



Regular Meeting of Council  
Agenda

**Date:** May 16, 2023  
**Time:** 9:30 am  
**Location:** Council Chambers Level 2, City Hall

Council meetings are hybrid, allowing members of Council, city Staff and the public the option of participating remotely, or in person. The meeting is live streamed, and posted to the city's website. For further information please contact [clerks@burlington.ca](mailto:clerks@burlington.ca)

1. **Call to Order:**
2. **National Anthem:**
3. **Land Acknowledgement:**
4. **Regrets:**
5. **Proclamations:**
  - 5.1 World Migratory Bird Day: May 13, 2023
  - 5.2 Menstrual Health Day: May 28, 2023
  - 5.3 National AccessAbility Week: May 28 - June 3, 2023
  - 5.4 Lyme Disease Awareness Month: May, 2023
  - 5.5 School Crossing Guard Appreciation Week: June 5 - 9, 2023
  - 5.6 Hidradenitis Suppurativa Awareness Week: June 6 - 12, 2023
  - 5.7 National Indigenous History Month: June, 2023
  - 5.8 Month of Play: June, 2023
  - 5.9 Aphasia Awareness Month: June, 2023
  - 5.10 Black Music Month: June, 2023

5.11 Pride Month: June, 2023

**6. Recognitions and Achievements:**

**7. Motion to approve Council Minutes:**

Confirm the minutes of the following meeting of Council:

7.1 Regular meeting of Council April 18, 2023

7.2 Regular meeting of Council May 4, 2023

**8. Presentations:**

**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](http://www.burlington.ca/delegation) or by submitting a written request by email to the Office of the City Clerk at [clerks@burlington.ca](mailto:clerks@burlington.ca)

If you do not wish to delegate, but would like to submit feedback, please email your comments to [clerks@burlington.ca](mailto: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 May 2, 2023

a. Metrolinx Access Agreement (TR-01-23)

Authorize the Mayor and City Clerk to sign and execute the Metrolinx Bus Access Agreement between the City of Burlington and Metrolinx, with content satisfactory to the Director of Burlington Transit and in a form satisfactory to the Executive Director of Legal Services.

b. Lowville Park parking operations update (TS-09-23)

Receive and file transportation services department report TS-09-23, Lowville Park Parking Operations update; and

Retain the automated gates at Lowville Park and position them in the “up” position during off-peak periods; and

Erect enhanced signage at the entry way, consisting of a QR code to direct visitors to the online reservation system, and clear communication that advanced reservations are only required on weekends.

- c. Refusal of heritage permit application for the demolition of 795 Brant St. (PL-32-23)

Refuse heritage permit application no. 501-06.4-01/23 to demolish the two-storey Georgian-style brick house at 795 Brant Street.

12.2 Corporate Services, Strategy, Risk & Accountability Committee meeting of May 3, 2023

- a. Government of Canada Active Transportation Fund (CS-09-23)

Authorize the Mayor and City Clerk to execute the necessary agreements and other related documents or by-laws between the City of Burlington and Government of Canada, in relation to the Active Transportation Fund, to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

- b. 2021 Treasurer’s statement for reserve funds (F-09-23)

Receive and file finance department report F-09-23, 2022 Treasurer’s statement for Development Charges reserve funds, Park Dedication reserve fund and the Community Benefit Charge reserve fund.

- c. By-Law to Exempt the Halton Naval Veterans Association and The Navy League of Canada from municipal taxes (F-24-23)

Grant the exemption from municipal taxes under section 6.1 (1) of the Assessment Act, R.S.O. 1990 for the Halton Naval Veterans Association; and

Grant the exemption from municipal taxes under section 6 (1) of the Assessment Act, R.S.O. 1990 for The Navy League of Canada; and that staff be directed to prepare the necessary by-laws.

- d. Early renewal of Microsoft Enterprise Licensing Agreement (BDS-07-23)

Receive and file Burlington digital services report BDS-07-23 regarding early renewal of Microsoft Enterprise Licensing Agreement.

- e. Advisory committee annual reports and 2023 work plans and budgets (CL-06-23)

Approve the 2023 advisory committee work plans and budget requests attached as appendix A to office of the city clerk report CL-06-23; and

Receive and file the 2022 advisory committee annual reports attached as appendix B to office of the city clerk report CL-06-23.

