



Regular Meeting of Council

Minutes

Date: March 19, 2024
Time: 9:36 a.m.
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: David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Tim Commisso, Debbie Hordyk, Samantha Yew (Acting City 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 Stolte

Waive section 38.1 of the procedure by-law to allow discussion of item 18.3 Motion memo Improving Local Democracy by Strengthening City Decision-Making (ADM-05-24) at this meeting of Council, March 19, 2024.

IN FAVOUR: (5): Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Bentivegna

OPPOSED: (2): Mayor Meed Ward, and Councillor Sharman

CARRIED (5 to 2)

Moved by: Councillor Bentivegna
Seconded by: Councillor Sharman

Approve the March 19, 2024 Council agenda as presented.

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:

- 6.1 Councillor Bentivegna - Burlington Performing Arts Centre governance review update (CM-02-24)

Councillor Bentivegna is a Director on the Board of BPAC- Conflict arises due to possible decisions made regarding governance as a BPAC Board Member and voting as a Councillor regarding any governance review mandates.

- 6.2 Councillor Nisan - Better Homes Burlington Pilot Program Special Charge (EICS-03-24)

Councillor Nisan's family is participating in the pilot program.

- 6.3 Councillor Nisan - 21-2024: A by-Law to Authorize the Imposition of a Special Charge under the Better Homes Burlington Program in Accordance with Ontario Regulation 586/06.

Councillor Nisan's family is participating in the pilot program.

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

Councillor Galbraith owns properties within 120 m. of the subject property.

- 6.5 Councillor Galbraith - 16-2024: A by-law to adopt Official Plan Amendment 143 to redesignate lands at 1026 Cooke Boulevard.

Councillor Galbraith owns properties within 120 m. of the subject property.

- 6.6 Councillor Galbraith - 2020.470: A by-law to amend By-law 2020, as amended, to facilitate the development of a 24-storey mixed use building at 1026 Cooke Boulevard.

Councillor Galbraith owns properties within 120 m. of the subject property.

7. Proclamations:

- 7.1 World Down Syndrome Day: March 21, 2024
- 7.2 World Autism Day: April 2, 2024
- 7.3 Green Shirt Day: April 7, 2024
- 7.4 World Parkinson's Day: April 11, 2024
- 7.5 Dr. Bhim Rao Ambedkar Day of Equity (Ambedkar Jayanti): April 14, 2024
- 7.6 Daffodil Month: April 2024
- 7.7 Dalit History Month: April 2024
- 7.8 Dig Safe Month: April 2024

8. Recognitions and Achievements:

None.

9. Motion to approve Council Minutes:

Moved by: Councillor Kearns

Seconded by: Councillor Nisan

Confirm the minutes of the following meeting of Council:

CARRIED

- 9.1 Regular Council minutes of February 13, 2024

10. Presentations:

None.

11. Delegations:

- 11.1 Marsha Paley spoke regarding Proposed Amendment to Subsection 27(16) of the Ontario Heritage Act with respect to the removal of listed (non-designated) properties from municipal heritage registers (ADM-03-24)

Marsha Paley is represented the Heritage Burlington Advisory Committee.

- 11.2 David McKay spoke regarding Official Plan Amendment and Zoning By-law Amendment applications for 1026 Cooke Boulevard (PL-20-24)

David McKay, is the planning consultant representing MHBC Planning, Urban Design and Landscape Architecture.

- 11.3 Anne and Dave Marsden spoke regarding 2024 Proposed Budget and tax levy Business Improvement Area (F-09-24)
- 11.4 Anne and Dave Marsden spoke regarding Motion Memorandum regarding call for new Halton courthouse in Oakville (ADM -04 -24)
- 11.5 Mike Bennett representing Adi Adi Developments (Masonry) Inc spoke regarding Official Plan and Zoning By-law amendments for 1120 Cooke Boulevard (PL-04-24)

12. Petitions:

13. Recommendations from Standing Committees:

13.1 Committee of the Whole meeting of March 4 and 5, 2024

Items a, b, d, e, f, g, h, i, j, l, m, o, p, q, s, t, u, v, w, x, y, z, aa, ac, ad, ag, ai, aj, ak, al, am and an 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. 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.

CARRIED

b. Downtown parking operational changes (TS-09-24) (CPRM)

Approve a by-law to amend By-law 39-2016, substantially in the form attached as Appendix A to transportation services department report TS-09-24, in the form satisfactory to the Executive Director of Legal Services and Corporation Counsel, or delegate.

CARRIED

- d. 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.

CARRIED

- e. 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.

CARRIED

- f. 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.

CARRIED

- g. 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.

CARRIED

- h. 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.

CARRIED

- i. 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.

CARRIED

- j. 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; and
- b. Letter of Intent (LOI) between the City, landowner and Burlington Economic Development that identifies the next steps and timing for moving forward with the implementation of the 1200 King Road proposed major community facility/future investment opportunities.

CARRIED

- l. 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.

CARRIED

m. 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.

CARRIED

o. 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.

CARRIED

- p. Remuneration and expenses paid to Council and appointees for 2023 (F-08-24)

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

CARRIED

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

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

CARRIED

- s. Confidential real estate matter - property negotiations (L-10-24)

Receive and file confidential legal department report L-10-24 regarding a position on a property negotiation.

CARRIED

- t. Confidential real estate matter - property negotiations (L-14-24)

Instruct the Manager of Realty Services to proceed in accordance with the instructions sought in confidential legal department report L-14-24.

CARRIED

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

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-15-24.

