



Regular Meeting of Council

Minutes

Date: October 17, 2023
Time: 9:30 am
Location: Hybrid meeting- virtual and Council Chambers, City Hall

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

Member Regrets: Kelvin Galbraith, Paul Sharman

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:**
 - 4.1 Councillor Paul Sharman
5. **Proclamations:**
 - 5.1 Ontario Cadets Week: October 7-13, 2023
 - 5.2 United Nations Day: October 24, 2023
 - 5.3 World Polio Day: October 24, 2023
 - 5.4 Turkish Republic Day: October 29, 2023

5.5 I Read Canadian Day: November 8, 2023

6. Recognitions and Achievements:

None.

7. Motion to approve Council Minutes:

Moved by: Councillor Stolte

Seconded by: Councillor Bentivegna

Confirm the minutes of the following meeting of Council:

CARRIED

7.1 Regular meeting of Council September 26, 2023

7.2 Regular meeting of Council October 5, 2023

8. Presentations:

8.1 Presentation from Eric Vandewall, JBH President & CEO, Anissa Hilborn, JBH Foundation President & CEO and Leslie Motz, EVP Clinical & Chief Nursing Executive regarding Joseph Brant Hospital 2023-2026 Strategic Plan (ADM-16-23)

9. Declarations of Interest:

None.

10. Delegations:

10.1 Kirk Robinson spoke regarding Petition in support of Council Resolution on Millcroft Greens (ADM-13-23)

10.2 Ben Freeman spoke regarding Food Truck Festival 2024 (RCC-16-23)

11. Petitions:

11.1 Petition sponsored by Councillor Bentivegna regarding Millcroft Greens (ADM-13-23)

Councillor Bentivegna presented a petition with approximately 1500 signatures, entitled, We Strongly support the City of Burlington's resolution to the Province regarding Millcroft Greens. The petition calls on the City of Burlington to do the following:

1. Receive and file the petition, initiated September 28, 2023, expressing support for the Council Resolution on Millcroft Greens (ADM-13-23) September 26, 2023; and

2. Direct the City Clerk to circulate a copy of the petition to the Minister of Municipal Affairs and Housing.

12. Recommendations from Standing Committees:

12.1 Corporate Services, Strategy, Risk & Accountability meeting of October 4, 2023

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

IN FAVOUR: (5): Mayor Meed Ward, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Bentivegna

Absent (2): Councillor Galbraith, and Councillor Sharman

CARRIED (5 to 0)

a. Council Expense Manual update (F-41-23)

Approve the proposed amendment to the Council Member Expense Manual as referenced in finance department report F-41-23.

CARRIED

b. Cisco DUO Multifactor Authentication Multiyear Renewal (BDS-11-23)

Approve the single source purchase of Cisco DUO through licensing partner CDW Canada for the term and costing further outlined in this report; and

Authorize the Chief Financial Officer to execute the CDW Canada contract as outlined in Burlington Digital Service report BDS-11-23 regarding renewal of Cisco DUO, multifactor authentication service, with the content satisfactory to the Executive Director of Legal Services and Corporation Counsel.

CARRIED

c. Standing Committee Structure Options (CL-18-23)

Receive and file clerks department report CL-18-23 entitled Standing Committee Structure Options; and

Provide feedback to the Mayor regarding the proposed new Standing Committee structure.

CARRIED

- d. Vision to Focus (V2F) The City of Burlington's 4-Year Workplan - Final Draft (CS-12-23)

Endorse in principle the final draft 2022-2026 Vision to Focus (V2F) The City of Burlington's 4-year Workplan contained in Appendix A of the corporate strategy report CS-12-23; and

Direct the Executive Director Strategy, Risk and Accountability to report back to the Corporate Services, Strategy, Risk and Accountability Committee meeting on Dec. 4, 2023 with the updated 2022-2026 Vision to Focus (V2F) The City of Burlington's 4-year workplan.

