



Committee of the Whole Meeting

Agenda

Date: March 4, 2024
Time: 9:30 a.m.
Location: Hybrid meeting- virtual and Council Chambers, City Hall

1. Call to Order

Chair: Mayor Marianne Meed Ward

Vice Chair: Deputy Mayor for Ceremonial/Emergencies Councillor Rory Nisan

2. Land Acknowledgement

Burlington as we know it today is rich in history and modern traditions of many First Nations and the Métis. From the Anishinaabeg to the Haudenosaunee, and the Métis – our lands spanning from Lake Ontario to the Niagara Escarpment are steeped in Indigenous history.

The territory is mutually covered by the Dish with One Spoon Wampum Belt Covenant, an agreement between the Iroquois Confederacy, the Ojibway and other allied Nations to peaceably share and care for the resources around the Great Lakes.

We would like to acknowledge that the land on which we gather is part of the Treaty Lands and Territory of the Mississaugas of the Credit.

3. Approval of the Agenda

4. Declarations of Interest

5. Consent Items

Reports of a routine nature, which are not expected to require discussion and/or debate. Staff may not be in attendance to respond to queries on items contained in the Consent Agenda.

5.1 2023 annual building permit revenues and expenses (BB-02-24) (CPRM)

Receive and file building and by-law department report BB-02-24 providing related information for the 2023 annual building permit revenues and expenses.

5.2 Red Tape Red Carpet update Q1 2024 (ECDEV-04-24) (CPRM)

Direct the Executive Director of Community Planning Regulation and Mobility and Executive Director of Community Relations and Engagement to work with the Executive Director of Burlington Economic Development, to report back semi-annually to the Pipeline to Permit Committee on progress for cutting red tape and rolling out the red carpet for investment in Burlington.

5.3 Downtown parking operational changes (TS-09-24) (CPRM)

Approve a bylaw, substantially in the form attached as appendix A to by-law compliance department report BL-03-24, which regulates the distribution of graphic images, otherwise known as the “Graphic Image Delivery By-law”, to require those distributing graphic images in the City of Burlington to enclose images in an envelope or package, in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

5.4 By-law to regulate distribution of graphic images (BL-03-24) (CPRM)

Approve a by-law, substantially in the form attached as appendix A to by-law compliance department report BL-03-24, which regulates the distribution of graphic images, otherwise known as the “Graphic Image Delivery By-law”, to require those distributing graphic images in the City of Burlington to enclose images in an envelope or package, in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

5.5 Remuneration and expenses paid to Council and appointees for 2023 (F-08-24) (CSSRA)

Receive and file finance department report F-08-24 regarding remuneration and expenses paid to Council and appointees for 2023.

5.6 2024 proposed budget and tax levy for the Burlington Downtown Business Improvement Area (F-09-24) (CSSRA)

Approve the 2024 proposed budget for the Burlington Downtown Business Improvement Area (BIA) as presented in Appendix A of finance department report F-09-24 incorporating a Burlington Downtown BIA members’ levy of \$1,012,000; and

Authorize the Chief Financial Officer to incorporate the resulting Burlington Downtown BIA tax rates into the 2024 Tax Levy By-Law.

5.7 2024 proposed budget and tax levy for the Aldershot Village Business Improvement Area (F-10-24) (CSSRA)

Approve the 2024 proposed budget for the Aldershot Village Business Improvement Area (ABIA) as presented in Appendix A of finance department report F-10-24 incorporating an Aldershot Village BIA members' levy of \$276,000; and

Authorize the Chief Financial Officer to incorporate the resulting Aldershot Village BIA tax rates into the 2024 Tax Levy By-Law

5.8 Capital budget variance and project closure as of December 31, 2023 (F-11-24) (CSSRA)

Receive and file finance department report F-11-24, which reports on the capital budget variance and project closure as of December 31, 2023.

5.9 Operating budget performance report as at December 31, 2023 and summary of year end financial position (F-15-24) (CSSRA)

Receive and file finance department report F-15-24 which reports on the 2023 year-end financial position and retained savings disposition; and

Direct the Acting Chief Financial Officer to allocate the 2023 retained savings based on the strategy outlined in finance department report F-15-24.

5.10 Delegated authority first quarter report (CL-02-24) (CSSRA)

Receive and file office of the city clerk report CL-02-24 providing the delegated authority first quarter report.

