



## Regular Meeting of Council

### Minutes

Date: September 26, 2023  
Time: 9:30 am  
Location: Hybrid meeting- virtual and Council Chambers, City Hall

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

Staff Present: Tim Commisso, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Debbie Hordyk, Kevin Arjoon (Clerk)

Note: This City Council meeting was conducted using a hybrid model, allowing members of Council, city staff and delegations the option of participating remotely or in-person.

**1. Call to Order:**

**2. National Anthem:**

**3. Land Acknowledgement:**

**4. Regrets:**

None.

**5. Proclamations:**

5.1 Polycystic Kidney Disease Awareness Day: September 4, 2023

5.2 Burlington 150+ Day: September 9, 2023

5.3 Terry Fox Day: September 17, 2023

5.4 National British Home Children Day: September 28, 2023

5.5 Test Your Smoke Alarm Day: September 28, 2023

5.6 Rail Safety Week: September 18-23, 2023

- 5.7 Nation Forest Week: September 17-23, 2023
- 5.8 Legion Week: September 17-23, 2023
- 5.9 National Coaches Week: September 16-24, 2023
- 5.10 Support United Way Month – Nothing Matters More: September 2023
- 5.11 Arthritis Awareness Month: September 2023
- 5.12 Childhood Cancer Awareness Month: September 2023
- 5.13 Hunger Action Month: September 2023
- 5.14 Wrongful Conviction Day: October 2, 2023
- 5.15 Childcare and Early Childhood Education Appreciation Day: October 17, 2023

**6. Recognitions and Achievements:**

None.

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

Moved by: Councillor Kearns

Seconded by: Councillor Bentivegna

Confirm the minutes of the following meeting of Council:

**CARRIED**

- 7.1 Regular meeting of Council July 11, 2023
- 7.2 Regular meeting of Council September 14, 2023

**8. Presentations:**

None.

**9. Declarations of Interest:**

None.

**10. Delegations:**

- 10.1 Anne and Dave Marsden spoke regarding Preparing for the regional review process (CM-14-23)
- 10.2 Jim Thomson spoke regarding Former Robert Bateman High School - parking options (EICS-12-23)

- 10.3 Mary Alice St. James spoke regarding Provincial legislation for third-party short-term rental companies (ADM-11-23)
- 10.4 Mary Alice St. James spoke regarding Millcroft Greens (ADM-13-23)
- 10.5 Kirk Robinson spoke regarding Millcroft Greens (ADM-13-23)
- 10.6 Chris Skirrow will speak regarding Millcroft Greens (ADM-13-23)
- 10.7 Daintry Klein spoke regarding Millcroft Greens (ADM-13-23)
- 10.8 Rachel Murphy spoke regarding Millcroft Greens (ADM-13-23)
- 10.9 Sonia Robinson spoke regarding Millcroft Greens (ADM-13-23)
- 10.10 Paul Petit spoke regarding Millcroft Greens (ADM-13-23)
- 10.11 Amy Schnurr spoke regarding Millcroft Greens (ADM-13-23)

**11. Millcroft Greens (ADM-13-23)**

**NOTE: A request to have this matter dealt with after delegations was granted by the Mayor in accordance with s. 32.2 of By-law 31-21 as amended.**

**Mayor Meed Ward passed the gavel to Deputy Mayor Sharman to Chair this portion of the meeting as she has sponsored this item.**

Moved by: Councillor Bentivegna

Seconded by: Councillor Stolte

Whereas applications have been made by Millcroft Greens Corporation to the City of Burlington for a plan of subdivision and to amend the City's Official Plan and Zoning By-law to develop portions of the Millcroft Golf Club golf course, identified as Areas A, B, C, D on the attached map, with 90 single detached homes; and

Whereas the same applications also propose the development of a separate parcel that has been designated in the City's Official Plan as 'Residential – Medium Density', identified as Area E on the attached map, with a 6-storey residential apartment building or townhouse development; and

