

- Clarification from *The Act* states that, the Mayor or Council petition may call a Special Meeting.

5.6 Committee of the Whole

- Removal of Council and Planning and Development.
- Workshop language has been removed from section 5.6 and a new section 5.7 was added
- Council may refer a matter to Committee of the Whole by resolution
- The Mayor may call a Committee of the Whole meeting

5.7 Workshop Meetings – New Section

- This section is separated out as it is functionally different from a regular Committee of the Whole meeting
- Mayor may call a Workshop meeting as these are not approved through the annual Council approved meeting schedule
- No recommendations to Council are made in Workshops.

5.8 Budget

- Removal of previous Committee wording
- New wording is reflective of the Strong Mayor Powers

5.9 Committee Procedures (formerly Standing Committee Procedures)

- Clarity of wording and process for reconsideration in a meeting where the decision was made.
- Removal of the word “standing” as these no longer exist in the Council meeting structure

5.11 Addendums and Revised Agendas

- Addition of the provision of addendums and revised agendas

Special Committee - Removed

- Section was removed – not permissive under Strong Mayor Powers
- Council has authority to create Advisory Committees.

8. Notice of Meetings

- Subsection (6) has been changed to reflect the powers in Section 5.5 to call a Special Meeting for a purpose, that may not be for an emergency, but would be urgent and important matters as determined by the Mayor. This will provide flexibility to deal with matters that arise without notice but require a decision or to share information to Council quickly.

10. Delegations

- All delegations are required to pre-register with the Clerk online – exception public hearings
- Provide clarity to where delegations are permitted: Consent, Discussion, Public Hearings; or Advisory Committee Minutes
- Delegates may ask questions
- Item 11 was updated to reflect that delegates may appear virtually
- Delegations are not permitted to speak to a reconsideration.

11. Correspondence, Petitions and Council Information Package

- New wording and clarification
- Council Information Package will be online only; staff memos will still be provided on Council agendas
- Petitions process defined
- Outstanding issues listing moved to Council Information Package

12. Quorum

- Addition of how lack of quorum during a meeting will be managed.

14. Motions

- New Council motions added: override a Mayoral By-law veto; override mayoral budget amendment veto
- A motion to receive is an acknowledgement of Council, that information has been provided to them by staff and is not in itself an endorsement of the matter
- Clarity added to reconsideration procedural format
- Clarity added to Point of privilege and Challenging the Chair
- Clarity added to Reconsideration motions and procedure

20. Enactment of By-laws

- New section added to reflect Strong Mayor Powers

Schedule A - Motions Chart

- Schedule A represents motions that occur during meetings with a reference to the section of the description.
- Additionally, this chart provides clarity of the number of Members required to pass a motion as it varies based on the type of motion and also specified in the Legislation for Strong Mayor Powers.

Petitions

- Petitions received by the Clerk that are not related to a matter on the agenda will be published in the Council Information Package.
- All petitions will be available publicly in their entirety in the Clerks office for viewing.

New Council Information Package (CIP)

Currently, correspondence listed on the CIP is only available to the public through a request. In order to provide greater transparency, information items previously provided weekly on escribe will be published to the website with a similar look and feel to Committee and Council meetings.

Information Items may consist of, but not limited to, the following items:

1. Information Reports or Memos;
2. Correspondence received that may be of interest to Members of Council;
3. Correspondence related to matters on an agenda
4. Intergovernmental Information.
5. Government agencies
6. Mayoral Proclamations
7. Petitions
8. Outstanding Issues Listing









The sample below is from another municipality:

City Council Information Items

October 25, 2024

Items for information is a weekly publication for the public and members of City Council. Members of City Council may request that any item appearing on this publication be placed onto the next available Committee of the Whole meeting for discussion.

Making a Difference

1. **Information Reports**
 - 1.1 [Outstanding Resolutions of City Council - September, 2024 - 2024-413](#) 
 - 1.2 [Municipal Service and Financing Agreements Update - 2024-476](#) 
 - 1.3 [Impact from Closure of Guelph Consumption and Treatment Services Site - 2024-407](#) 
2. **Intergovernmental Information**
 - 2.1 [Consultation Alert - ERO 019-8728 - Streamlining water and sewage works approvals for transit authorities - 2024-442](#) 
 - 2.2 [Response to ERO 019-8866 - Amendments to four producer responsibility regulations for tires, batteries, electrical and electronic equipment, and hazardous and special products, 2024-465](#) 
 - 2.3 [Consultation Alert - ERO 019-9196 - Enabling Greater Reuse of Excess Soil - 2024-483](#) 
 - 2.4 [Consultation Alert - ERO 019-9266 - Bill 212 - Reducing Gridlock, Saving You Time Act, 2024 - 2024-484](#) 
3. **Correspondence**
 - 3.1 [Ontario Energy Board Notice: Enbridge Gas Inc. Notice of a Rate](#) 

Information and/or correspondence related to a matter on the agenda will be added to the agenda through the revised agenda.

Information items received by the Clerk and are not related to matters on an agenda will be provided to Members through the CIP weekly, found on the Town's website. Any Member may request that any item appearing in the CIP, be placed onto the next available Council meeting agenda.

The Clerks Department plans to offer procedural training to Members of Council and staff. Preparation of the training will begin once the new By-law is approved.

CONSIDERATIONS:

(A) PUBLIC

Notification of Council's intent to pass a new Procedure By-law has been published in the meeting agenda and in accordance with the Public Notice and Engagement Policy.

(B) FINANCIAL

There are no financial implications associated with this report and new By-law.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

By-law 2025-064 was reviewed by Legal Services during the preparation of this report.

(D) COUNCIL STRATEGIC PRIORITIES

Updates to the Procedural By-law are aligned with council Strategic Priorities - Accountable Government.

(E) CLIMATE CHANGE/ACTION

Not applicable.

APPENDICES:

Appendix A - By-law 2020-011 Consolidated With Proposed Amendments

Appendix B - By-law 2025-064 Procedure By-law

Submitted by:
Andrea Holland,
Acting Town Clerk