



Regular Meeting of Council
Agenda

Date: February 13, 2024
Time: 9:30 am
Location: Hybrid meeting- virtual and Council Chambers, 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. **Land Acknowledgement:**
3. **National Anthem:**
4. **Regrets:**
5. **Approval of the Agenda:**
6. **Declarations of Interest:**
7. **Proclamations:**
 - 7.1 World Cancer Day: February 4, 2024
 - 7.2 Wear Red Canada Day: February 13, 2024
 - 7.3 World Thinking Day: February 22, 2024
 - 7.4 Rare Disease Day: February 29, 2024
 - 7.5 Special Olympics Week: February 26 - March 2, 2024
 - 7.6 Black History Month: February 2024
 - 7.7 Neuromyelitis Optica Spectrum Disorder Month: March 2024
8. **Recognitions and Achievements:**

9. Motion to approve Council Minutes:

Confirm the minutes of the following meeting of Council:

9.1 Special Council meeting minutes of January 12, 2024

9.2 Regular Council meeting minutes of January 16, 2024

10. Presentations:

11. 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.

12. Petitions:

13. Recommendations from Standing Committees:

13.1 Committee of the Whole meeting of February 5, 2024

a. Licensing By-law update and workplan (BL-02-24) (CPRM)

Receive and file by-law compliance department report BL-02-24 outlining the workplan for updating licensing by-laws in the City of Burlington.

b. 2024 Hydro Business Plan (F-02-24) (CSSRA)

Receive and file finance department report F-02-24 regarding the Hydro 2024 business plan.

c. School Board(s) pathway winter maintenance agreement updates (RPF-01-24) (EICS)

Receive and file the roads, parks and forestry department report RPF-01-24 providing an update to the existing pedestrian pathway winter maintenance agreements with both school boards; and

Authorize the Mayor and City Clerk to execute an updated agreement with the Halton District School Board for winter maintenance of pathways on

school property, with the content satisfactory to the Director of Roads, Parks and Forestry and in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Authorize the Mayor and City Clerk to execute an updated agreement with the Halton Catholic District School Board for winter maintenance of pathways on school property, with the content satisfactory to the Director of Roads, Parks and Forestry and in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Delegate authority to the Director of Roads, Park and Forestry to amend the pedestrian pathway winter maintenance agreements with either school board as may be required from time to time, for administrative and operational changes, subject to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

- d. Emergency and Continuity Management Program Bylaw (BFD-02-24) (EICS)

Approve By-law 07-2024 to establish an Emergency and Continuity Management Program, as attached to Burlington fire department report BFD-02-2024 as Appendices A, B, and C; and

Repeal By-law 46-2019, a by-law to provide for an Emergency and Continuity Management Program.

- e. 2024 Council Workshops (CL-06-24)

Receive and file office of the city clerk report CL-06-24 regarding 2024 Council Workshops.

- f. 2023 community survey results (CC-01-24)

Receive and file corporate communications and engagement report CC-01-24 providing the 2023 Community Survey results.

- g. 2023 to 2024 group benefits renewal (HR-02-24)

Renew Sun Life as the provider for the City's group benefits plan including Extended Health, Dental, Long-Term Disability and Life insurance for the benefit year December 1, 2023 to November 30, 2024; and

Authorize the Acting Executive Director of Finance and Chief Financial Officer to reallocate the 2024 budget as outlined in the financial matters section of human resources department report HR-02-24 to offset the financial impact of the benefits renewal.

h. 2024 Halton Court Services business plan and budget (L-05-24)

Approve the 2024 Halton Court Services (HCS) budget as presented; and

Contribute \$50,000 from net revenues to the capital reserve fund during 2024 to ensure that requirements of the Capital Reserve Fund Policy are met; and

Withdraw \$20,000 from the capital reserve fund for computer hard/soft replacements for the computer renewal program; and

Reject the transfer of Part III prosecutions to Halton Court Services at this time; and

That subject to mandated transfer or voluntary assumption of Part III prosecutions, Halton Court Services be delegated the authority to hire one additional full time Case Administrator and one Full Time Prosecutor with any required 2024 funding provided from the HCS net revenue before distributions (via an in-year variance) and future years via the annual budget process; and

Write-off approximately 190 cases with a total value of approximately \$85,763 in accordance with the HCS Write-Off Policy, where it has been determined there are no viable means of collection.

i. Confidential legal department report regarding outdoor patio program insurance requirements and bonusing (L-02-24)

Pursuant to Section 239(2)(f) of the Municipal Act, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Receive and file confidential legal department report L-02-24 providing an update on insurance requirements and bonusing for outdoor patios.

j. Confidential legal department report regarding the triannual litigation update (L-04-24)

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.