Whereas the applications have been appealed to the Ontario Land Tribunal and scheduled for a four-week hearing in March 2024; and

Whereas Burlington City Council at its December 13, 2022, meeting unanimously declared its opposition to the proposed residential development of Areas A, B, C, and D of the Millcroft Golf Club golf course, and its support in principle for the

proposed residential development of Area E of the Millcroft Golf Club golf course, in recognition of the importance of these lands to the City and its residents; and

Whereas portions of Areas A, B, C and D are critically important to the management of storm water and flood prevention in the Millcroft neighbourhood; and

Whereas Areas A, B, C and D serve individually and collectively as vital pockets of existing green space for residents of the City; and

Whereas the protection of existing greenspace within the City is crucial for the City to be able to provide opportunities to access both public and private green space for both existing residents and future residents; and

Whereas Burlington City council is committed to accommodating its share of growth and has unanimously signed on to the Municipal Housing Pledge for 29,000 homes by 2031. The proposed development on the golf course is not needed to meet or exceed this housing pledge, ample land is available to accommodate new growth within our urban area around GO stations, aging retail plazas and major transportation corridors that don't compromise existing greenspace; and

Whereas the Millcroft Golf Club golf course is part of a stable residential neighbourhood known as the Millcroft Community, and Millcroft Golf Club can continue to operate the golf course on the subject lands and benefit from existing uses; and

Whereas Oakville-North Burlington Member of Provincial Parliament Effie Triantafilopoulos has formally declared her support for maintaining the Millcroft Golf Club golf course as greenspace, and has presented in the legislature several thousand signatures on a petition from residents across the city of Burlington and beyond asking the Province to preserve this greenspace; and

Whereas Burlington City Council at its December 13, 2022 meeting unanimously directed the Mayor to work with the Ward Councillor and Deputy Mayor for Housing to bring forward a resolution to Burlington City Council and Regional Council to request the Province to declare a provincial interest in the Millcroft Golf Club golf course; and

**Whereas Burlington has unanimously declared a climate emergency and protecting green space and not building on floodplains honours this commitment.**

Now therefore be it resolved that Burlington City Council request the Minister of Municipal Affairs and Housing:

1. to advise the Ontario Land Tribunal under section 22(11.1) and section 34(27) of the Planning Act that a matter of provincial interest is, or is likely to be, adversely affected by the amendments in respect of which the appeals are made regarding Millcroft Greens' proposed Official Plan and Zoning By-law amendments and related plan of subdivision (OLT-22-004149); and
2. to attend the Ontario Land Tribunal hearing in support of the City's position; and
3. to use all resources and tools at its disposal to confirm the Province's interest in the Millcroft Golf Club golf course, including introducing legislation and preparing a development plan under the Ontario Planning and Development Act to protect and preserve the existing uses of Areas A to D; and
4. to issue a Minister's Zoning Order under Section 47 of the Planning Act to facilitate appropriate residential development in Area E and ensure the protection of the greenspace and natural areas from re-development of Areas A, B, C and D on the Millcroft Golf Club golf course; and
5. to confirm that the Minister has the authority to issue a community infrastructure and housing accelerator order under section 34.1 of the Planning Act to (i) facilitate appropriate residential development in Area E, and (ii) protect and provide community infrastructure in Areas A to D, including green space that supports the quality of life for residents of the City, upon receipt of a resolution passed by Burlington City Council requesting such an order; and

Further, that this resolution be circulated to the Honourable Doug Ford, Premier of Ontario; the Honourable Paul Calandra, Minister of Municipal Affairs and Housing; the Honourable Doug Downey, Attorney General; the Honourable Parm Gill Minister of Red Tape Reduction; Natalie Pierre, MPP Burlington; Effie Triantafilopoulos, MPP Oakville North-Burlington; Halton Regional Council; Millcroft Greens; and Conservation Halton

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

Moved by: Councillor Nisan

**Amend the motion by adding the following recital:**

**Whereas Burlington has unanimously declared a climate emergency and protecting green space and not building on floodplains honours this commitment.**

**CARRIED**

**12. New Fiscal Framework (ADM-14-23)**

Note: A request was made by the Mover of the Motion to have this matter dealt with earlier in the agenda, was granted by the Mayor in accordance with s. 32.2 of By-law 31-21 as amended.