5.11 Appointment of Deputy City Clerks (CL-07-24) (CSSRA)

Approve a by-law substantially in the form attached as appendix A to office of the city clerk report CL-07-24, being a by-law to amend By-law 40-2021 regarding the appointment of Deputy City Clerks, in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

5.12 Financial status report as at December 31, 2023 (F-07-24) (CSSRA)

Receive and file finance department report F-07-24 providing the financial status report as at December 31, 2023.

5.13 Housing Accelerator Fund implementation (CS-04-24) (CSSRA)

Receive and file corporate strategy report CS-04-24 providing an update on the progress to date toward implementation of the City's Housing Accelerator Fund Action Plan.

5.14 Burlington solar incentive proposal (EICS-02-24) (EICS)

Approve a one year pilot incentive program to cover the cost of a building permit for solar system installations in the City of Burlington as described in environment and energy report EICS-02-24; and

Direct the Executive Director of Environment, Infrastructure and Community Services to report back before the end of 2024 with an update on the solar incentive program; and

Consider ongoing funding to support the solar incentive program to cover the cost of a building permit during the Mayor's 2025 budget process.

5.15 Better Homes Burlington Pilot Program Special Charge (EICS-03-24) (EICS)

Approve the by-law substantially as shown in Appendix A to environment and energy report EICS-03-24, being a by-law to authorize the imposition of a special charge under the Better Homes Burlington Program in the form satisfactory of the Executive Director of Legal Services and Corporation Council or designate.

6. Delegation(s)

Requests to delegate to this hybrid meeting can be made by completing the online delegation registration form at www.burlington.ca/delegate, by noon the business day before the meeting is to be held.

7. Presentation(s)

8. Corporate Services, Strategy, Risk & Accountability Regular Items

Chair: Councillor Rory Nisan

Vice Chair: Councillor Shawna Stolte

Committee Clerk: Lisa Palermo, lisa.palermo@burlington.ca

8.1 1200 King Road vision update (ECDEV-02-24)

Direct the City Manager to work with the Executive Director, Burlington Economic Development to report back in Q2 2024 with an update on future investment opportunities on the 1200 King Road site in conjunction with the following:

- a. Detailed public presentation on the proposed 1200 King Road land use development concept from Alinea
- b. Letter of intent (LOI) between City, Landowner and Burlington Economic Development that identifies the next steps and timing for moving forward with the implementation of the 1200 King Comprehensive Development Vision.

8.2 Burlington Performing Arts Centre governance review update (CM-02-24)

Receive and file city manager's office report CM-02-24 containing updated information on the Burlington Performing Arts Centre governance review.

8.3 Motion memorandum regarding local board governance (COW-04-24)

Direct the City Manager to work closely with key representatives (board members and executive directors) of both Tourism Burlington (TB) and Burlington Economic Development (EcDev) and report back to the April 2024 Committee of the Whole Meeting – CSSRA, with a recommended governance framework and a 2024 strategic action plan to facilitate a merger of Tourism Burlington with Burlington Economic Development; and

Direct the City Manager as follows:

- To secure necessary external expertise and resources in the upset amount of \$50,000 funded from the Tax Rate Stabilization Reserve Fund to assist in the review, strategy development and legislative compliance.
- To support the established Joint Board Governance Steering Committee comprised of Mayor Meed Ward, chairs of the Burlington Economic Development and Tourism Burlington Board, Councillor Galbraith (Council board representative to TB), Councillor Sharman (Council board representative to EcDev) and additional TB and EcDev board representatives to oversee the development and implementation of the governance framework and strategic action plan.
- To proceed on the basis of achieving a target date of no later than January 1, 2025 for the startup of the merged independent board inclusive of maintaining distinct Burlington Economic Development and Tourism Burlington brand identities (also informed by the One-Brand project) and integrated business processes.

8.4 Regional review update (CM-03-24)

Receive and file city manager's office report CM-03-24 providing an update on the regional CAO's service review process; and

Direct the City Manager to report to City Council at their meeting of March 19, 2024, with a further update on regional services review process including prioritization recommendations.

8.5 Strategic Real Estate Acquisition Policy (L-11-24)

Approve the Strategic Real Estate Acquisition Policy substantially in the form attached as Appendix A to legal department report L-11-24 in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel, City Manager and the City Clerk; and

Direct the Executive Director of Legal Services and Corporation Counsel, the City Manager and the Manager of Real Estate to consider and apply the Strategic Real Estate Acquisition Policy contained in Appendix A to legal department report L-11-24 in the exploration and pursuit of strategic real estate acquisition and partnership opportunities, including recommendations to Council regarding same; and

Direct the City Manager and the Executive Director of Legal Services and Corporation Counsel to monitor legislation changes related to disposition of surplus school sites and report to Council as warranted with any strategic real estate acquisition and partnership opportunity updates, including recommendations to Council regarding same.

