



Regular Meeting of Council

Minutes

Date: January 16, 2024
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, Richard Bellemare (Audio/Video Specialist), Ashwin Bajpai (Audio/Video Specialist), Debbie Hordyk, Samantha Yew (Deputy 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. **Land Acknowledgement:**
3. **National Anthem:**
4. **Regrets:**
5. **Approval of the Agenda:**

Moved by: Councillor Nisan
Seconded by: Councillor Galbraith

Waive section 36.2 and section 38.1 of the procedure by-law to allow item 18.2 New Provincial-Municipal Fiscal Framework (ADM-02-24) to be added to the agenda and discussed at this meeting of Council January 16, 2024.

This motion was voted upon by way of a 2/3 vote.

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 Sharman
Seconded by: Councillor Bentivegna

Waive section 46.1 of the procedure by-law to allow a non registered delegate to speak.

This motion was voted upon by way of a 2/3 vote.

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 Sharman
Seconded by: Councillor Galbraith

Move item 13.1 m. Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24) to the top of the agenda for discussion immediately following delegations.

CARRIED

Moved by: Councillor Kearns
Seconded by: Councillor Nisan

That the Council agenda for January 16, 2024 be approved as amended.

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

CARRIED (7 to 0)

6. Declarations of Interest:

None.

7. Proclamations:

None.

8. Recognitions and Achievements:

None.

9. Motion to approve Council Minutes:

Moved by: Councillor Stolte

Seconded by: Councillor Kearns

Confirm the minutes of the following meeting of Council:

CARRIED

9.1 Regular meeting of Council December 12, 2023

10. Presentations:

10.1 Hannelie van Niekerk provided a presentation regarding Burlington 150+ time capsule reveal (ADM-01-24)

11. Delegations:

11.1 Jim Thomson spoke regarding Appointments to Advisory Committees and the Pipeline to Permit Standing Committee (CL-04-24)

11.2 Andrea Louca-Ricci spoke regarding Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)

11.3 Nick Morrison and Ellie Castonguay representing Safe Streets Halton spoke regarding Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)

11.4 Richard Moskal spoke regarding Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)

11.5 Pamela Ewan and Lynn Alan Hastings spoke regarding Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)

11.6 Jim Vanderkooy spoke regarding Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)

11.7 Erin Woodward spoke regarding Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)

11.8 Daniella Quattrociocchi spoke regarding Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)

11.9 Denise Davey spoke regarding Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)

12. Petitions:

Samantha Yew, Deputy Clerk read the following petitions into the record.

12.1 Petition submitted by Andrea Louca - Ricci regarding sidewalks on Linwood Crescent. (TS-01-24)

12.2 Petition submitted by Andrea Louca - Ricci regarding sidewalks on Bromley Rd West and Maureen Court – Linwood to Bayfield. (TS-01-24)

12.3 Petition submitted by Andrea Louca - Ricci regarding sidewalks on Bromley Rd East – Bayfield to Cheltenham. (TS-01-24)

13. Recommendations from Standing Committees:

13.1 Committee of the Whole meeting of January 8 and 9, 2024

Items a, b, c, d, e, f, g, h, j, k, l, n and o were voted on 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. Standardization of Self-Contained Breathing Apparatus (SCBA) equipment for the fire department (BFD-01-24) (EICS)

Approve standardization of the fire department's Self-Contained Breathing Apparatus (SCBA) equipment to the 3M SCOTT X3 PRO model as outlined in fire department report BFD-01-24.

CARRIED

b. North Service Road and King Road emergency culvert replacements (ES-01-24) (EICS)

Receive and file engineering services department report ES-01-24 regarding North Service Road and King Road emergency culvert replacements.

CARRIED

- c. Banking By-law update (F-01-24) (CSSRA)

Approve the updated Banking By-law 04-2024, attached as Appendix A to finance department report F-01-24; and

Repeal Banking By-law 58-2013.