Moved by: Councillor Nisan

Seconded by: Mayor Meed Ward

Whereas municipalities are constrained in their ability to generate revenue to fund their capital and operating expenses, with property taxes being an unsuitable and unsustainable tool for Canadian municipalities to support essential services, maintain critical infrastructure, accommodate growing populations, and contribute to economic growth; and

Whereas municipalities own and operate around 60 per cent of Canada's core public infrastructure and are responsible for the full lifecycle cost of operating, maintaining and replacing capital assets, while federal and provincial/territorial governments typically only contribute to the upfront capital costs; and

Whereas municipalities are generally responsible for operating costs, including large and growing budget lines and are limited in their ability to borrow for operating costs and are prohibited from running deficits; and

Whereas the role of local governments has evolved significantly in recent decades, with municipalities taking on new responsibilities with respect to health and social services, housing and economic development; and longstanding responsibilities like policing, waste management and water and wastewater services becoming more complex due to societal issues like mental health, homelessness and climate change; and

Whereas municipalities are critical to solving national policy challenges and political priorities like housing affordability, homelessness, mental health and the opioid and addiction crisis, adapting to climate change, reducing GHG emissions, economic development, and, ultimately, achieving a high quality of life for Canadians;

Now therefore be it resolved that; Burlington City Council recognize and affirm the advocacy of the Federation of Canadian Municipalities (FCM) calling on the

Federal, Provincial and Territorial governments to engage the Federation of Canadian Municipalities and Provincial territorial associations in the development of a Municipal Growth Framework through a process by which new sources of municipal revenue, including predictable intergovernmental transfers and new direct taxation powers, are proposed, evaluated and implemented; and further

That a copy of this motion be forwarded to The Honourable Chrystia Freeland, Minister of Finance, The Honourable Karina Gould, Leader of the Government in the House of Commons, Pam Damoff, MPP Oakville North-Burlington, Adam van Koevorden, MPP Milton, The Honourable Peter Bethlenfalvy, Minister of Finance, The Honourable Parm Gill, Minister of Red Tape Reduction, MPP Natalie Pierre, Burlington, MPP Effie Triantafilopoulos, Oakville North-Burlington, and the Federation of Canadian Municipalities.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

**Deputy Mayor Sharman passed the gavel back to Mayor Meed Ward to continue as Chair for the meeting.**

**13. Petitions:**

13.1 Petition sponsored by Councillor Paul Sharman, dated July 4, 2023 regarding construction of new sidewalks on Linwood Crescent, Maureen Court and Bromley Road.

**Councillor Sharman presented a petition with approximately 43 signatures, entitled, No New Sidewalks on Linwood Crescent Burlington. The petition calls on the City of Burlington to do the following:**

**We request the committee/Council/ officials with decision making authority to not approve the installation of new sidewalks on Linwood Crescent Burlington, ON.**

13.2 Petition sponsored by Councillor Rory Nisan, dated April 20, 2023 regarding Burlington Nelson Quarry Official Plan Amendment (Ward 3)

**Councillor Nisan presented a petition with approximately 1304 signatures entitled, Protect Mount Nemo: Prevent Expansion of the Nelson Gravel Mine. The petition calls on the City of Burlington Council to do the following:**

1. **Oppose the application by Nelson Aggregates for an Expansion of its gravel mine on Mount Nemo.**
2. **Complete the Joint Agency Review Team peer review and issue a public report.**
3. **Designate sufficient resources to ensure funding for staff and external experts for full and comprehensive participation in the eventual Ontario Land Tribunal hearing.**
4. **Explore all feasible options to prevent expansion of Nelson Aggregates' Mount Nemo quarry, including permanent protection of the natural heritage features, functions and species, especially the endangered species and their habitats on the Mount Nemo plateau.**

