



Regular Meeting of Council
Agenda

Date: April 18, 2023
Time: 9:30 am
Location: Council Chambers Level 2, City Hall

City Council meetings are conducted using a hybrid model, allowing members of Council, city staff and the public the option of participating remotely or in-person. The meeting will be live web streamed and archived on the city website.

1. **Call to Order:**
2. **National Anthem:**
3. **Land Acknowledgement:**
4. **Regrets:**
5. **Proclamations:**
 - 5.1 National Volunteer Week: April 16-22, 2023
 - 5.2 Food for Life, FOOD FOR GOOD Week: April 22-30, 2023
 - 5.3 World Primary Immunodeficiency Week: April 22-29, 2023
 - 5.4 National Volunteer Week: April 24-30, 2023
 - 5.5 Polish Week: April 29 - May 5, 2023
 - 5.6 Doctor's Day: May 1, 2023
 - 5.7 Canada Netherlands Friendship Day: May 5, 2023
 - 5.8 Building Safety Month: May, 2023
 - 5.9 Jewish Safety Month: May, 2023
 - 5.10 Guillain-Barré Syndrome and Chronic Inflammatory Demyelinating Polyneuropathy

Month: May, 2023

6. Recognitions and Achievements:

7. Motion to approve Council Minutes:

Confirm the minutes of the following meeting of Council:

7.1 Regular Council meeting of March 21, 2023

7.2 Regular Council meeting of March 30, 2023

8. Presentations:

8.1 United Way of Halton and Hamilton - Leading the Way Award

9. Declarations of Interest:

10. Delegations:

In order to speak at a Council meeting, Individuals must register as a delegation no later than noon the day before the meeting. To register, complete the online application at www.burlington.ca/delegation or by submitting a written request by email to the Office of the City Clerk at clerks@burlington.ca

If you do not wish to delegate, but would like to submit feedback, please email your comments to clerks@burlington.ca by noon the day before the meeting. Your comments will be circulated to Council members in advance of the meeting and will be attached to the minutes, forming part of the public record.

11. Petitions:

12. Recommendations from Standing Committees:

12.1 Community Planning, Regulation & Mobility Committee meeting of March 28, 2023

a. Amendment to 2023 Rates and Fees – Fire (BFD-03-23)

Approve By-law 19-2023 attached as Appendix A to Burlington fire department report BFD-03-22, to amend Rates and Fees By-law 83-2022 to update the Fire Prevention and Fire Emergency Response Rates and Fees to reflect the Ministry of Transportation's 2023 apparatus rate.

b. Parks, Recreation and Cultural Assets Master Plan (RCC-03-23)

Receive and file recreation, community and culture department report RCC-

03-23 providing information on the Parks, Recreation and Cultural Assets Master Plan update.

- c. Emerald Ash Borer Management Plan update (RPF-03-23)

Receive and file the roads, parks, and forestry department report RPF-03-23, providing an update to the emerald ash borer management plan.

- d. 2022 annual building permit revenues and expenses (BB-02-23)

Receive and file building and by-law department report BB-02-23 providing related information for the 2022 annual building permit revenues and expenses.

- e. City of Burlington update to Coyote Response Strategy (BB-03-23)

Receive and file building and by-law department report BB-03-23 and endorse the actions taken by the Director of Building and By-law to date related to the City's response to the implementation of a Coyote Action and Awareness Program; and

Direct the Director of By-law Compliance to report back as required with any further updates on the program as well as additional future staffing and other resource requirements to support the City's Coyote Management Strategy.

- f. Appointment of Hearing Officers (TS-10-23)

Approve By-law No. 20-2023, being the Screening and Hearing Officer By-law, substantially in the form attached as Appendix A to transportation services department report TS-10-23, in the form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Approve Hearing Officer remuneration at the rate of \$500 per diem; and

Authorize the Director of Transportation Services to execute service agreements/ contracts with each of the appointed Hearing Officers, and any extension thereto, with content satisfactory to the Director of Transportation Services and form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

- g. Park Provisioning Master Plan final report (ES-02-23)(SD-18-23)

Receive and file the Park Provisioning Master Plan, listed as Appendix A in engineering services report ES-02-23, as the framework to guide the planning of future parks in the City of Burlington and satisfy Provincial legislative requirements (as amended by Bill 23) to have a park plan in place

prior to passing an update to the Parkland Dedication Bylaw; and

Approve the updated park classification system and authorize the Director of Engineering to report back to Council with an updated inventory of existing parks recategorized within the new classification system; and