CARRIED

- d. Senior government funding January 2024 status report (CS-02-24) (CSSRA)

Authorize the Mayor and the City Clerk to execute the necessary agreements and other related documents or by-laws between the Corporation of the City of Burlington and the Province of Ontario, in relation to the Next Generation 9-1-1- funding program, to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

CARRIED

- e. Economic Development strategy update (ECDEV-01-24)

Receive and file Burlington Economic Development report ECDEV-01-24 providing an update on Burlington Economic Development's 2023-2026 Strategic Plan.

CARRIED

- f. Burlington's Plan from Vision to Focus 2022-2026 as of December 2023 (CS-01-24)

Approve the 2022-2026 Vision to Focus (V2F) the City of Burlington's 4-year workplan contained in Appendix A of the corporate strategy report CS-01-24.

CARRIED

- g. Regional review update (CM-01-24)

Direct the City Manager to report back on a regular basis to Committee of the Whole on the status of the regional CAOs' service review process; and

Direct the City Manager to report back in Q1 2024 as required with an update on Provincial legislation associated with the regional review process, specifically associated but not limited to, the recalibration of the Peel Region transition board to focus on options to enhance the self-determination of local governments to support building more homes faster and improve local service delivery; and

Direct the City Manager to report back by Q1 2024 with a process, timing and tax room implications for recommended non-exclusive services to be devolved to the city.

CARRIED

- h. Confidential legal update on a litigation matter regarding 789-795 Brant Street (L-07-24)

Instruct the Executive Director of Legal Services and Corporation Counsel, or his designate, to proceed in accordance with the instructions sought in confidential legal department report L-7-24.

CARRIED

- j. Confidential legal update on a litigation matter regarding 800 Burloak Drive (L-06-24)

Instruct the Executive Director of Legal Services and Corporation Counsel, or his designate, to proceed in accordance with the instructions sought in confidential legal department report L-6-24.

CARRIED

- k. Confidential human resources department verbal update regarding the city manager recruitment process (HR-01-23)

Receive and file the confidential human resources department verbal update regarding the city manager recruitment process. (HR-01-23)

CARRIED

- l. Burlington Official Plan, 2020 targeted realignment exercise – workplan update 1 (PL-01-24)

Receive and file community planning department report PL-01-24: Burlington Official Plan, 2020 targeted realignment exercise – workplan update 1.

CARRIED

- n. Recommendation Report for Zoning By-law Amendment for 3402 & 3416 Appleby Line (PL-06-24)

Approve the Zoning By-law Amendment application for the property located at 3402 & 3416 Appleby Line to permit a one (1) storey building for warehousing and logistics uses with accessory office uses; and

Approve Zoning By-law 2020.457, attached as Appendix D of report PL-06-24, which amends the zoning of the lands at 3402 & 3416 Appleby Line from 'D' zone to 'BC1-528'; and

Deem that the amending Zoning By-law will conform 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.

CARRIED

- o. Statutory Public Meeting and recommendation report for Official Plan Amendment and Zoning By-law Amendment applications for 454-462 Cumberland Avenue and 3255, 3259 and 3265 New Street (PL-02-24)

Approve Official Plan Amendment No. 140 to the City of Burlington Official Plan, as provided in Appendix D of report PL-02-24, to re-designate the lands located at 454-462 Cumberland Avenue and 3255, 3259, and 3265 New Street from "Residential Medium Density" to modify the "Residential High Density" policies to include site specific policies for the subject lands; 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. 140 as contained in Appendix D of report PL-02-24 to be presented for approval at the same time as the associated By-law to amend Zoning By-law 2020, as amended, for the development proposal (505-02/23); and

Approve Zoning By-law 2020.466, attached as Appendix E of report PL-02-24, to rezone the lands located at 454-462 Cumberland Avenue and 3255, 3259, and 3265 New Street from “Residential Medium Density (H-RM2)” to a site specific “Residential High Density (H-RH1)” with a Holding “H” prefix and subject to a Residential Development Agreement with conditions as provided in Appendix E to report PL-02-24 (File: 520-06/23); and

Deem that the amending zoning By-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 140 is adopted; and

State that the amending zoning By-law will not come into effect until Official Plan Amendment No. 140 is adopted.