**14. Recommendations from Standing Committees:**

14.1 Corporate Services, Strategy, Risk & Accountability meeting of September 11, 2023

Items a, b, c, d, e, f, g, i, j, and k were voted upon by way of one consent vote.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

a. Corporate project status reporting – June, July, August 2023 (CM-11-23)

Receive and file city manager's office report CM-11-23 providing status reports for designated corporate projects for the period June through August 2023 as detailed in Appendix A and project specific expanded updates as contained in the strategy/process/risk section of this report.

**CARRIED**

b. Financial status report as at June 30, 2023 (F-29-23)

Receive and file finance department report F-29-23, providing the financial status report as at June 30, 2023.

**CARRIED**

- c. By-Law to exempt 821-847 Cumberland Ave from municipal and school taxes (F-30-23)

Approve By-law 59-2023, to grant the exemption from municipal and school taxes under section 110 of the Municipal Act, 2001, as amended, for the property located at 821-847 Cumberland Ave; and

Authorize the Mayor and City Clerk to sign and execute the necessary by-law; and

Direct the City Clerk to give written notice of the by-law to the Municipal Property Assessment Corporation and the secretaries of the Halton Region school boards.

**CARRIED**

- d. Collection services for Halton Court Services (L-48-23 )

Approve a commission rate plus non-recoverable tax to be charged to the debtor for defaulted Provincial Offences Act fines that are owed to the City, to be set at 13% for First (1st) Assignment Accounts and 21.75% for Second (2nd) Assignment Accounts for the duration of contract extensions with existing vendors.

**CARRIED**

- e. Operating budget performance as at June 30, 2023 (F-33-23)

Direct the Chief Financial Officer to report back on the City's year-end strategy upon confirmation of the 2023 year-end actual.

**CARRIED**

- f. Preparing for the regional review process (CM-14-23)

Direct the City Manager following the announcement of the regional facilitator for Halton on September 11, 2023 to report back to the Corporate Services, Strategy, Risk and Accountability Committee at their meeting of October 4, 2023 with a full update on the provincial regional review process and a recommended strategy for the City of Burlington including key actions, milestone dates and community

engagement plan, in keeping with the framework outlined in city manager's office report CM-14-23; and

Direct the City Manager to report back to council in conjunction with the 2024 budget process on proposed organizational design options and recommendations to address both a) future city service delivery impacts related to the regional review process and b) Council's strategic priority of accelerating new housing development application and permit approvals to enable achievement Burlington Housing Pledge (minimum 29,000 units by 2031)

**CARRIED**

- g. Non Union job evaluation (HR-08-23)

Approve the new pay grade S (\$252,396 to \$315,495) for the position of City Manager effective September 10, 2023.

**CARRIED**

- i. Confidential verbal update regarding a real estate matter (L-50-23)
- j. Confidential real estate matter - property negotiations (L-45-23)
- k. Confidential real estate matter - proposed acquisition (L-46-23)
- h. Update to the budget process resulting from the Strong Mayors, Building Homes Act, 2022 (F-34-23)

Receive and file finance department report F-34-23 on the adjustments to the budget process required under the Strong Mayors, Building Homes Act, 2022; and

That the Mayor provides the staff direction as outlined in Appendix A to finance department report F-34-23, as amended:

Mayoral Direction to the Chief Financial Officer (CFO) pertaining to the 2024 Budget, in accordance with subsection 284.3 and 284.16 of the Municipal Act, 2001 (the "Act"), the Mayor hereby directs the CFO to:

1. Prepare a draft City of Burlington 2024 Operating and Capital Budget and Forecast in accordance with the requirements of the Act;
2. Provide the Mayor with periodic updates on the 2024 Draft

