



Regular Meeting of Council
Agenda

Date: June 13, 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

1. **Call to Order:**
2. **National Anthem:**
3. **Land Acknowledgement:**
4. **Regrets:**
5. **Proclamations:**
 - 5.1 Longest Day of Smiles: June 18, 2023
 - 5.2 World Sickle Cell Day: June 19, 2023
 - 5.3 National Phlebotomy Technicians Recognition Week: June 19 - 23, 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 May 16, 2023
 - 7.2 Regular meeting of Council June 1, 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 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.

- 10.1 Jennifer Kagan-Viater will speak regarding Declaration of Intimate Partner Domestic Abuse Crisis in Burlington (ADM-07-23)
- 10.2 Deputy Chief Jeff Hill representing Halton Police will speak regarding Declaration of Intimate Partner Domestic Abuse Crisis in Burlington (ADM-07-23)
- 10.3 Laurie Hepburn representing Halton Woman's Place will speak regarding Declaration of Intimate Partner Domestic Abuse Crisis in Burlington (ADM-07-23)
- 10.4 Kirk Robinson will speak regarding Declaration of Intimate Partner Domestic Abuse Crisis in Burlington (ADM-07-23)
- 10.5 Vanessa Hicks will speak regarding Objection to Notice of Intention to Designate 488 Locust Street (PL-38-23)

11. Petitions:

12. Recommendations from Standing Committees:

- 12.1 Community Planning, Regulation & Mobility Committee meeting of May 30, 2023
 - a. New Zoning By-law Project update for Q1 2023 (PL-41-23)
Receive and file community planning department report PL-41-23 providing committee and council with an update on the City's New Zoning By-law Project for Q1 2023.
 - b. Burlington Housing Strategy update (PL-01-23)
Receive and file community planning department report PL-01-23 regarding City of Burlington Housing Strategy update.
 - c. Committee of Adjustment Terms of Reference update (PL-37-23)
Approve the updated Committee of Adjustment Terms of Reference

attached as Appendix A to community planning department report PL-37-23.

d. Objection to Notice of Intention to Designate 488 Locust Street (PL-38-23)

Decline the objection and affirm the March 21, 2023 City Council decision to state an intention to designate the property at 488 Locust Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Heritage Evaluation of 488 Locust Street prepared by ARA Associates Inc., dated February 6, 2023; and

Approve the by-law attached as Appendix D to community planning department report PL-38-23, designating the existing building at 488 Locust Street, in accordance with Part IV, Section 29 of the Ontario Heritage Act.

e. City of Burlington comments – Bill 97 and proposed Provincial Planning Statement (PL-39-23)

Direct the Director of Community Planning to provide this report, its attachments and any additional comments based on feedback at the May 30, 2023, CPRM Committee to the Province in advance of Council approval on June 13, 2023.

f. Motion Memo - Burlington School Safety and Mobility Committee (CPRM-07-23, SD-28-23)

Direct the Director of Transportation to explore the creation of a Burlington School Safety & Mobility Committee for Council's consideration in the 2024 budget including:

- Confirm the level of involvement with the School Boards and Halton Regional Police Services
- Establishing level of Corporate Supports
- Terms of Reference
- Costing (SD-28-23)

12.2 Corporate Services, Strategy, Risk & Accountability Committee meeting of May 31, 2023

a. Financial results for Burlington Enterprises Corporation for the period ended December 31, 2022 (F-07-23)

Receive and file finance department report F-07-23 providing financial results for Burlington Enterprises Corporation.

b. New development charges and community benefits strategy process (F-21-

23)

Receive and file finance department report F-21-23, regarding new development charges and community benefits strategy process.

- c. 2023 capital budget variance and project closure (F-22-23)

Direct the Chief Financial Officer to proceed with the closure of 73 capital projects identified as being ready for closure in finance department report F-22-23.

- d. Financial status report as at March 31, 2023 (F-17-23)

Receive and file finance department report F-17-23, providing the financial status report as at March 31, 2023.

- e. Bill 23 Parkland Dedication Bylaw review (F-11-23)

Receive and file finance department report F-11-23, regarding Bill 23 Parkland Dedication Bylaw review and background report prepared by Watson & Associates Economist Ltd., entitled City of Burlington Parkland Dedication By-Law Review, included as Appendix A.

- f. 2023 BMA Management Consulting Inc. financial condition assessment (F-19-23)

Receive and file finance department report F-19-23, regarding 2023 BMA Financial Condition Assessment; and

Direct the Chief Financial Officer to undertake an update to the City of Burlington's Financial Condition Assessment every four years with each new term of Council.

