

Town of Oakville  
Lands North of Dundas  
Meeting Transcript

Part I - June 25, 2001

<p><i>Mayor Ann Mulvale</i></p>	<p>I think we're still within the fire code. Again if any of you have little spaces on those benches, the neighborly thing to do is to move up so others can sit down.</p> <p>We have a number of routine items on the agenda before we deal with Item 16, which is the OP pertaining to the lands north of 5. With everyone's co-operation, after I've dealt with conflicts of interest and things, we'll move quickly through those housekeeping items – that may free up some space as there may be people who are here on those items.</p> <p>Right at the beginning I want to thank Cogeco. We realized that people would like to see this meeting. It's not normally a night they come out and we're very pleased that we've been able to make some arrangements and they've really done just a super job for us.</p> <p>The first part of deliberations on OP 198 for North Oakville will be aired on Tuesday – tomorrow evening in fact at what – tomorrow afternoon at 1:30. Part II, which will be taped tomorrow evening, will be shown on Wednesday at 1:30. So if you're not able to watch it then, you'll be able to tape it.</p> <p>And then subsequent meetings – we are meeting again on Thursday and we may well have other meeting times that will be scheduled – we will work with Cogeco, as early notice as we can, to secure taping and we will continue to, we can certainly manage to put on our web page and any other sites when those broadcast times are.</p> <p>I believe we have a full house in terms of Councillors, so there are no regrets.</p> <p>Do we have any conflicts of interest? None, other than one that I have because, but I've changed my letter, it's the one on Old Upper Middle Road. Sorry, I've pulled the pages out of this so many times, in terms of the schedule for the meeting to keep it current with new additions, so if you'll just bear with me a moment. Eighteen. Okay. That property is northeast of my home, so I am declaring a conflict on</p>
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	<p>that and the Acting Mayor for June is Councillor Knoll, and he will call the question on that item.</p> <p>So, we have a motion to go into Committee of the Whole?</p>
<b><i>Councillor Kevin Flynn</i></b>	So moved your Worship.
<b><i>Mayor Ann Mulvale</i></b>	Thank-you Councillor Flynn.
<b><i>Councillor Jody Sanderson</i></b>	Seconded.
<b><i>Mayor Ann Mulvale</i></b>	<p>Seconded by Councillor Sanderson. All in favor. Carries. We're now in Committee of the Whole. On the Consent Items. We have Consent Items 1 through 13, 15, 17 through 18.</p> <p>To the members of the audience, these are fairly routine matters that are required under our procedure, and in some cases the Planning Act, to come to Council, but they're of a very routine nature and often we can dispatch a number of them if not all of them in very short fashion.</p> <p>Moved by Councillor Oliver, now we need to separate Item 3 for Councillor Tedd Smith and Item 18, because of my conflict and are there any others?</p> <p>Then I'll call the questions on all Consent Items - we'll do confidential separately - all Consent Items 1 through 13, excepting 3, 15 and 17. All in favor please signify. Opposed if any. They carry. On Item 3, which is a heritage approval for 438 Lakeshore Road East, Councillor Tedd Smith.</p>
<b><i>FAST FORWARD To Mayor Ann Mulvale's comments prior to recess</i></b>	...Is there any discussion of Councillor Sanderson's motion? Seeing not, I'll call the question. All in favor please signify. Opposed if any? It carries. Thank-you.
<b><i>Councillor Kevin Flynn</i></b>	Your Worship, on a point of order. People continue to pile in the back door. I know this room has a fire rating, but I don't know what it is. I would ask in the interim that we find that number. I've just done a quick count. I think we're closing in on 400 people.
<b><i>Mayor Ann Mulvale</i></b>	It's listed at the back. I think I saw Mr. Wagland in the

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	<p>Council Chamber at some point. No? He's not here? Mr. Ghent, if you would assist the Chair. It's posted in the back. What I was hoping is that when we did the housekeeping, there might be some people who would be leaving. A small number, but that didn't happen.</p> <p>The situation that the Chair will find itself in is if we are beyond the capacity, we may have to ask people to step outside into the hallway. What I've already asked the Clerk is if there is any way that we can broadcast out there. I know we did this once. It goes back to 1986 or 7. It was on market value assessment. I know because I was out in the hallway at the time. I remember it well.</p> <p>I'm just waiting for Mr. Ghent to advise. Every public room has to have that number posted, so. Two fifty-nine. I think we're over 259. Okay. We've already counted 300. So.</p> <p>One of the things I'm going to do is to see if we can, is there anything we can do in terms of getting sound outside? We'll look into that.</p> <p>Now, I'm looking for everybody's indulgence here. We can – yeah. I'm going to recess for 10 minutes. Five minutes won't work. We'll recess for 10 minutes.</p> <p>I understand and I appreciate your interest and your desire to hear the presentations so I'm trying to find a way that we can facilitate that and we'll come back to you in 10 minutes. By the clock at the back of the room that would be at 7:51. So just leave us with that for a moment and we'll be back to you.</p>
<p><b><i>RECESS (10 minutes)</i></b></p>	
<p><b><i>Mayor Ann Mulvale</i></b></p>	<p>I do understand that we're four minutes past the deadline that I gave for the recess. This is the problem that we have: We have an abundance of chairs for people to sit on. That's not going to be problematic. We can accommodate people at the back where we've opened the doors and we can accommodate people out there.</p>