8.6 Ward Boundary Review (CL-03-24)

Approve Option 2: Council Composition and Ward Boundary Review, the associated expenditure of \$220,000, and the use of the Election Reserve Fund to offset the costs; and

Direct the City Clerk to retain an independent consultant to conduct the Council Composition and Ward Boundary Review.

9. Confidential Items and Closed Session

Note: these items will be discussed at 1:00 p.m. on Monday, March 4, 2024

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

Closed session will be chaired by the Chair of Corporate Services, Strategy, Risk & Accountability Regular Items.

9.1 Confidential insurance renewal report (L-03-24)

Pursuant to Section 239(2)(a) of the Municipal Act, the security of the property of the municipality or local board.

9.2 Confidential real estate matter – property negotiations (L-10-24)

Pursuant to Section 239(2)(c) of the Municipal Act, a proposed or pending acquisition or disposition of land by the municipality or local board.

9.3 Confidential real estate matter – property negotiations (L-14-24)

Pursuant to Section 239(2)(c) of the Municipal Act, a proposed or pending acquisition or disposition of land by the municipality or local board.

9.4 Confidential legal update on litigation matter regarding 795 Brant Street (L-15-24)

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.

9.5 Confidential legal update on litigation matter regarding 2020 Lakeshore Road (L-17-24)

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.

9.6 Confidential Appendix A to report CM-02-24 regarding Burlington Performing Arts Centre governance review update (CM-02-24)

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

9.7 Confidential Appendix A to report CM-03-24 regarding regional review update (CM-03-24)

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

9.8 Confidential Appendix C to report ECDEV-03-24 regarding update on post-secondary attraction (ECDEV-03-24)

Pursuant to Section 239(2)(h) of the Municipal Act, information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them.

9.9 Confidential human resources department report regarding a personnel matter (HR-04-24)

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

10. Rise and Report

11. Environment, Infrastructure & Community Services Regular Items

Chair: Councillor Lisa Kearns

Vice Chair: Councillor Kelvin Galbraith

Committee Clerk: Suzanne Gillies, suzanne.gillies@burlington.ca

11.1 Recommendations for the evolution of Tyandaga Golf Course (RCC-04-24)

Direct the Director of Recreation, Community and Culture to retain Tyandaga Golf Course as an 18-hole course as outlined in recreation, community and culture report RCC-04-24 and provide an operational update in 5-years' time (2029); and

Approve a By-law substantially as shown in Appendix C to recreation, community and culture report RCC-04-24, being a by-law to create a Tyandaga Golf Course Reserve Fund and direct the Director of Recreation, Community and Culture to include a 5% surcharge through the 2025 budget that would contribute to the Reserve Fund and the future capital enhancement of the golf course.

11.2 Fireworks and drones for festivals and events – Canada Day (RCC-02-24)

Direct the Director of Recreation, Community and Culture, as outlined in recreation, community and culture report RCC-02-24 to proceed with option two by partially removing fireworks from the July 1 event, and supplement with a drone display in 2025 and report back following the event by Q3 2025; and

Direct the Director of Recreation, Community and Culture to proceed with the same decision making process regarding air quality and fireworks as decided in 2023 and outlined in recreation, community and culture report RCC-02-24 in consultation with internal and external stakeholders for Canada Day Celebrations in 2024.

11.3 BurlingtonGreen fee for services (EICS-01-24)

Approve one time funding for 2024 in the maximum amount of \$50,000 from the Tax Rate Stabilization Reserve Fund as a fee for services provided by BurlingtonGreen summarized in environment and energy report EICS-01-24; and

Direct the Executive Director of Environment, Infrastructure and Community Services to execute a Memorandum of Understanding between the City and BurlingtonGreen outlining the services to be provided in 2024, including performance measures in form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Consider an ongoing fee for services approach with BurlingtonGreen in the amount of \$50,000 per calendar year during the Mayor's 2025 budget process.

11.4 Facility operations update (RCC-03-24)

Receive and file recreation, community and culture department report RCC-03-24 providing a facility operations update.