Approve the future parkland target service levels identified in Section 2.5 of the Parks Provisioning Master Plan, listed as Appendix A in engineering services report ES-02-23; and

Approve the parkland criteria, listed as Appendix B in engineering services report ES-02-23, as a support document to help guide the development community and staff in deciding which lands to obtain through parkland dedication; and

Direct the Executive Director of Legal Services and Corporation Counsel or designate to develop a proactive strategy to acquire park lands based on service levels set forth in the Park Provisioning Master Plan; and

Approve monitoring the City's parkland service levels and acquisition priorities as part of Multi-Year Community Investment Plan reporting and updates to the Vision to Focus; and

Direct the Director of Community Planning to conduct an exploration of a Community Planning Permit System as a tool to aid in the acquisition of infrastructure, parkland or monetary contribution, in exchange for offering a more streamline and transparent approval process within the Major Transit Station Area (MTSA) specific planning process; and

Direct the Director of Community Planning to begin work with land owners in the MTSA's or any area of the City subject to an area-specific planning process to guide future development and to identify specific City infrastructure needs; and

Direct the Director of Engineering Services in consultation with the Director of Community Planning to bring updates throughout the year as well as annually to incorporate new information. (SD-18-23)

- h. Cootes to Escarpment EcoPark System Pilot Ecological Corridor Program update (ES-06-23)

Receive and file engineering services department report ES-06-23, Cootes to Escarpment EcoPark System Pilot Ecological Corridor Program update; and

Authorize the Executive Director of Environment, Infrastructure & Community Services to execute an agreement with Royal Botanical Gardens to recover funds for City projects under the Parks Canada EcoPark System Pilot Ecological Corridor Program, to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

- i. Motion memo - options for enhanced windrow clearing (CPRM-04-23)(SD-19-23)

Direct the Director of Roads, Parks and Forestry to explore costs and options for enhanced city wide windrow removal program, including:

- Revised cost and criteria in the existing Windrow Clearing Program
- Increase the program from the current maximum of 200 homes to minimum 500
- Other relevant options; and

Report to Environment Infrastructure & Community Services Committee with costs, options (including those ruled out) and any recommendations by Q3 2023 in advance of 2024 budget deliberations.(SD-19-23)

- j. Motion memo - development and implementation of a city-wide short-term accommodation (STA) compliance/licensing program (CPRM-03-23)(SD-20-23)(SD-21-23)(SD-22-23)(SD-23-23)(SD-24-23)

Direct the Executive Director of Community Planning Regulation and Mobility and the Director of By-Law Compliance to work with departmental and legal services staff to undertake a review by Q4 2023 of the framework/policy of zoning, business licensing and resourcing requirements for the development and implementation of a City-wide Short-Term Accommodation (STA) compliance/licensing program (SD-20-23); and

Direct the City Manager and Chief Financial Officer to work with departmental and legal services staff to fund additional research on municipal leading practices and other supports as may be identified (SD-21-23); and

Direct the Executive Director of Community Planning Regulation and Mobility and the Director of By-Law Compliance in the undertaking of the development of the STA by-law program, include the following elements:

- Research on leading GTHA and other municipal practices related to STA by-laws, regulations, compliance and licensing regimes;
- Establish a Community Task Force to assist in the development of options and recommendations for a ‘Made in Burlington’ STA by-law, compliance and licensing regime;

- Identify potential zoning requirements through Comprehensive Zoning By-law Review; and
- Identify any ongoing resource requirements in the multiyear 2024-2028 budget forecast (SD-22-23); and

Direct the City Manager and Chief Financial Officer, in conjunction with the establishment of the governance structure of the new Innovation and Digital Transformation Reserve Fund, to identify as a 2023 workplan priority, the allocation of dedicated project funds towards advancing process change and technology improvement related to the STA regulation, compliance and licensing regime with any additional impacts to AMANDA and the administrative penalty system (APS) (SD-23-23); and

Subject to Council consideration and approval of the above, direct the Director of the By-law Compliance to integrate the above work into the 2023/24 workplan of the department based on a target date for implementation of Q3 2024 for the STA framework, and report back to Council with a prioritized list of Staff Directions that have been directed toward the department through the 2024 budget process (SD-24-23).

- k. Motion memo - approval of Lakeside a la Carte expansion in 2023 (CPRM-05-23)(SD-25-23)

Direct the Director of Recreation, Community and Culture to amend the Events Listing for 2023 and approve the expansion to the annual Lakeside a la Carte Festival event (SD-25-23).