- g. 2023 asset management financing plan update (F-20-23)

Direct the Chief Financial Officer to increase the dedicated infrastructure levy by 0.40% to 2.00% for consideration as part of the 2024 Budget, as Council's acceleration of the five-year commitment to the long-term infrastructure renewal program and preparation for the 2025 Asset Management Plan Update.

- h. Confidential legal services department report regarding a litigation matter for 720, 735, 740 Oval Court (L-33-23)

Instruct the Acting Executive Director of Legal Services and Corporation Counsel or their designate to proceed in accordance with the instructions sought in confidential legal services department report L-33-23.

12.3 Environment, Infrastructure & Community Services Committee meeting of June 1, 2023

a. Construction and Mobility Management Policy update (ES-05-23)

Approve amending By-law 36-2023 a By-law to amend Municipal Consent By-law 65-2021, attached as Appendix B to engineering services department report ES-05-23; and

Approve the Municipal Consent Reserve Fund By-law 37-2023, attached as Appendix C to engineering services department report ES-05-23

b. Lansdown Park and Palmer Park renewal (ES-26-23)

Approve the revised scope and increase in project budget for Lansdown Park and Palmer Park Tennis/ Pickleball Court reconstruction as outlined in engineering services department report ES-26-23; and

Approve the following revised total budgets:

-\$2.2 million for Lansdown Park (PR0232)

-\$150,000 for Palmer Park – Tennis/ Pickleball Courts (PR0227); and

Authorize the additional funding in the amount of \$340,000 from the Capital Purposes Reserve Fund.

c. Community gardens update (RCC-06-23)

Receive and file recreation, community and culture department report RCC-06-23 regarding the Community Garden Program.

d. Public tree removal report – 603 Woodland Avenue (RPF-14-23)

Approve the request by the applicant to remove (1) public tree in order to proceed with the proposed two-storey detached dwelling as outlined in roads, parks & forestry report RPF-14-23; and

Instruct the applicant, David Carrothers to provide compensation for the public tree removal by providing cash-in-lieu of replacement totaling \$1,000.00; and

Direct that a tree permit be obtained for the public tree removal 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 tree (including stump removal) will be the responsibility of the applicant. The contractor hired to remove the trees will require approval by the Manager of

Urban Forestry or designate.

e. Public Tree By-law amendment (RPF-06-23)

Approve amending By-law 38-2023 in Appendix A to roads, parks & forestry department report RPF-06-23, a By-law to amend By-law 68-2013 Public Tree Bylaw.

f. Tree planting initiatives (RPF-05-23)

Direct the Director of Roads, Parks, and Forestry to amend Bylaw 55-2020 Tree Planting Initiatives Reserve Fund By-law in consultation with Legal Services and Finance to enhance the useability of the Tree Planting Reserves by including funding for tree establishment and enhancement initiatives; and

Authorize the Manager of Urban Forestry to develop a Community Tree Planting Grant Application and process for community supported tree planting and canopy enhancement initiatives.

g. Grading and Drainage Clearance Certificate By-law amendment (ES-03-23)

Approve By-law 39-2023, attached as Appendix A of engineering services department report ES-03-23, a By-law to amend By-law 52-2018 Grading and Drainage Clearance Certificate providing revisions to definitions and policy to prohibit or regulate the placing or dumping of fill, removal of topsoil or fill, alteration of the grades and drainage of residential lands that contain ten (10) residential units or less.

h. Halton Digital Access Strategy (EICS-09-23)

1. Endorse the following actions:

- a. Adopt the business case in respect of the creation and operation of a Municipal Services Corporation (“**MSC**”) as described in environment, infrastructure and community services report EICS-09-23;
- b. Receive the results of public consultation in respect of the creation and operation of a MSC as described in environment, infrastructure and community services report EICS-09-23;
- c. Endorse the creation and operation of a MSC to be known as “Halton Digital Access Services Corporation” (“**HDASC**”) as described in environment, infrastructure and community services report EICS-09-23;

- d. Adopt the Transfer Policy as described in Attachment 1 to environment, infrastructure and community services environment, infrastructure and community services report EICS-09-23;
- e. Authorize the City Manager to act as an incorporator of HDASC;
- f. Approve the subscription for shares in the capital of HDASC by the City;
- g. Nominate and authorize the City Manager to be City's representative on the HDASC Board of Directors;
- h. Approve the City entering into the following agreements described in environment, infrastructure and community services report EICS-09-23 all with content satisfactory to the City Manager, and in form satisfactory to the Executive Director of Legal Services and Corporation Counsel:
 - i. Unanimous Shareholders Agreement;
 - ii. HDASC Municipal Pole License Agreement
 - iii. Any such related agreements, forms or other documents that the City Manager deems are reasonably required for the creation or operation of HDASC,
- i. Approve the City, as a shareholder of HDASC, to authorize HDASC to enter into, adopt or approve as the case may be the following all with content satisfactory to the City Manager, and in form satisfactory to the Executive Director of Legal Services and Corporation Counsel:
 - i. Unanimous Shareholders Agreement;
 - ii. HDASC Municipal Pole License Agreements;
 - iii. Loan Agreement and related ancillary documents;
 - iv. Any such related agreements, resolutions, by-laws, forms or other documents the City Manager deems are reasonably required for the creation or operation of HDASC,
- j. Authorize the City Manager, in his capacity as a director of HDASC, to execute any such agreements documents, or forms and to do such other things as are reasonably required as a director of HDASC;
- k. Authorize the Mayor and City Clerk to execute agreements on behalf of the City including in its capacity as a shareholder of HDASC, and to sign such other documents, agreements or forms as are reasonably required of the City including in its capacity as