- f. Proposed amendments to Joseph Brant Hospital Administrative By-laws (CL-11-23)

Approve the recommendation outlined in Appendix A to office of the city clerk report CL-11-23, Briefing Note dated April 18, 2023 regarding a recent Ontario Not-for-Profit Corporations Act (ONCA) compliance exercise, and proposed amendments to Joseph Brant Hospital Administrative By-laws; and

Endorse the Joseph Brant Hospital Board of Directors decision to discontinue the Municipal Representative seat on the Joseph Hospital Board; and

Adopt a practice of inviting the Joseph Brant Hospital Board Chair and Chief Executive Officer to annually to a Council meeting to provide updates on the Hospital and its future directions; and

Direct the office of the Mayor to conduct on a bi-annual basis a joint meeting with the JBH Board Chair, Vice Chair and CEO with the Mayor and the Deputy Mayor of Recreation and Community Culture for the balance of the 2022 – 2026 term plus one additional member of council to discuss any pertinent matters.

- g. Motion Memorandum - City of Burlington expectations regarding provincial review of regional governments (CSSRA-02-23)

Whereas on November 16, 2022, the Province of Ontario introduced legislation entitled Bill 39, *Better Municipal Governance Act, 2022*; and

Whereas an outstanding and important element of the Act remains the appointment of provincial facilitators to assess regional government specifically to determine the best mix of roles and responsibilities between the upper and lower-tier municipalities for the regional governments of Durham, Halton, Niagara, Peel, Waterloo, and York; and

Whereas the focus of the above noted review is aligned directly to the Provincial government's commitment to build 1.5 million homes over the

next 10 years to address the housing supply crisis in Ontario; and

Whereas Council fully supports the priority given by staff of Halton Region and the four local municipalities, including the City of Burlington, to work collaboratively to address the immediate implications for the future delivery of land use planning services including of the devolution of regional and conservation authority responsibilities to the City of Burlington under Bill 23, *More Homes Built Faster Act, 2022*, whereby the Region of Halton is no longer considered a municipal jurisdiction with land use planning authority; and

Whereas the Province has recently set policy for future growth within specific areas of the City of Burlington; and

Therefore, be it resolved that Burlington City Council is fully committed and prepared to actively participate in the upcoming assessment of Halton Region upper and lower-tier responsibilities on the basis of achieving and/or contributing to the following first principles and key strategic outcomes; and

Endorse the resolution and letter subject to any modifications suggested by council members.

- h. Alignment and monitoring of Council approved recommendations and Council Workshops (CL-12-23)

Receive and file office of the city clerk's report CL-12-23 providing alignment and monitoring of Council approved recommendations and Council Workshops.

- i. Confidential legal department update on a litigation matter regarding appeals to the new Official Plan (L-23-23)
- j. Confidential LaSalle Park update presentation (CSSRA-01-23)

12.3 Environment, Infrastructure & Community Services Committee meeting of May 4, 2023

- a. 2020 to 2022 Accessibility progress report (ES-01-23)

Receive and file engineering services department report ES-01-23 and Appendix A regarding 2020 to 2022 Accessibility progress report.

- b. Assumption of Alton East Subdivision (ES-14-23)

Assume the Alton East Subdivision, registered as Plan 20M-1123, File 510-01/11; and

Accept all works and services under the jurisdiction of the city within the subdivision to become the property of the City of Burlington; and

Direct the City Clerk to notify the Region of Halton of this assumption; and

Release Subdivision Agreement Instrument Number HR1072453 from title; and

Authorize the Executive Director of Legal Services and Corporation Counsel or their designate to prepare any necessary documents and authorize the Mayor and City Clerk to sign them; and

Direct the City Clerk to present the necessary by-law to Council to accept all works and services of the said plan of subdivision and assume the following streets as public highways:

**STREET PARCEL PIN NUMBER**

Harrison Crescent 20M-1123 07201-0173

Marconi Court 20M-1123 07201-0174

Block 5 20M-1123 07201-0169

Block 6 20M-1123 07201-0170; and

Authorize the Executive Director of Legal Services and Corporation Counsel or their designate, to amend the parcel designation in the bylaw, if necessary, upon registration of the by-law.