12. Community Planning, Regulation & Mobility Regular Items

Chair: Councillor Shawna Stolte

Vice Chair: Councillor Lisa Kearns

Committee Clerk: Jo-Anne Rudy, jo-anne.rudy@burlington.ca

12.1 Burlington Economic Development Corporation (BEDC) update on post-secondary attraction (ECDEV-03-24)

Request the Executive Director, Burlington Economic Development, to report back on developing partnerships with interested institutions and an updated post-secondary attraction strategy in-line with Vision 2050 data on economic and workforce analyses.

12.2 Official Plan and Zoning By-law amendments for 1120 Cooke Boulevard (PL-04-24)

Approve the applications submitted by WND Associates Ltd., on behalf of Adi Development Group, to amend the Official Plan and Zoning By-law to permit a mixed-use development comprising three tall buildings with maximum heights of 34, 32, and 30 storeys; and

Approve Official Plan Amendment No. 142 to the City of Burlington Official Plan, as provided in Appendix B of community planning department report PL-04-24, to introduce new 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. 142 as contained in Appendix B of community planning department report PL-04-24 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 (505-01/22); and

Approve Zoning By-law 2020.472, attached as Appendix C of community planning department report PL-04-24, to rezone the lands located at 1120 Cooke Boulevard from “MXC-26” (Mixed-Use Corridor – Commercial with site-specific exception 26) to “H-MXC-531” (Mixed-Use Corridor – Commercial with a Holding “H” prefix and site-specific exception 531); and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 142 is adopted; and

Deem that the lands described as 1120 Cooke Boulevard are classified as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines.

12.3 Regional Allocation Program update (PL-26-24)

Direct the Director of Community Planning to confirm the prioritization of specific property-based requests as contained in table 1, and to forward this report and any comments from Committee of the Whole regarding the 2023 Regional Allocation Program to Regional Staff; and

Authorize the Director of Community Planning to make minor adjustments as part of the subsequent agreement process, where those minor adjustments align with program parameters, the interests of both the Region and the City and where they benefit the administration of the program.

13. Statutory Public Meeting

Note: these items will be discussed at 9:30 a.m. on Tuesday, March 5, 2024

Statutory Public Meetings will be chaired by the Chair of Community Planning, Regulation & Mobility Regular Items.

13.1 City-initiated housekeeping amendments to Official Plan, 1997, as amended (PL-11-24)

Approve Official Plan Amendment No. 141 to the City of Burlington Official Plan, 1997, as provided in Appendix A of community planning department report PL-11-24; 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.141 as contained in Appendix A of community planning department report PL-11-24.

13.2 City-initiated amendment to Zoning By-law 2020 – parking for multi-unit business parks (PL-13-24)

Approve the proposed amendments to Zoning By-law 2020 as provided in Appendix A of community planning department report PL-13-24; and

Enact By-law 2020.469 as contained in Appendix A of community planning department report PL-13-24; and

Deem that the amending Zoning By-law will conform to the Official Plan for the City of Burlington.

13.3 Official Plan Amendment and Zoning By-law Amendment applications for 1026 Cooke Boulevard (PL-20-24)

Approve the application submitted by Halton Standard Condominium Corporation No. 416, to amend the Official Plan and Zoning By-law, as modified by staff in community planning department report PL-20-24, to permit a mixed use development with a height up to 22 storeys; and

Approve Official Plan Amendment No. 143 to the City of Burlington Official Plan, as provided in Appendix E of community planning department report PL-20-24, to re-designate the lands located at 1026 Cooke Boulevard from “Mixed Use Corridor – Employment” to “Mixed Use Corridor – General” and 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. 143 as contained in Appendix E of community planning department report PL-20-24 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 (File: 505-03/23); and

Approve Zoning By-law 2020.534, attached as Appendix F of community planning department report PL-20-24, to rezone the lands located at 1026 Cooke Boulevard from “Mixed Use Employment (MXE)” to a site specific “Mixed Use General (H-MXG-534)” with a Holding “H” prefix (File: 520-09/23); and

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 143 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 143 is adopted.

14. Procedural Motions

15. Information Items

15.1 Office of the City Clerk memo providing forecast of standing committee agendas (COW-03-24)

15.2 Correspondence from Ward 2 Councillor's summer 2023 interns related to fireworks and drones for festivals and events - Canada Day (RCC-02-24)

16. Staff Remarks

17. Committee Remarks

18. Adjournment