



Environment, Infrastructure & Community Services Committee Meeting

Minutes

Date: September 15, 2022
Time: 9:30 am
Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Kelvin Galbraith (Chair), Shawna Stolte (Vice Chair), Paul Sharman, Lisa Kearns, Rory Nisan, Angelo Bentivegna, Mayor Marianne Meed Ward

Staff Present: Tim Commisso, Kwab Ako-Adjei, Samantha Yew, Kevin Klingenberg, Chris Glenn, Allan Magi, Nancy Shea-Nicol, Brynn Nheiley, Mark Simeoni, Richard Bellemare (Audio/Video Specialist), Suzanne Gillies (Clerk)

1. **Declarations of Interest:**

None.

2. **Delegation(s):**

2.1 Gabriella Kalapos, representing Clean Air Partnership spoke in support of the Electric Mobility Strategy (EICS-16-22)

3. **Consent Items:**

3.1 Public tree removal - 4385 Mainway Blvd (RPF-24-22)

Moved by Councillor Stolte

Approve the request by the applicant to remove three (3) public trees to proceed with the proposed site plan application file no. 535-010-21 as outlined in roads, parks & forestry department report RPF-24-22; and

Instruct the applicant, Jason Menkes on behalf of Menkes Barrett Burlington II Inc., to provide compensation for the public tree removals by providing cash-in-lieu of replacement totaling \$3,500.00; and

Direct that a tree permit be obtained for the public trees and pay the associated tree permit fees as outlined in the city's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant and the contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

CARRIED

3.2 Public tree removal - 1294 Coric Ave (RPF-25-22)

Moved by Councillor Stolte

Approve the request by the applicant to remove five (5) public trees in order to proceed with the proposed two-storey single family detached dwelling (ZC-501/21) as outlined in roads, parks & forestry department report RPF-25-22; and

Instruct the applicant, Konstantin Alekseev on behalf Constant Shape Design Studio, to provide compensation for the public tree removals by providing cash-in-lieu of replacement totaling \$8,500.00; and

Direct that a tree permit be obtained for the public tree removals and pay the associated tree permit fees as outlined in the city's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant and the contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

CARRIED

3.3 Public tree removal - 320 Pine Cove Road (RPF-27-22)

Moved by Councillor Stolte

Approve the request by the applicant to remove one (1) public tree in order to proceed with the proposed two-storey dwelling as outlined in roads, parks & forestry department report RPF-27-22; and

Instruct the applicant, Gerardo Castillo on behalf of Keystone Home Designs Inc., to provide compensation for the public tree removal by providing cash-in-lieu of replacement totaling \$3,500.00; and

Direct that a tree permit be obtained for the public tree removals and pay the associated tree permit fees as outlined in the city's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant and the contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

CARRIED

4. Regular Items:

4.1 Burlington 150 anniversary opportunities (RCC-13-22)(SD-24-22)

Moved by Mayor Meed Ward

Direct the Director of Recreation, Community and Culture to bring forward options to consider during the 2023 budget, working with all departments and local boards on potential activities to celebrate Burlington's sesquicentennial. (SD-24-22)

CARRIED

4.2 Burlington Climate Action Plan update (EICS-11-22)

Moved by Councillor Nisan

Council requests Burlington Hydro to prepare a Sustainability Plan by the end of Q2 2024 with the following information:

- current and planned actions by Burlington Hydro to support the programs and the target outlined in the City's Climate Action Plan to be a net carbon neutral community by 2050;
- infrastructure investments required to support electric mobility (electric vehicles, electrification of fleets, electric transit buses and bi-directional charging), electrification of thermal energy (air source heat pumps), solar energy and battery storage;
- Burlington Hydro's investment plans to improve resiliency of the local distribution grid given increasing frequency and intensity of severe weather events, as identified through Climate Resilient Burlington – a plan for adapting to our warmer, wetter and wilder weather; and

- a process for stakeholder and community engagement.

CARRIED

4.3 Electric Mobility Strategy (EICS-16-22)

Moved by Councillor Kearns

Receive and file environment, infrastructure and community services department report EICS-16-22 regarding the Electric Mobility Strategy as presented in Appendix A; a strategy to provide guidance to the city and local stakeholders to take action and accelerate electric mobility adoption in the community.