Direct the Executive Director of Legal Services or his designate to proceed in accordance with the instructions sought in matters 9, 17, 25, 43, 44, 45, 46, and 47 and that the balance of legal department report L-04-24 be received and filed.

k. Confidential finance department report regarding the status of the

contingency reserve Dec. 31, 2023 (F-06-24)

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.

Receive and file finance department report F-06-24 regarding the status of the contingency reserve Dec. 31, 2023.

- I. Robert Bateman Community Centre construction and site development update (EICS-06-24)

Receive and file environment, infrastructure and community services report EICS-06-24 providing an update on the Robert Bateman Community Centre construction and site development.

- m. Robert Bateman Community Centre community engagement sessions and next steps (RCC-01-24)

Receive and file recreation, community and culture department report RCC-01-24 outlining community feedback regarding Robert Bateman Community Centre indoor use; and

Report back to Committee of the Whole by September 2024 as outlined in recreation, community and culture department report RCC-01-24.

- n. City of Burlington Outdoor Patio Program (PL-05-24, SD-01-24)

Approve the establishment of a permanent city-wide seasonal outdoor patio program beginning in 2024 as outlined in community planning department report PL-05-24; and

Approve the fee structure for the permanent city-wide seasonal outdoor patio program as detailed in revised Option 1 (included in the Revised COW Agenda dated Feb. 2, 2024) and remove the fees related to on-street barriers (capital and operating); and

Amend the seasonal patio guidelines application requirement to include liability insurance in the amount of \$2M; and

Direct the Director of Community Planning to report back in Q4 2024, following the implementation and operation of the 2024 patio program to evaluate program outcomes and continued implementation of the permanent city-wide seasonal outdoor patio program (SD-01-24); and

Direct the Director of Community Planning to prepare any necessary by-laws to create a permanent city-wide seasonal outdoor patio program and implement a fee structure, in a form satisfactory to the Executive Director of

Legal Services and Corporation Counsel, or designate, for council consideration and approval; and

Enact By-law 2020.463 as contained in Appendix A of community planning department report PL-05-24; and

Deem that the amending Zoning By-law conforms to the Official Plan of the City of Burlington; and

Endorse, in principle, the Seasonal Patio Guidelines for Outdoor Patios on Public Lands as set out in Appendix B to community planning department report PL-05-24; and

Delegate authority to approve the Seasonal Patio Guidelines for Outdoor Patios on Public Lands as set out in Appendix B to community planning department report PL-05-24, and any amendments, to the Executive Director of Community Planning, Regulation & Mobility, or designate.

o. Downtown parking operational changes (TS-04-24)

Direct the Director of Transportation Services to increase the hourly parking rate by \$0.25 to \$2.00 per hour for on-street spaces, off-street facilities and lots in the downtown (excluding the beach and the beach overflow lot), effective April 2, 2024; and

Direct the Director of Transportation Services to increase downtown daily maximum parking rate from \$14 to \$18 (excluding the beach and the beach overflow lot), effective April 2, 2024; and

Direct the Director of Transportation Services to increase downtown parking permit fees from \$83.00 to \$91.00 and \$132.00 to \$151.00 effective April 2, 2024; and

Direct the Director of Transportation Services to implement hourly parking on Saturdays between 9am & 6pm for all on-street spaces and within “premium” surface lots (#1, #4 and #5).

p. Sheldon Creek neighbourhood traffic safety review (TS-03-24)

Receive and file transportation services department report TS-03-24 regarding Sheldon Creek Neighbourhood Traffic Safety Review.

q. Eligibility of 400 Brant Street for Heritage Designation (PL-18-24)

State an intention to designate the property at 400 Brant Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance for 400 Brant Street attached to community planning department report PL-18-24 as Attachment C; and

Direct the Director of Community Planning to provide notice of Council's intention to designate 400 Brant Street, in accordance with section 29 (3) and 29 (4) of the Ontario Heritage Act; and

Direct the City Clerk to present the draft designation by-law to Council for approval within 120 days after the date of publication of the notice of intention to designate 400 Brant Street, provided there is no objection or withdrawal; and

Direct the City Clerk to take the necessary actions in the event of any objection to the notice of intention to designate pursuant to Part IV of the Ontario Heritage Act, sections 29 (5) and 29 (6).