shareholder for the creation and operation of HDASC; and

2. Direct the City Clerk to send a copy of environment, infrastructure and community services report EICS-09-23 to the Region of Halton and the Towns of Halton Hills, Milton and Oakville for their information.

- i. Former Robert Bateman High School – communication and engagement update (RCC-10-23)

Direct the Director of Corporate Communications and Engagement and the Director of Recreation, Community and Culture to execute the communications and engagement tactics included as Appendix A or recreation, community and culture department report RCC-10-23.

- j. Private Tree By-law Program update (RPF-04-23)

Receive and file the roads, parks and forestry department report RPF-04-23 which provides a program update with respect to the Private Tree By-Law and related activities.

- k. Future vision of the Waterfront Centre (RCC-09-23)

Direct the Executive Director of Environment, Infrastructure and Community Services to retain a consultant to provide options for the capital renewal and/or replacement of the outdoor amenities at the Waterfront; and

Authorize the Chief Financial Officer to transfer \$60,000 from the Waterfront Reserve Fund to fund the study as outlined in recreation, community and culture department report RCC-09-23.

- l. Better Homes Burlington Program (EICS-04-23)

Note: See item 19.1 for supplemental information regarding this item.

Approve the establishment of the Better Homes Burlington Energy Retrofit Pilot Program to provide a maximum of twenty loans to Burlington homeowners who meet program eligibility criteria to support the implementation of air source heat pumps as outlined in environment, infrastructure and community services report EICS-04-23; and

Approve By-law No. 40-2023, being the Better Homes Burlington Energy Retrofit By-law, substantially in the form attached as Appendix A to environment, infrastructure and community services report EICS-04-23, in the form satisfactory to the Executive Director of Legal Services and Corporation Counsel, or designate; and

Authorize the Executive Director of Environment, Infrastructure and Community Services, or designate, to execute necessary agreements with each homeowner participating in the Better Homes Burlington Energy Retrofit Program, and any extension thereto, with content satisfactory to the Manager of Environmental Sustainability, or designate, and form satisfactory to the Executive Director of Legal Services and Corporation Counsel or designate; and

Direct the Executive Director of Environment, Infrastructure and Community Services to monitor and assess the results of the Better Homes Burlington pilot program and report back to council in one year with recommended next steps; and

Direct the Executive Director of Environment, Infrastructure and Community Service to provide to Council on June 13, 2023 options and related financial implications for an interest free loan or low interest loan for the Better Homes Burlington Home loan program, including potential implications for Budget 2024.

13. Motion to Approve Standing Committee Minutes:

Approve the following minutes:

13.1 Council Workshop meeting minutes of May 15, 2023

13.2 Council Workshop meeting minutes of May 16, 2023

13.3 Community Planning, Regulation and Mobility Committee meeting minutes of May 30, 2023

13.4 Corporate Services, Strategy, Risk and Accountability Committee meeting minutes of May 31, 2023

13.5 Environment, Infrastructure, Community Services Committee meeting minutes of June 1, 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 Muncipal Act:

15.1 Confidential closed session minutes of Council for June 1, 2023

Approve the confidential closed session Council minutes of June 1, 2023

16. Rise and Report:

17. Motions of Members:

17.1 Declaration of Intimate Partner Domestic Abuse Crisis in Burlington (ADM-07-23)

Whereas the jury that adjudicated the Carol Culleton, Anastasia Kuzyk and Nathalie Warmerdam Inquest (The Renfrew Inquest) issued 86 recommendations to the Province of Ontario on Intimate Partner Violence; and

Whereas recommendation #1 of the Inquest is for the Province of Ontario to declare Intimate Partner Violence an epidemic; and

Whereas, every six days in Canada a woman is killed by her intimate partner; and

Whereas, on any given night in Canada, over 6,000 women and children sleep in shelters because it is not safe for them at home; and

Whereas this past year in Ontario, 52 women or one every week, were victims of femicide; and