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	<p>The piece of the puzzle that has not been solved as I speak to you is how do we get audio to you? I fully recognize the importance of this OP. I fully recognize we're probably going to spend three if not more nights together. So what I need to determine is a way to ensure that you have access to audio and if at all possible that you could have access to video some way as well.</p> <p>The only time that I can think of this happening previously was during the '85 - '88 period of Council when I did not serve, but I did attend the public meeting on current value assessment and that night there was set up chairs and there was an audio system.</p> <p>So, I've been speaking informally to the members of Council whilst the staff was still trying to find a way - ideally tonight - to proceed.</p> <p>We are the stewards of the Fire Code and Building Code so there's absolutely no question we will not hold a meeting that is not legally assembled. And we will not put people's safety at risk by doing so.</p> <p>So in a short period of time, if you will bear with me a little longer, if the Town Manager and team have not found a way to get audio into the areas that we can very quickly get chairs, what I have informally discussed with Council is I will be recessing the meeting because I have no other choice.</p> <p>By tomorrow evening, we will have chairs and audio and if at all possible we will have visual as well for you.</p> <p>Because we have no way of knowing if there will be more people coming than are here tonight, someone had suggested the Oakville Center. It's problematic because firstly I don't know if it's free - that is if it does not have a booking - and secondly it seats short of 500 people.</p> <p>I believe if we look at the atrium and we look at the walkway outside of here and behind there, which is where we had people, if my recollection is correct in 1987, I think</p>
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	we can probably accommodate more than 500 people. So the challenge is the audio at this point.
<i>Audience member</i>	How about the SkyDome? <i>(Laughter)</i>
<i>Mayor Ann Mulvale</i>	<p>Skydome? Well, I've always found that Oakville people aren't terribly happy about having to go to Toronto. Now if you really want me to try that Sir. It could be a tad bit of overkill.</p> <p>I appreciate your humor however, and I'll appreciate your humor and respectful conduct for each other and the range of opinions that will be here as we proceed with the meeting, whether it be tonight or whether it be subsequent evenings.</p> <p>I beg your pardon, ma'am?</p>
<i>Audience member</i>	Isn't it kind of ironic... <i>(Inaudible)</i> <i>(Laughter and applause)</i>
<i>Mayor Ann Mulvale</i>	<p>Yeah. My role is to chair a meeting. We knew the numbers who came out last year when we had the two studies before us at this time. I think if you would venture respectfully with me it was somewhat of a fair situation to build on, that given we had three nights of meeting in that situation, that we had adequate accommodation for the people.</p> <p>Your point is taken. And we can learn from tonight and we will learn from tonight. I'm merely trying to keep you up to date with the deliberations that we're trying to do to ensure we respect your rights to be present at the meeting, to have good sightlines ideally and hearing. If you'll bear with me for a moment, I can probably tell you where we're going from here, if you'd just give me that courtesy.</p>
<i>(Pause)</i>	
<i>Mayor Ann Mulvale</i>	<p>Okay Ladies and Gentlemen, I can update you. We have got calls out. We believe we could have a sound system here potentially within an hour. But there's no guarantee.</p> <p>My feeling very strongly is rather than to inconvenience</p>

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	<p>you any further, we should try and agree in the next few minutes on some parameters for tomorrow.</p> <p>We will count the number of persons in the pews to coincide with that occupancy statement. We will count people as they enter the council chamber tomorrow. We will give people who are on the speaker's list already, we will devise a way to give you an identification.</p> <p>We have over 41 people listed, and as with any public hearing after they have spoken, we will poll the audience to determine the next round of speakers.</p> <p>So, the meeting will reconvene tomorrow at 7:30</p>
<i>Audience member</i>	<i>(Inaudible)</i>
<i>Mayor Ann Mulvale</i>	<p>Sir, one I can't hear you. Two, sir, nobody else can hear you. So if you are trying to get registered or share a viewpoint, I think you'd want to be given the courtesy so people could hear you.</p> <p>I've apologized for the fact that we based our anticipation of the audience on our experience at three meetings last year on essentially the same topic.</p>
<i>Audience member</i>	I can hear him.
<i>Mayor Ann Mulvale</i>	You can hear him?
<i>Audience member</i>	<i>(Inaudible)</i>
<i>Mayor Ann Mulvale</i>	Because Councillor Flynn rose on a point. At the moment the assembled body here contravenes the Building and Fire Code.
<i>Audience member</i>	So you're making some of us leave, that's okay?
<i>Mayor Ann Mulvale</i>	Well, if some of you leave, you won't be able to hear the discussion until we get amplification outside.
<i>Audience member</i>	<i>(Inaudible)</i>
<i>Mayor Ann Mulvale</i>	Tanya, my problem is this. If there is consensus. This is a public hearing so it is a legal process. It doesn't matter with great respect Madam, that you don't mind exiting the room. If there is anybody in this room who is required after we do a headcount to leave, and they object, that invalidates the