CARRIED

- i. Confidential legal update on a litigation matter regarding 1062-1072 Cooke Blvd. (L-08-24)

This item was considered during item 16.4

Instruct the Executive Director of Legal Services and Corporation Counsel, or his designate, to proceed in accordance with the instructions sought in confidential legal department report L-8-24

- m. Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)

Note: This item was discussed immediately following item 12.

Do not approve the construction of a sidewalk on the east side of Linwood Crescent as outlined in transportation services department report TS-01-24.

Note: The vote taken on this motion is void as a motion to reconsider was taken immediately following this motion.

IN FAVOUR: (3): Mayor Meed Ward, Councillor Sharman, and Councillor Bentivegna

OPPOSED: (4): Councillor Galbraith, Councillor Kearns, Councillor Nisan, and Councillor Stolte

LOST (3 to 4)

Moved by: Councillor Sharman
Seconded by: Councillor Bentivegna

Motion to reconsider the vote taken regarding:

Do not approve the construction of a sidewalk on the east side of Linwood Crescent as outlined in transportation services department report TS-01-24

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

CARRIED (7 to 0)

Do not approve the construction of a sidewalk on the east side of Linwood Crescent as outlined in transportation services department report TS-01-24.

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

OPPOSED: (3): Councillor Galbraith, Councillor Nisan, and Councillor Stolte

CARRIED (4 to 3)

Do not approve the construction of a sidewalk on the east side of Maureen Court as outlined in transportation services department report TS-01-24.

IN FAVOUR: (6): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

OPPOSED: (1): Councillor Nisan

CARRIED (6 to 1)

Moved by: Councillor Sharman
Seconded by: Councillor Bentivegna

Do not approve construction of a sidewalk on the south side of Bromley Road as outlined in transportation services department report TS-01-24.

IN FAVOUR: (3): Mayor Meed Ward, Councillor Sharman, and Councillor Bentivegna

OPPOSED: (4): Councillor Galbraith, Councillor Kearns, Councillor Nisan, and Councillor Stolte

LOST (3 to 4)

Moved by: Councillor Sharman

Seconded by: Councillor Bentivegna

Approve construction of a sidewalk on the south side of Bromley Road as outlined in transportation services department report TS-01-24 option 4B, excluding all the road to the west and inclusive of 5108 and 5109 Bromley Road.

IN FAVOUR: (3): Mayor Meed Ward, Councillor Sharman, and Councillor Bentivegna

OPPOSED: (4): Councillor Galbraith, Councillor Kearns, Councillor Nisan, and Councillor Stolte

LOST (3 to 4)

Moved by: Councillor Nisan

Seconded by: Councillor Stolte

Approve the construction of a sidewalk on the south side of Bromley Road option 4B as outlined in transportation services department report TS-01-24.

IN FAVOUR: (4): Councillor Galbraith, Councillor Kearns, Councillor Nisan, and Councillor Stolte

OPPOSED: (3): Mayor Meed Ward, Councillor Sharman, and Councillor Bentivegna

CARRIED (4 to 3)

14. Motion to Approve Standing Committee Minutes:

Moved by: Councillor Stolte

Seconded by: Councillor Nisan

Approve the following minutes:

14.1 Committee of the Whole meeting minutes of January 8, 2024

15. Urgent Business:

15.1 Appointments to Advisory Committees and the Pipeline to Permit Standing Committee (CL-04-24)

Moved by: Councillor Kearns

Seconded by: Councillor Bentivegna

Approve the appointments to the Mundialization Committee, Accessibility Advisory Committee, Integrated Transportation Advisory Committee, Downtown Parking Committee, and Pipeline to Permit Standing Committee as outlined in confidential appendix A of office of the city clerk's report CL-04-24 and following approval from Council make the recommended names for appointments public.