Whereas in Halton in 2022 there were 3,503 Intimate Partner Violence calls made to Halton Regional Police and there were 2,342 calls to the Women's Shelter Crisis/Hotline calls; and

Whereas Halton Women's Place receives 2,500 calls annually to its crisis information and support line, supports 400-600 women through their various outreach services and sees 140 women and children through their safe shelter every year; and

Whereas 93% of the CAS domestic violence-related intake cases involve a girl/woman as the primary participant; and

Whereas the waitlist for counselling can be difficult to access; and Domestic Abuse Crisis in Burlington; and

Whereas violence against women costs the national justice system, health care systems, social service agencies, and municipalities billions of dollars per year; and municipalities are on the front lines in addressing gender-based violence; and

Whereas Burlington City Council recognizes that issues of violence against women in all communities are of local importance to the health and wellness of our residents;

Therefore, be it resolved that Burlington City Council

- recognizes the issues of violence against women and girls in Halton as serious to the health and wellness of local families; and
- is committed to engaging with community partners to educate and support our residents about the seriousness and long-term danger of violence in our community; and

That Burlington City Council declares, in accordance with Recommendation #1 of the Renfrew Inquest, that Intimate Partner Violence and Violence Against Women are epidemic; and

Be it further resolved that this resolution be circulated to The Honourable Doug Ford, Premier of Ontario, The Honourable. Charmaine A. Williams, Associate Minister of Women's Social and Economic Opportunity, The Honourable Parm Gill Minister of Red Tape Reduction, Natalie Pierre, MPP Burlington, Effie Triantafilopoulos, MPP Oakville North-Burlington, Halton Region, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, and the Ontario's Big City Mayors.

18. Council Information Package:

- 18.1 Council Information Package May 19, 2023
- 18.2 Council Information Package May 26, 2023
- 18.3 Council Information Package June 2, 2023
- 18.4 Council Information Package June 9, 2023

19. Motion to Receive and File Information Items:

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

- 19.1 Memorandum from Reena Bajwa, Coordinator of Financial Strategies & Business Consulting regarding Better Homes Burlington Pilot Program (EICS-04-23)

Supplemental information regarding item 12.3. i.
- 19.2 Memorandum regarding amendment of heritage designation by-laws for 2358 Lakeshore Road and 38 Frontier Trail (ADM-08-23)

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 32-2023: A by-law for the designation of 488 Locust Street in accordance with Part IV, Section 29 of the Ontario Heritage Act.
Report PL-38-23, Community Planning, Regulation and Mobility Committee meeting May 30, 2023.
- 21.2 33-2023: A by-law to amend designation By-law 44-2009 at 38 Frontier Trail.
Report PL-61-22, Community Planning, Regulation and Mobility Committee meeting September 13, 2022.
- 21.3 34-2023: A by-law to amend heritage easement agreement at 38 Frontier Trail.
Report PL-61-22, Community Planning, Regulation and Mobility Committee meeting September 13, 2022.
- 21.4 35-2023: A by-law to amend designation By-law 138-1993 at 2358 Lakeshore Road.
Report PL-41-20, Community Planning, Regulation and Mobility Committee meeting August 11, 2020.
- 21.5 36-2023: A by-law to amend By-Law 65-2021 being a by-law to regulate the construction, road cuts and road occupancies located on City owned road allowances, or other property under the jurisdiction of the City of Burlington.
Report ES-05-23, Environment, Infrastructure and Community Services Committee meeting June 1, 2023.
- 21.6 37-2023: A by-law to establish a reserve fund and guidelines for the utilization of the Municipal Consent Reserve Fund.
Report ES-05-23, Environment, Infrastructure and Community Services Committee meeting June 1, 2023.
- 21.7 38-2023: A by-law to amend By-law 68-2013, being a by-law to regulate planting, maintenance and preservation of trees on or affecting public property.
Report RPF-06-23, Environment, Infrastructure and Community Services Committee meeting June 1, 2023.
- 21.8 39-2023: A by-law to amend By-law 52-2018 Grading and Drainage Clearance Certificate.
Report ES-03-23, Environment, Infrastructure and Community Services Committee meeting June 1, 2023.

21.9 40-2023: A by-law to authorize the undertaking of energy efficiency and water conservation works on private residential property as local improvements under the Better Homes Burlington Energy Retrofit Program.

Report EICS-04-23, Environment, Infrastructure and Community Services Committee meeting June 1, 2023.

21.10 2020.456: Removal of Holding (H) Symbol By-law

Report PL-42-23, Delegated Authority DA-54-23

22. Confirmatory By-law:

Enact and pass By-law Number 41-2023 being a by-law to confirm the proceedings of Council at its meeting held June 13, 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.