CARRIED

4.4 Health Protection and Air Quality By-law (CM-22-22)(SD-25-22)

Moved by Mayor Meed Ward

Receive and file city manager's office report CM-22-22 providing a response to staff direction SD-06-21 regarding the review of the feasibility of a city-wide Health Protection and Air Quality By-law; and

Direct the City Manager to consider options and methods to systematically monitor the performance of emitters of odours and air pollution to ensure that regulators are actively engaged on achieving sustainable, compliant, safe air quality and report back in Q2 2023. (SD-25-22)

CARRIED

Amendment:

Moved by Councillor Sharman

Direct the City Manager to consider options and methods to systematically monitor the performance of emitters of odours and air pollution to ensure that regulators are actively engaged on achieving sustainable, compliant, safe air quality and report back in Q2 2023. (SD-25-22)

CARRIED

4.5 Proposed public access/ongoing maintenance agreement for Burlington Canal Pier with Hamilton Oshawa Port Authority (ES-43-22)

Moved by Councillor Kearns

Authorize the City Manager to proceed with negotiating an agreement with the Hamilton-Oshawa Port Authority for public use and ongoing maintenance of the Burlington Bay Canal shipping pier under terms as generally outlined in engineering services department report ES-43-22; and

Direct the City Manager to report back to the Environment, Infrastructure and Community Services Committee following negotiations to provide a status update and recommendations related to the proposed public access and maintenance agreement.

CARRIED

- 4.6 Proposed inclusion of downtown properties on the City of Burlington Heritage Register (PL-59-22)

This item was referred from the September 13, 2022 Community Planning, Regulation and Mobility Committee meeting.

Moved by Councillor Nisan

Motion to postpone definitely community planning department report PL-59-22 regarding proposed inclusion of downtown properties on the City of Burlington Heritage Register to the September 20, 2022 City Council meeting.

CARRIED

5. Statutory Public Meetings (continuation from September 13, 2022):

- 5.1 Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)

The Community Planning, Regulation and Mobility Committee and referred to the Environment, Infrastructure and Community Services Committee, in accordance with the Planning Act, held Public Meeting No. 14-22 on September 13, 2022 and September 15, 2022, regarding Official Plan and Zoning By-law amendments for 1989 Appleby Line. Having considered the oral and written comments received from staff and delegations, the Environment, Infrastructure and Community Services Committee approved community planning department report PL-66-22.

Moved by Councillor Sharman

Direct staff to continue to process the submitted applications for Official Plan and Zoning By-law amendments for 1989 Appleby Line, including evaluating and incorporating comments received by committee and the public at the statutory public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments

CARRIED

6. Confidential Items:

- 6.1 Verbal update regarding a breach of solicitor-client privileged information regarding an on-going litigation matter

Moved by Councillor Sharman

Direct the executive director of legal services and corporation counsel to bring a report with respect to providing further confidential advice on a breach of solicitor-client privileged information involving an on-going litigation matter and recommendations to the Council meeting scheduled for September 20, 2022.

CARRIED

7. Procedural Motions:

- 7.1 Motion to waive the rules of procedure

Moved by Councillor Kearns

Waive rule 22.3 of the Procedure By-law to allow an urgent item to be added to the agenda less than 24 hours before the hour appointed for holding the meeting; and

Rule 22.3 items or matters will not be added to the agenda after distribution to Council or Committee unless they are of an urgent nature and require a decision prior to the next posted Council or Committee meeting. In these cases, an addendum will be prepared, distributed and posted to the City's website calendar, not less than 24 hours before the hour appointed for holding the meeting to go into closed session under section 239(2)(e) and (f) of the Municipal Act for a verbal update regarding a breach of solicitor-client privileged information involving an on-going litigation matter.

CARRIED

7.2 Motion to go into closed session

Moved by Councillor Sharman

Move into closed session in accordance with the following provisions under the Municipal Act:

Section 239(2)(e), litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding confidential legal department verbal update regarding a breach of solicitor-client privileged information involving an on-going litigation matter; and

Section 239(2)(f), advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding confidential legal department verbal update regarding a breach of solicitor-client privileged information involving an on-going litigation matter

CARRIED

8. Information Items:

Moved by Councillor Bentivegna

Receive and file the following four items, having been given due consideration by the Environment, Infrastructure and Community Services Committee.

CARRIED

8.1 Staff presentation regarding Burlington Climate Action Plan update (EICS-11-22)

8.2 Staff presentation regarding Electric Mobility Strategy (EICS-16-22)

8.3 Correspondence from Fran Fendelet, representing TEC, regarding Health Protection and Air Quality By-law (CM-22-22)

8.4 Correspondence from Gord Pinard, representing CORE Burlington, regarding Health Protection and Air Quality By-law (CM-22-22)

9. Staff Remarks:

10. Committee Remarks:

11. Adjournment:

10:58 a.m. (recessed), 11:06 a.m. (reconvened), 12:01 p.m. (recessed), 1:00 p.m. (reconvened) 2:52 p.m. (recessed), 3:04 (reconvened), 3:06 p.m. (closed), 4:12 p.m. (public)

Chair adjourned the meeting at 4:14 p.m.