CARRIED

- e. Proposed Pipeline to Permit Housing Committee (MO-01-23)

Endorse the new Pipeline to Permit Standing Committee; and

Direct the Mayor and City Manager to incorporate input from Council, staff and stakeholders and bring a Terms of Reference to the Nov. 1 Corporate Services Strategy Risk & Accountability Committee for final approval at the Nov. 14 Council meeting.

CARRIED

- f. Motion Memorandum regarding the Art Gallery of Burlington – Facility Master Plan and Future Needs Feasibility Study (CSSRA-09-23)

Direct the City Manager and the Chief Financial Officer to review funding options to assist the Art Gallery of Burlington in their request of \$100,000 towards the one-time cost of a Facility Master Plan and Future Needs Feasibility Study; and

Direct the City Manager and the Chief Financial Officer to report back at the November 1, 2023, Corporate Services, Strategy, Risk & Accountability Committee with funding options, pre-conditions (ie

confirmation of matching funding from other levels of government), and recommended funding.

CARRIED

- g. Confidential status report on the contingency reserve fund - August 31, 2023 (F-31-23)

Receive and file finance department report F-31-23, providing the confidential status report on the contingency reserve – August 31, 2023.

CARRIED

- h. Confidential triannual litigation update (L-43-23)

Receive and file matters 1 through 23, 25 and 26, and matters 28 through 43, contained in legal department report L-43-23 providing the triannual litigation update; and

Direct the Executive Director of Legal Services or his designate to proceed in accordance with the instructions sought in Matter 27; and

Direct legal department staff to follow directions provided by Committee in closed session regarding Matter 24.

CARRIED

- i. Confidential legal update on a litigation matter regarding 1396 Guelph Line (L-44-23)

Direct legal staff to follow instructions provided by committee in closed session for the confidential legal update on a litigation matter regarding 1396 Guelph Line (L-44-23).

CARRIED

- j. Confidential verbal update regarding an HR matter. (CSSRA-08-23)

Receive and file the confidential verbal update regarding an HR matter (CSSRA-09-23).

CARRIED

12.2 Environment, Infrastructure & Community Services meeting of October 5, 2023

Items b, c, and d were voted upon by way of one consent vote.

IN FAVOUR: (5): Mayor Meed Ward, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Bentivegna

Absent (2): Councillor Galbraith, and Councillor Sharman

CARRIED (5 to 0)

b. Ice inventory management (RCC-17-23)

Authorize the Director of Recreation, Community and Culture to execute ice allocation agreements to the satisfaction of the Executive Director of Legal Services and Corporation Counsel as outlined in recreation, community and culture department report RCC-17-23.

CARRIED

c. Green fleet strategy update (RPF-24-23)

Receive and file roads, parks and forestry department report RPF-07-23, providing an update to the City of Burlington's Green Fleet Strategy; and

Direct the Director of Roads, Parks and Forestry together with the Corporate Strategic Lead, Government Relations to seek funding opportunities to support the city's green fleet transition, including the purchase of vehicles and the installation of the necessary infrastructure.

CARRIED

d. Motion Memo - Treeing the Crosstown Trail (EICS-C-03-23)

This item was considered first on the agenda.

Direct the Executive Director of the Environment, Infrastructure and Community Services to explore the feasibility of planting trees within the existing Hydro One corridor (Crosstown Trail), including but not limited to attaining all necessary approvals from Hydro One and Infrastructure Ontario, as well as providing a cost estimate to

design, consult, and administer tree planting operations, and identify opportunities where the tree planting reserve fund could be utilized to offset total contract costs. Report back in Q1 2024.

CARRIED

a. Food Truck Festival 2024 (RCC-16-23)

Direct the City Manager and the Manager of Festivals & Events to decline future Burlington Food Truck Festival applications for Spencer Smith Park effective 2024; and

IN FAVOUR: (4): Mayor Meed Ward, Councillor Kearns, Councillor Stolte, and Councillor Bentivegna

OPPOSED: (1): Councillor Nisan

Absent (2): Councillor Galbraith, and Councillor Sharman

CARRIED (4 to 1)

Encourage the event organizers to continue to work with staff to find a suitable location in Burlington.