Approve the following appointments to the Accessibility Advisory Committee for a term to expire on December 31, 2025:

- Garth Napier

Approve the following appointments to the Mundialization Committee for a term to expire on December 31, 2025:

- Anne Koopman
- Allan Dykstra
- Chris VanDooren
- Paula El Khoury
- Mary-Ann Campanelli

Approve the following appointments to the Integrated Transportation Advisory Committee for a term to expire on December 31, 2025:

- Suzelle De Wet
- Lachlan Fraser
- Michael Gioseffi

Approve the following appointment to the Downtown Parking Committee for a term to expire on December 31, 2025:

- Gary Hogan

Approve the following appointments to the Pipeline to Permit Standing Committee for a term to expire on December 31, 2025:

- John Davidson – Executive Lead in the Strategic Initiatives and Government Relations group in the CAO’s Office, representing Halton Region housing division
- Kelly McCormack – Director, Planning and Regulation, representing Conservation Halton
- Mike Collins-Williams – CEO, representing West End Home Builders Association
- Jason Sheldon – BILD Chair, representing Building Industry and Land Development Association (BILD)
- Jackie Asada – Habitat for Humanity, representing a non-profit housing association
- Elisha Vankleef, Planning Professional, representing a consulting firm that does business in Burlington
- Jim Dunn (Public Member)
- Bianca Steer (Public Member)
- John Doyle (Public Member)

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

CARRIED (7 to 0)

16. Confidential Items and Closed Session:

16.1 Confidential Closed Session minutes for Committee of the Whole meeting of January 8, 2024

Moved by: Councillor Galbraith

Seconded by: Councillor Bentivegna

Approve the confidential closed session minutes for Committee of the Whole meeting of January 8, 2024.

CARRIED

- 16.2 Confidential Closed Session minutes for Council meeting of December 12, 2023

Moved by: Councillor Galbraith

Seconded by: Councillor Bentivegna

Approve the confidential closed session minutes for Council meeting of December 12, 2023.

CARRIED

- 16.3 Confidential Appendix A - Appointments to Advisory Committees and P2P (CL-04-24)

This item was voted on in open session during item 15.1.

- 16.4 Confidential memorandum regarding litigation matter: 1062-1072 Cooke Blvd. (L-13-24)

Moved by: Councillor Sharman

Seconded by: Councillor Nisan

That Council proceed into closed session on January 16, 2024 at 2:10 p.m. in accordance with the following provision under the Municipal Act:

Pursuant to Section 239(2)(e) of the Municipal Act, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, regarding 16.4 Confidential memorandum regarding litigation matter: 1062-1072 Cooke Blvd. (L-13-24)(L-08-24)

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

CARRIED (7 to 0)

17. Rise and Report:

Moved by: Councillor Galbraith

Seconded by: Councillor Kearns

Instruct the Executive Director of Legal Services and Corporation Counsel, or his designate, to proceed in accordance with the instructions sought in confidential legal memorandum, Litigation matter: 1062-1072 Cooke Blvd. (L-13-24)

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

CARRIED (7 to 0)

18. Motions of Members:

18.1 Burlington150+ presentation to Council with time capsule reveal (ADM-01-24)

Note: This item was considered under item 20.

18.2 New Provincial-Municipal Fiscal Framework (ADM-02-24)

Mayor Meed Ward passed the gavel to Councillor Stolte to chair this portion of the meeting as she is the mover of the next item.

Moved by: Mayor Meed Ward

Seconded by: Councillor Nisan

Whereas current provincial-municipal fiscal arrangements are undermining Ontario's economic prosperity and quality of life; and

Whereas nearly a third of municipal spending in Ontario is for services in areas of provincial responsibility and expenditures are outpacing provincial contributions by nearly \$4 billion a year; and

Whereas municipal revenues, such as property taxes, do not grow with the economy or inflation; and

Whereas unprecedented population and housing growth will require significant investments in municipal infrastructure; and

Whereas municipalities are being asked to take on complex health and social challenges – like homelessness, supporting asylum seekers and addressing the mental health and addictions crises; and

Whereas inflation, rising interest rates, and provincial policy decisions are sharply constraining municipal fiscal capacity; and

Whereas property taxpayers – including people on fixed incomes and small businesses – can't afford to subsidize income re-distribution programs for those most in need; and