Budget in order that those discussions may inform the budget; and  
3. Provide the draft budget to each Member of Council and the public no later than October 19, 2023; and

**Direct the City Clerk to schedule two special Council meetings:**

- **November 23 for Council to adopt resolutions from the CSSRA-budget review of the Mayor's budget (rise and report)**
- **November 28 if Council wishes additional time to reflect from Committee to Council**

**CARRIED**

Moved by: Councillor Sharman  
Seconded by: Councillor Galbraith

**Amend motion F-34-23 to include the following clause:**

**Direct the City Clerk to schedule two special Council meetings:**

- **November 23 for Council to adopt resolutions from the CSSRA-budget review of the Mayor's budget (rise and report)**
- **November 28 if Council wishes additional time to reflect from Committee to Council**

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

14.2 Community Planning, Regulation & Mobility meeting of September 12, 2023

items a, b and c were voted upon by way of one consent vote.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

- a. City-initiated amendments to Official Plan, 2020 and Zoning By-law 2020 (PL-53-23)

Approve Official Plan Amendment No. 1 to the City of Burlington Official Plan, 2020, as provided in Appendix A of community planning department report PL-53-23; and

Deem that Section 17(21) of the Planning Act has been met; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 1, as contained in Appendix A of community planning department report PL-53-23; and

Approve the proposed amendments to Zoning By-law 2020 as provided in Appendix B of community planning department report PL-53-23; and

Enact By-law 2020.460 as contained in Appendix B of community planning department report PL-53-23; and

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 1 is adopted; and

State that the amending zoning by-law will not come into force and effect until Official Plan Amendment No. 1 is adopted.

**CARRIED**

- b. Emergency and Continuity Management Reserve Fund (BFD-07-23)

Approve the establishment of the emergency and continuity management reserve fund and authorize the Chief Financial Officer to transfer the existing funding from the emergency plan reserve fund to the newly established emergency and continuity management program reserve fund; and

Repeal By-law 48-2020 and replace with By-law 60-2023.

**CARRIED**

- c. Burlington Climate Action Plan update (EICS-10-23, SD-32-23)

Receive and file environment and energy report EICS-10-23 providing the Burlington Climate Action Plan update; and

Direct the Executive Director of Environment, Infrastructure and Community Services to report back in Q1 of 2024 on the solar incentives offered by other municipalities with an interest in implementing a future incentive program in Burlington. (SD-32-23)

**CARRIED**

- d. Options for enhanced windrow clearing (RPF-16-23)

Direct the Director of Roads, Parks, and Forestry to expand the driveway windrow clearing program service boundaries to include all areas of the city; and

Direct the Director of Roads, Parks, and Forestry to implement a 1,000 driveway windrow clearing program as detailed within Option 3 of this report, with no eligibility restrictions, and that the program fee be set at \$125 per driveway for the 2023/2024 winter season; and

Authorize the Executive Director of Legal Services and Corporation Counsel to prepare for Council approval a by-law amending the Rates and Fees By-law No. 83-2022 to implement new Windrow Clearing Program fees as outlined in the roads, parks and forestry department report RPF-16-23.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

- e. Former Robert Bateman High School - parking options (EICS-12-23)

Direct the Manager of Realty Services to explore with the Halton Catholic District School Board the option of utilizing land behind the

Ascension Elementary School in order to include park amenities for the public and school for outdoor activities; and

Direct the Manager of Realty Services to enter into discussions with the Pineland Baptist Church and Good Neighbour Ministries, for the option of leasing parking spaces to support the phase 1 occupancy requirements for the former Bateman site; and

Direct the Executive Director of Environment, Infrastructure and Community Services to apply to the Committee of Adjustment for a variance to reduce on-site parking requirements at the former Bateman site based on a site specific parking justification analysis giving consideration of alternate modes of transportation and peak demand timing of the various uses on site; and