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<i>Audience member</i>	<i>(Inaudible)</i>
<i>Mayor Ann Mulvale</i>	<p>Well, let me try this. I'll recess for five minutes. If there are only 200, is it 250 people? If there are 259 people in this room and the others are prepared not to witness the beginning of this meeting but to catch it on cable then if the consensus is that we can comply then we'll comply.</p> <p>So at 8:10, if there are 259 people in this room and the rest of you have determined that you'll catch it on cable, or you'll sit in the lobby and wait until we continue to get audio, then we'll start Item 16 of tonight's agenda. I know no other fair way of doing that.</p> <p>If there's more than 259, once it's brought to my attention, I cannot conduct a meeting in a room that does not, that exceeds the capacity.</p>
<i>(Pause)</i>	
<i>Mayor Ann Mulvale</i>	<p>Ladies and Gentlemen. If I could have everyone's attention. I understand your frustration. Your Members of Council came to work tonight the same way you came to have your views heard. We set aside three evenings, and if necessary there could have been more.</p> <p>That so, we tried to prepare adequately for the amount of delegations. We have 41 listed, fully expecting to have at least that number again from the audience, which is why we booked the three nights.</p> <p>We have done an estimate by row and we know that with the Councillors and the staff present, we only have standing room for about 18 people. So I think it's quite obvious that we still have more than the posted number in the room.</p> <p>And also I am acutely aware - I've conferred with legal counsel - that despite what individuals may say as they've left, under the provisions of the Planning Act, because this is a public hearing, everyone has a right to speak. And part of the requirement in speaking is also to hear adequately so they can formulate what they wish to say.</p>



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	<p>It's quite clear people cannot hear at the moment. And there are people who have left, they've left under protest and I understand that.</p> <p>So in conferring with the members of Council, having regard for the Planning Act, Legal opinion, and for the enforcement of the Fire and Building Code that we must enforce, having had it brought to the attention of the Chair by a Member of Council, that we're over the capacity rating, I have no other option that I can think of with the people still in the Chamber and I know and respect why you're in the Chamber, but to recess this meeting until 7:30 tomorrow night.</p> <p>There will be audio. We will work hard to get you video and there will be chairs. The 41 people who are registered to speak - and if others want to register to speak please do so. The Clerk, we will have someone from Clerk's to take additional names, which will assist in terms of not just in terms of polling the audience tomorrow.</p> <p>If you're one of the 41 people to speak, we're going to ensure that we protect enough space in the rows and for the people who register beyond that to speak, we will protect them in the rows in the Council Chamber tomorrow evening.</p> <p>The balance of the capacity of the Council Chamber will be taken up on a first-come-first-serve basis, with other capacity, overflow capacity elsewhere in the municipal building.</p> <p>We are recessed until 7:30 tomorrow evening. Sorry, Councillor Flynn.</p>
<p><b><i>Councillor Kevin Flynn</i></b></p>	<p>Your worship, just on a point. We had set aside three evenings to get through this: Monday, Tuesday and Thursday. Now there are some people that, obviously, they'll have a change of plans. It will now become Tuesday, Thursday and some date in the future.</p>
<p><b><i>Mayor Ann Mulvale</i></b></p>	<p>We will have that date tomorrow. We've already asked, as</p>

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	you know, to previous...
<b><i>Councillor Kevin Flynn</i></b>	But anybody who was here this evening and can't be here on Tuesday, should know that there is a meeting on Thursday and probably a third one.
<b><i>Mayor Ann Mulvale</i></b>	Indeed. There is a meeting on Thursday. And the only reason there isn't a meeting on Wednesday, as you know Councillor Flynn, is the Region of Halton, which seven of us are part of at Council are dealing with their strat plan with the public.  And we will have the date for you tomorrow evening for subsequent meetings. We've asked Councillors and some have already complied to send in dates and commitments on their availability.  So my apologies to cable, my apologies to the viewers. I think if you can run part of this tape tomorrow as you'd planned, so people know what's happening. Thank-you.
<b><i>(Pause)</i></b>	
<b><i>Mayor Ann Mulvale</i></b>	Ladies and Gentlemen, there's an Item on the table from Oakville Green. I'm sorry. I beg your pardon, Sir?
<b><i>Audience member</i></b>	(Inaudible)
<b><i>Mayor Ann Mulvale</i></b>	Sir, I'm not disagreeing with you. Councillor Flynn rose on the capacity issue. Once the capacity issue is raised, the Chair has to enforce the Building and Fire Code.
<b><i>Audience member</i></b>	(Inaudible)
<b><i>Mayor Ann Mulvale</i></b>	There's a - I'm sorry, Sir, I have to make another announcement. We are trying to support democracy by giving everybody the right to speak.  There is a gentleman with a flyer from Oakville Green. There's a signature piece. If you want to give it to him, he's standing at the front of the Chamber by the podium. Thank-you. We'll see you tomorrow.
<b><i>(Meeting is reconvened)</i></b>	