IN FAVOUR: (4): Mayor Meed Ward, Councillor Kearns, Councillor Stolte, and Councillor Bentivegna

OPPOSED: (1): Councillor Nisan

Absent (2): Councillor Galbraith, and Councillor Sharman

CARRIED (4 to 1)

12.3 Community Planning, Regulation & Mobility Public meeting of October 16, 2023

a. Zoning By-law Amendment for 3399 Appleby Line (PL-52-23)

Approve the Zoning By-law amendment application for the property located at 3399 Appleby Line to permit a one (1) storey industrial building with accessory office uses; and

Approve Zoning By-law 2020.453, attached as Appendix C of community planning department report PL-52-23, which rezones the portion of the lands 3399 Appleby Line zoned as 'D' zone to a 'BC1' zone; and

Deem that the proposed by-law conforms to the Official Plan of the City of Burlington and that there are no applications to alter the Official Plan with respect to the subject lands.

IN FAVOUR: (5): Mayor Meed Ward, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Bentivegna

Absent (2): Councillor Galbraith, and Councillor Sharman

CARRIED (5 to 0)

13. Motion to Approve Standing Committee Minutes:

Moved by: Councillor Bentivegna

Seconded by: Councillor Stolte

Approve the following minutes:

CARRIED

13.1 Council Workshop meeting minutes of September 18, 2023

13.2 Corporate Services, Strategy, Risk and Accountability meeting minutes of October 4, 2023

13.3 Environment, Infrastructure, Community Services meeting minutes of October 5, 2023

14. Urgent Business:

None.

15. Confidential Items and Closed Session:

Moved by: Councillor Stolte

Seconded by: Councillor Kearns

Approve the following closed session minutes:

CARRIED

15.1 Confidential closed session minutes for Corporate Services, Strategy, Risk and Accountability Committee meeting of October 4, 2023

16. Rise and Report:

None.

17. Motions of Members:

17.1 Petition in support of Council Resolution on Millcroft Greens (ADM-13-23)

Moved by: Councillor Bentivegna

Seconded by: Councillor Stolte

Receive and file the petition, initiated September 28, 2023, expressing support for the Council Resolution on Millcroft Greens (ADM-13-23) September 26, 2023; and

Direct the City Clerk to circulate a copy of the petition to the Minister of Municipal Affairs and Housing.

IN FAVOUR: (5): Mayor Meed Ward, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Bentivegna

Absent (2): Councillor Galbraith, and Councillor Sharman

CARRIED (5 to 0)

17.2 Motion to waive the rules of procedure

Moved by: Councillor Stolte

Seconded by: Councillor Nisan

Waive section 36.2 of the procedure By-law 31-2021 as amended to allow discussion of item 17.3 Consideration of Four Residential Units as-of-Right (ADM-17-23) as it was received after the required deadline.

IN FAVOUR: (5): Mayor Meed Ward, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Bentivegna

Absent (2): Councillor Galbraith, and Councillor Sharman

CARRIED (5 to 0)

17.3 Consideration of Four Residential Units as-of-Right (ADM-17-23)

Moved by: Councillor Stolte

Seconded by: Councillor Nisan

Whereas all parts of Canada, including Burlington are in the midst of a housing crisis; and

Whereas on June 21, 2022, Burlington City Council unanimously approved the City's first ever Housing Strategy that set out 12 key actions to drive to the overall Vision for Housing in Burlington; and

Whereas the Housing Strategy emphasizes the City of Burlington's role and opportunity to address "missing middle" from both the perspective of having housing options that are affordable/attainable for middle-income households and for the opportunity to diversify the spectrum of housing types and tenures; and

Whereas City Council responded to the Provincially assigned aspirational housing pledge target of 29,000 units by 2031, by unanimously supporting the City's Housing Pledge which includes the policies, plans and actions that demonstrate how the City of Burlington will fulfill our commitment to the pledge; and

Whereas through the Housing Pledge the City has confirmed that directing growth within the existing urban boundary set out in ROPA 49 will protect Burlington's critically important agricultural and natural heritage systems while still allowing the City to meet all population and employment growth objectives and targets including the housing pledge; and