Direct the Executive Director of Environment, Infrastructure and Community Services to apply to the Committee of Adjustment for a reduction of the on-site parking required at the former Bateman site based on leasing parking spaces at Pineland Baptist Church and/or Good Neighbour Ministries (subject to a lease agreement being agreed to) in order to support parking requirements and obtaining occupancy for phase 1 operation of the former Bateman site; and

Based on the outcome of the submissions to the Committee of Adjustment for on-site parking reductions, authorize the Executive Director of Environment, Infrastructure and Community Services to design and construct any additional surface parking at the rear of the site to accommodate phase 1 occupancy requirements; and

Direct the Director of Engineering Services to undertake a conceptual design exercise of the open space at the former Bateman site, including the Frontenac Park land and the land behind Ascension School (subject to HCDSB approval) to provide enhanced pedestrian connections, looped pedestrian trail and park amenities such as a junior sports field that would meet the needs of the students at Ascension Elementary school and the public; and

Direct the Director of Transportation Services to assess the parking utilization of the former Bateman site after the opening of phase 1 and report back to council on the outcomes for phase 1 and parking requirements to support phase 2.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

14.3 Audit Committee meeting of September 13, 2023

All items were voted upon by way of one consent vote.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

a. Quarterly dashboard for office of the city auditor (CA-09-23)

Receive and file office of the city auditor's report CA-09-23 providing a quarterly dashboard of City Auditor Key Performance Indicators (KPI's) attached as Appendix A.

**CARRIED**

b. Evaluation of the external auditors (F-27-23)

Receive and file finance department report F-27-23 providing the results of the evaluation of the external auditors.

**CARRIED**

c. Financial highlights for the period ended June 30, 2023 (F-28-23)

Receive and file finance department report F-28-23 providing financial highlights as at June 30, 2023.

**CARRIED**

d. Gartner Canada Co. contract (CS-15-23)

Authorize the Manager of Procurement Services to execute the Gartner Canada Co. contract as outlined in corporate strategy report CS-15-23, with the content satisfactory to the Executive Director of Legal Services and Corporation Counsel.

**CARRIED**

- e. Summary of in-progress management action plans (CA-08-23)  
Receive and file city auditor's office report CA-08-23 providing a summary of the management action plans in progress as identified in confidential Appendix A.

**CARRIED**

14.4 Council Workshop meeting of September 18, 2023

There were no recommendations from this meeting.

14.5 Community Planning, Regulation and Mobility Public meeting of September 18, 2023

- a. Burlington Nelson Quarry Official Plan Amendment (PL-51-23)  
Receive and file community planning department report PL-51-23 regarding an application for an Official Plan Amendment as it relates to the proposed extension to the Burlington Nelson Quarry.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

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

**Note: The City Clerk indicated an error and Council consented to add 15.6 for consideration.**

Moved by: Councillor Sharman

Seconded by: Councillor Stolte

Approve the following minutes:

**CARRIED**

15.1 Corporate Services, Strategy, Risk and Accountability Committee meeting minutes of September 11, 2023

15.2 Community Planning, Regulation and Mobility Committee meeting minutes of September 12, 2023

- 15.3 Audit Committee meeting minutes of September 13, 2023
- 15.4 Council Workshop meeting minutes of September 18, 2023
- 15.5 Community Planning, Regulation and Mobility Public meeting minutes of September 18, 2023
- 15.6 Council Workshop meeting minutes of July 11, 2023

**16. Urgent Business:**

None.

**17. Confidential Items and Closed Session:**

Moved by: Councillor Galbraith

Seconded by: Councillor Kearns

Approve the following closed session minutes:

**CARRIED**

- 17.1 Confidential closed session minutes for the Council meeting of July 11, 2023

Approve the confidential Council closed session meeting minutes of July 11, 2023

- 17.2 Confidential closed session minutes for Corporate Services, Strategy, Risk and Accountability Committee meeting of September 11, 2023.

Approve the confidential Corporate Services, Strategy, Risk and Accountability closed session meeting minutes of September 11, 2023.