Whereas the province can, and should, invest more in the prosperity of communities; and

Whereas municipalities and the provincial government have a strong history of collaboration; and

Whereas on December 13, 2023 Halton Regional Council approved a resolution, [A New Deal for Halton Region](#), requesting a New Deal for Halton Region to address the funding shortfall for cost-shared health and social services programming, the shortfall in development charges revenues and ensure critical water and wastewater infrastructure is adequately funded to keep pace with growth; and

Therefore, be it resolved that the City of Burlington calls on the Province of Ontario to commit to undertaking, with the Association of Municipalities of Ontario, a comprehensive social and economic prosperity review to promote the stability and sustainability of municipal finances across Ontario.

And further that a copy of this motion is sent to the Premier of Ontario, Doug Ford; the Minister of Municipal Affairs and Housing, Paul Calandra; the Minister of Finance, Peter Bethlenfalvy; 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; and the Ontario's Big City Mayors Caucus.

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

CARRIED (7 to 0)

Councillor Stolte passed the gavel back to Mayor Meed Ward to continue chairing the meeting.

19. Council Information Package:

19.1 Council Information Package December 15, 2023

19.2 Council Information Package January 5, 2024

19.3 Council Information Package January 12, 2024

20. Motion to Receive and File Information Items:

Moved by: Councillor Kearns

Seconded by: Councillor Galbraith

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

CARRIED

- 20.1 Memorandum from staff regarding Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)
- 20.2 Burlington150+ presentation to Council with time capsule reveal (ADM-01-24)
- 20.3 Delegation notes from Daniella Quattrociocchi regarding Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)
- 20.4 Delegation notes from Andrea Louca-Ricci regarding Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)
- 20.5 Delegation notes from Nick Morrison and Ellie Castonguay representing Safe Streets Halton Proposed sidewalk infill on Bromley Road, Linwood Crescent and Maureen Court (TS-01-24)

21. Notice of Motion:

None.

22. Motion to Approve By-Laws:

Moved by: Councillor Stolte

Seconded by: Councillor Bentivegna

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)

- 22.2 03-2024: A by-law to authorize a request for the issuing of debentures by the Regional Municipality of Halton for a Confidential Land Acquisition.
- 22.3 04-2024: A by-law to designate those authorized to sign cheques on behalf of the City of Burlington and to repeal by-law 58-2013.
- 22.4 05-2024: Official Plan Amendment 140 regarding 454-462 Cumberland Ave and 3255, 3259 and 3265 New St.

22.5 2020.457: Zoning By-law amendment regarding 3402 and 3416 Appleby Line.

22.6 2020.466: Zoning By-law amendment regarding 454-462 Cumberland Ave and 3255, 3259 and 3265 New St.

22.1 02-2024: A by-law to designate a group of properties on Burlington Avenue and Ontario Street.

Moved by: Councillor Stolte

Seconded by: Councillor Kearns

Approve by-law 02-2024, a by-law to designate a group of properties on Burlington Avenue and Ontario Street.

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

OPPOSED: (2): Councillor Sharman, and Councillor Bentivegna

CARRIED (5 to 2)

23. Confirmatory By-law:

Moved by: Councillor Sharman

Seconded by: Councillor Stolte

Enact and pass By-law Number 06-2024 being a by-law to confirm the proceedings of Council at its meeting held January 16, 2024 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)

24. Statements by Members:

25. Motion to Adjourn:

Moved by: Councillor Bentivegna

Seconded by: Councillor Sharman

11:17 a.m. (recessed), 11:30 a.m. (reconvened), 1:27 p.m. (recessed), 2:00 p.m. (reconvened), 2:10 p.m. (closed session), 2.36 p.m. (open session)

Councillor Kearns and Councillor Sharman returned to the meeting at 2:03 p.m.

Councillor Nisan left the meeting at 2:45 p.m.

Adjourn this Council now to meet again at the call of the Mayor, 2:52 p.m.

CARRIED

Samantha Yew

Deputy Clerk

Marianne Meed Ward

Mayor