Whereas given that the City of Burlington has limited greenfield areas it is ever more critical to acknowledge that development is more complicated and there is a pressing need to support sensitive infill and redevelopment opportunities appropriate to the City's context; and

Whereas background research undertaken through the Housing Strategy indicates that Burlington residents do not feel there is enough diversity or options for ownership housing in the City to meet residents' needs throughout their lifecycle; and

Whereas the Burlington City Council has demonstrated a shared commitment with partners to turn the City's unprecedented development pipeline of 38,219 units into permits, through the creation of a new proposed Pipeline to Permit Housing Standing Committee; and

Whereas the Federal Minister of Housing, Infrastructure and Communities has required municipalities such as London, Vaughan, and Calgary to allow four units as-of-right, as a condition of approval of their Housing Accelerator Fund applications; and

Whereas on August 18, 2023, the City of Burlington submitted its application to the Housing Accelerator Fund, for approximately \$40,000,000 and its approval is expected to be contingent on allowing four

units as-of-right, as seen in requests to all other municipalities with accepted applications; and

Therefore, be it resolved that; Burlington City Council declare its intention to allow four units as-of-right; and

That staff be directed to engage with the community to implement four units as-of-right and the other actions identified in the Housing Strategy including implementing opportunities to increase the range of housing options available; and further,

That a copy of this motion be sent to The Honourable Sean Fraser Minister of Housing, Infrastructure and Communities; The Honourable Karina Gould, Leader of the Government in the House of Commons, Pam Damoff, MP Oakville North-Burlington, Adam van Koeverden, MP Milton, The Honourable Paul Calandra Minister of Municipal Affairs and Housing, The Honourable Parm Gill, Minister of Red Tape Reduction, MPP Natalie Pierre, Burlington, and MPP Effie Triantafilopoulos, Oakville North-Burlington.

IN FAVOUR: (5): Mayor Meed Ward, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Bentivegna

Absent (2): Councillor Galbraith, and Councillor Sharman

CARRIED (5 to 0)

18. Council Information Package:

18.1 Council Information Package of September 28, 2023

18.2 Council Information Package of October 6, 2023

18.3 Council Information Package October 13, 2023

19. Motion to Receive and File Information Items:

Moved by: Councillor Kearns

Seconded by: Councillor Bentivegna

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

CARRIED

19.1 Delegation notes from Kirk Robinson regarding Petition in support of Council Resolution on Millcroft Greens (ADM-13-23)

19.2 Delegation correspondence from Ben Freeman regarding Food Truck Festival 2024 (RCC-16-23)

20. Notice of Motion:

21. Motion to Approve By-Laws:

Moved by: Councillor Stolte

Seconded by: Councillor Kearns

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

IN FAVOUR: (5): Mayor Meed Ward, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Bentivegna

Absent (2): Councillor Galbraith, and Councillor Sharman

CARRIED (5 to 0)

21.1 66-2023: A By-law to stop up and close as public highway that portion of the assumed road allowance known as Old Plains Road West

21.2 2020.453: A by-law to amend By-law 2020, as amended, to allow a one storey industrial building with accessory office uses at 3399 Appleby Line.

22. Confirmatory By-law:

Moved by: Councillor Nisan

Seconded by: Councillor Bentivegna

Enact and pass By-law Number 67-2023 being a by-law to confirm the proceedings of Council at its meeting held October 17, 2023 being read a first, second and third time.

IN FAVOUR: (5): Mayor Meed Ward, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Bentivegna

Absent (2): Councillor Galbraith, and Councillor Sharman

CARRIED (5 to 0)

23. Statements by Members:

24. Motion to Adjourn:

Moved by: Councillor Bentivegna

Seconded by: Councillor Nisan

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

11:12 p.m.

Councillor Kearns joined the meeting at 10:14 a.m. and left the meeting at 11:08 a.m.

CARRIED

Kevin Arjoon

Clerk

Marianne Meed Ward

Mayor