**18. Rise and Report:**

None.

**19. Motions of Members:**

- 19.1 Provincial legislation for third-party short-term rental companies (ADM-11-23)

Moved by: Councillor Galbraith

Seconded by: Councillor Stolte

Whereas the demand for alternative accommodations has resulted in an increased prominence of residential properties being advertised for short term accommodations through third party companies such as Airbnb and

VRBO; a shift from the 'traditional' cottage rental historically managed by a property owner; and

Whereas over the past decade a flood of properties have been removed from the ownership and long-term rental market (*Canada Research Chair in Urban Governance at McGill University*) contributing to housing shortages, increased housing demands and increased housing costs resulting in housing affordability issues, including affordable rentals; and

Whereas short term rentals (STR) can be beneficial, when operated appropriately, by providing solutions for the accommodation industry that supports local tourism and small businesses as well as providing an opportunity for property owners to generate income from their residence (permanent or seasonal) using a convenient third-party system; and

Whereas STR's can create nuisances including noise, parking, high volumes of visitors attending a property, septic capacity and fire safety, for adjacent residential property owners who wish to experience quiet enjoyment of their property; and

Whereas research indicates that demand for STR's is increasing, in part due to vacationers choosing domestic travel options as well as the financial benefits to property owners, demonstrating that STR's are here to stay; and

Whereas there are no Provincial regulations in place governing third party STR companies resulting in a variety of regulations/guidelines being implemented at the local municipal level which creates inconsistencies, confusion and frustrations for both consumers and residents across the province; and

Therefore, be it resolved that Burlington City Council calls on the Provincial Government to move forward as soon as possible to legislate all third-party short-term rental brokerage companies, for example Airbnb and VRBO, requiring them to:

- appropriately manage and be responsible for their listings, and to compel compliance; and
- establish a registry system, making it mandatory for each rental listing to register and pay an appropriate annual fee, with the requirement that STR companies are to provide the registry and collected fees to the municipality in which the STR properties are located, allowing municipalities to be aware of all registered STR

properties and to have access to funds to assist with the response and enforcement of issues surrounding STR properties; and

- de-list/remove a property from the STR company's listing when a municipality has identified and verified life, health and/or nuisance infractions including noise, fire safety, septic, etc. to ensure a property cannot be rented; and

That a copy of this resolution be sent to all Ontario municipalities for support as well as to the Minister of Municipal Affairs and Housing and Halton MPPs.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

19.2 Changes to the Oath of Office Acknowledging Treaty Rights (ADM-12-23)

Moved by: Councillor Stolte

Seconded by: Councillor Nisan

Whereas most municipalities in Ontario have a land acknowledgement in their opening ceremony; and

Whereas a clear reference to the rights of Indigenous people is the aim of advancing Truth and Reconciliation; and

Whereas Call to Action 94 of the Truth and Reconciliation Commission of Canada called upon the Government of Canada to replace the wording of the Oath of Citizenship to include the recognition of the laws of Canada including Treaties with Indigenous Peoples; and

Whereas on June 21, 2021, an Act to amend *The Citizenship Act* received royal assent to include clear reference to the rights of Indigenous peoples aimed at advancing the Truth and Reconciliation Commission's Calls to Action within the broader reconciliation framework; and

Whereas the Truth and Reconciliation Commission of Canada outlines specific calls to action for municipal governments in Canada to act on, including education and collaboration;

Therefore be it resolved that Burlington City Council request the Minister of Municipal Affairs and Housing that the following changes be made to the municipal oath of office:

I will be faithful and bear true allegiance to His Majesty King Charles III and that I will faithfully observe the laws of Canada including the Constitution, which recognizes and affirms the Aboriginal and treaty rights of First Nations, Inuit and Metis peoples;

and further that this resolution be forwarded to the Minister of Red Tape Reduction, Parm Gill; Natalie Pierre, MPP Burlington; and Effie Triantafilopoulos, MPP Oakville North-Burlington; Halton Region; the Association of Municipalities of Ontario; the Ontario's Big City Mayors; the Mississaugas of the Credit First Nation and the Six Nations of the Grand River.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