- l. Motion memo - relocating of 2023 Food Truck Festival (CPRM-06-23) (SD-26-23)

Direct the Director of Recreation, Community and Culture to work with the event organizer to explore alternative options for the location and configuration for the food truck festival outside of the downtown and report back to council in Q3 2023 to provide improved event geographic representation for the 2024 event season (SD-26-23).

- m. Motion memo - kennel/pet boarding compliance & licensing regime (CPRM-02-23)(SD-27-23)

Direct the Director of By-law Compliance to create a regulatory and licensing regime for kennel/pet-boarding facilities and integrate the work into the 2023/24 workplan of the department to present necessary by-law amendments or a new by-law to Council in Q1 2024 (SD-27-23).

- a. Single source procurement request – IT service management software replacement (BDS-05-23)

Approve a single source procurement process and ongoing use of ServiceNow platform for the IT Service Management Software replacement and other uses as necessary with CDW Canada Corp. as the implementation partner and reseller for ServiceNow licenses; and

Authorize the Manager of Procurement Services to issue a purchase order and sign any associated agreements with the vendor named above, with content satisfactory to the Chief Information Officer and in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

- b. Hydro dividend policy (CM-03-23)

Authorize and approve the amendment to the Shareholder Direction dated October 15, 2019 to establish a new Dividend Policy between BEC and the City of Burlington as set out in detail in city manager's office report CM-03-23, in accordance with the Shareholder Direction dated October 15, 2019, and the Corporation of the City of Burlington ("City of Burlington") in its capacity as a shareholder of the Burlington Enterprise Corporation ("BEC"); and

Authorize and direct the Mayor and City Clerk to execute the Resolution of Sole Shareholder substantially in the form appended as Appendix A to city manager's office report CM-03-23, subject to the approval as to form by the Executive Director of Legal Services and Corporation Counsel and approval as to content of the Chief Financial Officer; and

Direct the City Clerk to consolidate the Shareholders Direction in accordance with the authorized amendments and forward a copy to the BEC.

- c. Financial status report as at December 31, 2022 (F-06-23)

Receive and file finance department report F-06-23, providing the financial status report as at December 31, 2022.

- d. Bill 23 financial impact analysis (F-10-23)

Receive and file finance department report F-10-23, providing a Bill 23 financial impact analysis.

- e. Engagement, communications and volunteer update for 2022 (CC-01-23)

Receive and file corporate communications and engagement department report CC-01-23 providing a status update on engagement, communications, and volunteers; and

Approve the continuation of Food for Feedback as an annual engagement event to be located at Central Park and rotate the Food for Feedback engagement event between different suitable locations across the city following the 2023 event.

- f. Health, safety and wellness review for 2022 (HR-03-23)

Receive and file human resources department report HR-03-23, providing a health, safety and wellness review for 2022.

- g. Customer centric digital architecture review (BDS-04-23)

Endorse the Customer Centric Digital Architecture Blueprint contained in Appendix A of report BDS-04-23, including next steps and the CRM Implementation Roadmap inclusive of option 3 of the KPMG report to proceed to adopt and migrate to a new Customer Relationship Management (CRM) platform and;

Direct the Executive Director of Digital Service and Chief Information Officer to develop plans to achieve the blueprint and verify the approach for the new CRM platform with a report back to Council in Q3 2023 and;

Direct the Chief Financial Officer to review and report back in advance of the 2024 Budget on the multi-year capital and operating requirements and impacts of the CRM Implementation Roadmap.

- h. Corporate project status reporting – Dec 2022 and Jan 2023 (CM-02-23)

Receive and file city manager's office report CM-02-23 providing status reports for designated corporate projects for the period December 2022 through January 2023 as detailed in Appendix A.

- i. Operating budget performance report as at December 31, 2022 and summary of year-end financial position (F-13-23)

Receive and file finance department report F-13-23 regarding the 2022 year-end financial position.

- j. Burlington Lands Partnership update #3 (CM-01-23)

Receive and file city manager's office report CM-01-23: Burlington Lands Partnership Update #3 providing an update on potential land partnerships

and opportunities and confidential Appendix A providing a closed session update on a confidential land partnership opportunity; and

Direct the City Manager to proceed as directed based on the closed session staff presentation on a confidential land partnership opportunity.