- c. Single source and standardization of Holmatro vehicle extrication equipment (BFD-05-23)

Approve the City of Burlington single source and standardization for the purchase of Holmatro vehicle extrication equipment and annual maintenance from 1200° Darch Fire 9-402 Harmony Road Ayr, ON N0B 1E0 (1200° Darch Fire has the exclusive rights to sell Holmatro vehicle extrication equipment in Ontario) at a purchase price of \$802,311.00 plus HST; and

Authorize the Mayor and City Clerk to sign any required agreements with the bidder named above, subject to the satisfaction of the Fire Chief as to content and the Executive Director of Legal Services and Corporation Counsel as to form.

- d. Single source report – one (1) Tanker Fire Apparatus (BFD-06-23)

Approve the City of Burlington to single source the purchase of one (1) Tanker Fire Apparatus to Dependable Emergency Vehicles, 275 Clarence

Street, Brampton ON, L6W 3R3 at a purchase price of \$914,225.37 including HST.

- e. Loose leaf collection program update (RPF-02-23)

Receive and file roads, parks and forestry department report RPF-02-23 regarding an update on the Loose Leaf Collection Plan.

**13. Motion to Approve Standing Committee Minutes:**

Approve the following minutes:

13.1 Council Workshop Committee meeting minutes of April 17, 2023

13.2 Community Planning, Regulation and Mobility Committee meeting minutes of May 2, 2023

13.3 Corporate Services, Strategy, Risk and Accountability Committee meeting minutes of May 3, 2023

13.4 Environment, Infrastructure and Community Services Committee meeting minutes of May 4, 2023

**14. Urgent Business:**

**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 May 3, 2023.

- a. Approve the confidential closed session meeting minutes of May 3, 2023

**16. Rise and Report:**

**17. Motions of Members:**

17.1 Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement (ADM-06-23)

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

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

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

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

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

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

Whereas Burlington City Council 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 municipal councils across Ontario, as well as Ontario's Big City Mayors caucus (OBCM), comprised of the 29 largest municipalities across Ontario representing nearly 70% of Ontario's population; and

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

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:

Burlington City Council supports the call of the Association of Municipalities of Ontario and OBCM 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, Burlington City Council supports the province ordering Bill 5 for second reading to expedite this matter; and

That, the legislation encompasses the Association of Municipalities of Ontario's recommendations for:

1. Updating municipal Codes of Conduct to account for workplace safety and harassment,
2. Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario,
3. Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province,
4. 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

5. Prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office, and
6. The Province of Ontario considers creating a single Code of Conduct applicable to all Municipalities, that can be amplified with additional content; and

That, Burlington City Council requests that municipalities and their respective Integrity Commissioners be consulted on the development of any regulations related to the proposed legislation; and

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, Colin Best, President of the Association of Municipalities of Ontario and the Honourable Parm Gill Minister of Red Tape Reduction; Natalie Pierre, MPP Burlington, and Effie Triantafilopoulos, MPP Oakville North-Burlington, Halton Region and the Ontario's Big City Mayors.

**18. Council Information Package:**

- 18.1 Council Information Package April 21, 2023
- 18.2 Council Information Package April 28, 2023
- 18.3 Council Information Package May 5, 2023
- 18.4 Council Information Package May 12, 2023

**19. Motion to Receive and File Information Items:**

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

**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 26-2023: A by-law to authorize a request for the issuing of debentures by the Regional Municipality of Halton for LaSalle Park Road Reconstruction.

Report ES-22-23, DA-38-23, Delegated Authority

21.2 27-2023: A by-law to exempt the Halton Naval Veterans Association from Municipal Taxation.

Report F-24-23, Corporate Services, Strategy, Risk and Accountability Committee meeting May 3, 2023

21.3 28-2023: A by-law to exempt The Navy League of Canada from Municipal Taxation.

Report F-24-23, Corporate Services, Strategy, Risk and Accountability Committee meeting May 3, 2023

21.4 29-2023: A by-law to assume Alton East Subdivision.

Report ES-14-23, Environment, Infrastructure, and Community Services Committee May 4, 2023

**22. Confirmatory By-law:**

Enact and pass By-law Number 30-2023 being a by-law to confirm the proceedings of Council at its meeting held May 16, 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.