- r. Heritage response to Bill 23 - results of consultation on shortlist of designation candidates (PL-14-24)

Direct the Director of Community Planning to substitute the list of heritage designation candidates included in community planning department report PL-35-23 with the below amended list of heritage designation candidates to be studied by a consultant over the next year:

1. 482 Elizabeth Street
2. 451 Nelson Avenue
3. 518 Hager Avenue
4. 562 Maple Avenue
5. 458 Elizabeth Street
6. 490 Elizabeth Street
7. 2003 Lakeshore Road
8. 390 John Street
9. 2437 Dundas Street
10. 368 Brant Street
11. 550 Hurd Avenue
12. 2280 No. 2 Side Road
13. 6414 Walker's Line
14. 367 Torrance Street
15. 1433 Baldwin Street
16. 380 Brant Street

17. 1134 Plains Road East
18. 513 Locust Avenue
19. 242 Plains Road East
20. 444 Plains Road East
21. 2022 Victoria Avenue
22. 1421 Lakeshore Road
23. 5726 Cedar Springs Road (Dakota School House)

s. Amendment to Firearm Discharge By-law 83-1991 (BL-01-24)

Approve the amendment to By-law 83-1991, a by-law to regulate or prohibit the discharge of firearms, to exempt agents of the City of Burlington for the purpose of destroying sick, injured, or vicious animals as authorized by law in the performance of their duty, attached as Appendix A to by-law compliance department report BL-01-24, in a form satisfactory to the Director of Legal Services and Corporation Counsel.

t. Zoning By-law Amendment at 336 Appleby Line (PL-07-24)

Approve the Zoning By-law Amendment application for the property located at 336 Appleby Line to permit one (1) semi-detached dwelling of two (2) storeys in height fronting onto Cottonwood Drive; and

Approve Zoning By-law 2020.468, attached as Appendix D to Report PL-07-24, which amends the zoning of the lands located at 336 Appleby Line from 'R2.4' zone to 'R4-533'; 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.

14. Motion to Approve Standing Committee Minutes:

Approve the following minutes:

- 14.1 Committee of the Whole meeting minutes of February 5, 2024

15. Urgent Business:

- 15.1 Appointments to Advisory Committees (CL-05-24)

Approve the appointments to the Heritage Burlington Advisory Committee, Burlington Agricultural and Rural Affairs Advisory Committee, Downtown Parking

Advisory Committee, Burlington Accessibility Advisory Committee, Sustainable Development Advisory Committee and Mundialization Committee as outlined in confidential appendix A of office of the city clerk report CL-05-24 and following approval from Council make the recommended names for appointments public.

16. Confidential Items and Closed Session:

Confidential reports may require a closed meeting in accordance with the Municipal Act, 2001. Meeting attendees may be required to leave during the discussion.

Move into closed session in accordance with the following provision under the Municipal Act:

16.1 Confidential Closed Session minutes for Council meeting of January 16, 2024

Approve the closed session minutes for Council meeting of January 16, 2024.

16.2 Confidential Closed Session minutes for Committee of the Whole meeting of February 5, 2024

Approve the closed session minutes for Committee of the Whole meeting of February 5, 2024.

16.3 Confidential Appendix A Appointments to Advisory Committees (CL-05-24)

Pursuant to Section 239(2)(d) of the Municipal Act, Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.

16.4 Confidential Verbal Update regarding an HR Matter

Pursuant to Section 239(2)(d) of the Municipal Act, Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.

17. Rise and Report:

18. Motions of Members:

19. Council Information Package:

19.1 Council Information Package January 19, 2024

19.2 Council Information Package of January 26, 2024

19.3 Council Information Package of February 2, 2024

19.4 Council Information Package of February 9, 2024

20. Motion to Receive and File Information Items:

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

- 20.1 Correspondence from Burlington Fine Arts Association regarding Robert Bateman Community Centre community engagement sessions and next steps (RCC-01-24)

21. Notice of Motion:

22. Motion to Approve By-Laws:

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

- 22.1 07-2024: A by-law to adopt an Emergency and Continuity Management Program.
Report BFD-02-24, Committee of the Whole February 5, 2024
- 22.2 08-2024: A by-law to amend By-law 83-1991, being a By-law to regulate or prohibit the discharge of firearms.
Report BL-01-24, Committee of the Whole February 5, 2024
- 22.3 2020.463: A by-law to amend By-law 2020, as amended for Outdoor Patios.
Report PL-05-24, Committee of the Whole February 5, 2024
- 22.4 2020.468: A by-law to amend By-law 2020, as amended; 336 Appleby Line.
Report PL-07-24, Committee of the Whole February 5, 2024

23. Confirmatory By-law:

Enact and pass By-law Number 09-2024 being a by-law to confirm the proceedings of Council at its meeting held February 13, 2024 being read a first, second and third time.

24. Statements by Members:

25. Motion to Adjourn:

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