- k. Confidential legal department update on a litigation matter regarding 1200 King Road (L-22-23)
- l. Confidential status report on the contingency reserve fund - Feb. 28, 2023 (F-12-23)
- m. Confidential triannual litigation update - Matters 1 through 5, and 7 through 47 (L-06-23)
- n. Confidential legal department update on a litigation matter regarding 401-417 Martha Street (L-21-23)
- o. Confidential legal department update on a litigation matter regarding 401-417 Martha Street (L-21-23)

12.3 Council Workshop Committee meeting of March 30, 2023

- a. Designing complete communities for the future of Burlington (CWC-02-23)

13. Motion to Approve Standing Committee Minutes:

Approve the following minutes:

13.1 Council Workshop Committee meeting minutes of March 20, 2023

13.2 Community Planning, Regulation, and Mobility Public meeting minutes of March 20, 2023

13.3 Community Planning, Regulation and Mobility Committee meeting minutes of March 28, 2023

13.4 Corporate Services, Strategy Risk and Accountability Committee meeting minutes of March 29 and 30, 2023

13.5 Council Workshop Committee meeting minutes of March 30, 2023

14. Urgent Business:

14.1 Municipal Officer Report regarding Policy Amendment Sound of Music (RCC-08-23)

Waive the Municipal Alcohol Policy, to permit the Sound of Music Festival to serve

alcohol starting at 10 am on Sunday, June 18, 2023.

- 14.2 Integrity Commissioner – Investigation of a Code of Conduct Complaint Against A Member of the Committee of Adjustment – Nicholas Leblovic (CL-09-23)

Approve the recommendation as outlined in Appendix A to report CL-09-23 from the Integrity Commissioner; and

Direct staff to make arrangements for the conduct of training to be conducted by the Integrity Commissioner on the ethical framework applicable to local board members.

- 14.3 Renovation and Conversion of the former Robert Bateman Highschool – Tender Award (EICS-01-23)

Award the Request for Tender (RFT) EICS-23-09 for the Renovation and Conversion of the former Robert Bateman High School to Norlon Builders London Limited for \$51,734,188.44 including H.S.T. (13%); and

Authorize the Manager of Procurement Services to issue an internal purchase order to the bidder named above; and

Authorize the City Clerk to prepare the debenture and by-law; and

Authorize the Mayor and City Clerk to sign any required agreements, subject to the satisfaction of the Executive Director of Environment Infrastructure and Community Services as to content and the Executive Director of Legal Services and Corporation Counsel as to form.

15. Confidential Items and Closed Session:

Confidential reports may require a closed meeting in accordance with the Municipal Act, 2001. Meeting attendees may be required to leave during the discussion.

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

- 15.1 Confidential closed session minutes from Corporate Services, Strategy, Risk and Accountability Committee meeting of March 29 and 30, 2023

Approve the confidential Corporate Services, Strategy Risk and Accountability meeting minutes of March 29 and 30, 2023

- 15.2 Confidential closed session minutes from Council Workshop Committee meeting of March 20, 2023

- 15.3 Memo from Legal staff regarding Confidential legal department update on a litigation matter regarding 401-417 Martha Street (L-21-23)

16. Rise and Report:

17. Motions of Members:

18. Council Information Package:

18.1 Council Information Package March 24, 2023

18.2 Council Information Package March 31, 2023

18.3 Council Information Package April 6, 2023

18.4 Council Information Package April 14, 2023

19. Motion to Receive and File Information Items:

Receive and file Information items, having been considered by Council:

19.1 Memo regarding By-Law 22-2023, Part Lot Control Exemption By-law for 4880 Valera Road (ADM-04-23)

20. Notice of Motion:

21. Motion to Approve By-Laws:

Enact and pass the following by-laws which are now introduced, entitled and numbered as indicated below:

21.1 19-2023: A by-law to amend the rates and fees By-law 83-2022.

Report BFD-03-23 Community Planning, Regulation and Mobility Committee March 28, 2023

21.2 20-2023 A by-law to appoint Screening and Hearing Officers.

TS-10-23 Community Planning, Regulation and Mobility Committee March 28, 2023

21.3 21-2023: A by-law to authorize a request for the issuing of debentures by the Regional Municipality of Halton for a Confidential Land Acquisition.

Report L-23-22 Council June 21, 2022

21.4 22-2023: A by-law to repeal and replace By-law 17-2023, Part Lot Control By-law, 4880 Valera Road.

Report PL-31-23 Delegated Authority DA-29-23

22. Confirmatory By-law:

Enact and pass By-law Number 23-2023 being a by-law to confirm the proceedings of Council at its meeting held April 18, 2023 being read a first, second and third time.

23. Statements by Members:

24. Motion to Adjourn:

Adjourn this Council now to meet again at the call of the Mayor.