19.3 Petition to exclude sidewalks from Bromley Road Capital Works (ADM-15-23)

Moved by: Councillor Sharman

Seconded by: Councillor Bentivegna

Direct staff to prepare a report with options in response to the petition dated July 4, 2023 regarding construction of new sidewalks on Linwood Crescent, Maureen Court and Bromley Road, on the need and justification of the proposed sidewalk and report back to CPRM in Q4, 2023.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

**20. Council Information Package:**

20.1 Council Information Package July 14, 2023

20.2 Council Information Package July 28, 2023

20.3 Council Information Package August 4, 2023

20.4 Council Information Package August 18, 2023

20.5 Council Information Package August 25, 2023

20.6 Council Information Package September 1, 2023

20.7 Council Information Package September 8, 2023

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

Moved by: Councillor Sharman

Seconded by: Councillor Nisan

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

**CARRIED**

21.1 Memorandum regarding Options for Enhanced Windrow Clearing (RPF-16-23)

21.2 Memorandum regarding Revised Budget Schedule, and Additional Council Meetings Required Supplement to F-34-23

21.3 Delegation notes from Kirk Robinson regarding Millcroft Greens (ADM-13-23)

21.4 Delegation notes from Chris Skirrow regarding Millcroft Greens (ADM-13-23)

21.5 Delegation notes from Jim Thomson regarding Former Robert Bateman High School - parking options (EICS-12-23)

21.6 Correspondence from Leslie Barbetta regarding Millcroft Greens (ADM-13-23)

21.7 Correspondence from Leslie Barbetta regarding Provincial legislation for third-party short-term rental companies (ADM-11-23)

**22. Notice of Motion:**

None.

**23. Motion to Approve By-Laws:**

Moved by: Councillor Kearns

Seconded by: Councillor Galbraith

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

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

- 23.1 58-2023: A by-law to authorize a request for the issuing of debentures by the Regional Municipality of Halton for the Renovation & Conversion of the former Robert Bateman High School.
- 23.2 59-2023: A by-law to exempt 821-847 Cumberland Ave from property taxes for municipal and school purposes.
- 23.3 60-2023: A by-law to establish a reserve fund and guidelines for the utilization of the Emergency and Continuity Management Program Reserve Fund and repeal By-law 48-2020.
- 23.4 61-2023: A by-law to amend By-law 83-2022, being a by-law to establish and impose certain 2023 rates and fees for services, activities or the use of property.
- 23.5 62-2023: A by-law to adopt Official Plan Amendment No. 1 to comply with Section 16 (3) of the Planning Act and apply to any land use designation that permits residential uses within the City of Burlington subject to the Burlington Official Plan 2020.
- 23.6 63-2023: A by-law to exempt Lots 1-2, Blocks 3-13, Plan 20M1251, 2100 Brant St.
- 23.7 2020.460: A by-law to amend By-law 2020, as amended for Additional Residential Units.

**24. Confirmatory By-law:**

Moved by: Councillor Nisan

Seconded by: Councillor Bentivegna

Enact and pass By-law Number 64-2023 being a by-law to confirm the proceedings of Council at its meeting held September 26, 2023 being read a first, second and third time.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

**CARRIED (7 to 0)**

**25. Statements by Members:**

**26. Motion to Adjourn:**

Moved by: Councillor Sharman

Seconded by: Councillor Stolte

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

2:03 p.m.

11:07 (recess), 11:15 (reconvene), 12:02 (recess), 1:00 (reconvene), Councillor Stolte returned at 1:09 p.m., Councillor Nisan left the meeting at 1:55 p.m.

**CARRIED**

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Kevin Arjoon

City Clerk

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Marianne Meed Ward

Mayor