CARRIED

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

Receive and file confidential Legal Services Department report L-17-24 providing an update on a litigation matter regarding 2020 Lakeshore Road.

CARRIED

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

Instruct the Executive Director of Human Resources to proceed in accordance with the instructions sought in confidential human resources department report HR-04-24.

CARRIED

- x. Confidential motion memorandum regarding a human resources matter (COW-06-24)

Receive and file confidential motion memorandum regarding a human resources matter. (COW-06-24)

CARRIED

- y. Confidential motion memorandum regarding a personnel matter (COW-07-24)

Receive and file confidential motion memorandum regarding a personnel matter. (COW-07-24)

CARRIED

- z. 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.

CARRIED

- aa. Fireworks and drones for festivals and events – Canada Day (RCC-02-24, SD-05-24)

Direct the Director of Recreation, Community, and Culture to pilot the supplement the 2024 Canada Day Festival's Firework display with a drone display of \$15,000 to be funded from Tax Rate Stabilization Reserve Fund or Cultural Initiatives Reserve Fund and report back on community feedback (SD-05-24); 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.

CARRIED

- ac. Facility operations update (RCC-03-24)

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

CARRIED

- ad. Motion memorandum regarding the solar eclipse in Burlington on April 8, 2024 (COW-05-24)(SD-03-24)(SD-04-24)

Direct the Director of Corporate Communications and Engagement on behalf of Council, to invite the public to join them at Spencer Smith Park to view the total solar eclipse on Monday, April 8, 2024, from 3:00-3:30 p.m. (SD-03-24); and

Recess the Committee of the Whole meeting on Monday, April 8 at 2:30 p.m. and reconvene at 3:45 p.m.; and

Direct the Director of Corporate Communications and Engagement to:

- communicate the event on all city community engagement and social media channels, highlighting the necessary safety eye protection measures
- update the Burlington Beach page promoting this event on eclipse2024.org
- engage with Burlington Public Library and Tourism & Economic Development to promote the viewing event (SD-03-24); and

Direct the Director of Recreation, Community & Culture and the Director of Transportation to:

- coordinate the event through traffic management and crowd control measures using signage, road or sidewalk barriers
- promote eyesight safety precautions onsite by distributing certified solar eclipse glasses for members of the public, through partnership with the Department of Physics and Astronomy at McMaster University. (SD-04-24)

CARRIED

- ag. 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.

CARRIED

- ai. 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.

CARRIED

- aj. Bill 162, Get it Done Act, 2024 update (PL-27-24)

Receive and file community planning department report PL-27-24 providing an update regarding Bill 162, Get it Done Act, 2024.

CARRIED

- ak. 2023 annual building permit revenues and expenses (BB-02-24)

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

CARRIED

- al. By-law to regulate distribution of graphic images (BL-03-24)

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.

CARRIED

- am. 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.

CARRIED

- an. 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.

CARRIED

- c. 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.

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

CARRIED (7 to 0)

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

Councillor Bentivegna declared a conflict on this item. (Councillor
Bentivegna is a Director on the Board of BPAC- Conflict arises due

to possible decisions made regarding governance as a BPAC Board Member and voting as a Councillor regarding any governance review mandates.)

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

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

Conflict (1): Councillor Bentivegna

CARRIED (6 to 0)

n. 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; **and**

Amend Appendix A of Report L-11-24 by removing the word "Ward" from section 7.2 of the Policy.

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: Mayor Meed Ward
Seconded by: Councillor Sharman

**Amend Appendix A of Report L-11-24 by removing the word
“Ward” from section 7.2 of the Policy.**

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

CARRIED (7 to 0)

r. Confidential insurance renewal report (L-03-24)

Council went into closed session regarding this item. The
recommendation was voted on during item 17.

ab. BurlingtonGreen fee for services (EICS-01-24)(SD-02-24)

Approve one time funding for 2024 in the maximum amount of
\$62,000 from the Green Initiatives 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 **62,000** per calendar year during
the Mayor's 2025 budget process.

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

OPPOSED: (1): Councillor Bentivegna

CARRIED (6 to 1)

Moved by: Councillor Nisan
Seconded by: Councillor Stolte

Approve one time funding for 2024 in the maximum amount of **\$62,000** from the Green Initiatives Reserve Fund as a fee for services provided by BurlingtonGreen summarized in environment and energy report EICS-01-24; and

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

OPPOSED: (1): Councillor Bentivegna

CARRIED (6 to 1)

Moved by: Councillor Nisan
Seconded by: Councillor Stolte

Consider an on going **62,000** per calendar year during the Mayor's 2025 budget process.

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

OPPOSED: (1): Councillor Bentivegna

CARRIED (6 to 1)

Moved by: Councillor Nisan
Seconded by: Councillor Stolte

as amended

Approve one time funding for 2024 in the maximum amount of \$50,000 from the Green Initiatives 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

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

OPPOSED: (1): Councillor Bentivegna

CARRIED (6 to 1)

Moved by: Councillor Stolte

Seconded by: Councillor Nisan

Motion to reconsider the vote regarding item ab. as amended BurlingtonGreen fee for services (EICS-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)

Moved by: Councillor Nisan

Seconded by: Councillor Stolte

Approve one time funding for 2024 in the maximum amount of **\$62,000** from the Green Initiatives 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 **62,000** per calendar year during the Mayor's 2025 budget process.

ae. Burlington solar incentive proposal (EICS-02-24)

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.

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

OPPOSED: (1): Councillor Bentivegna

CARRIED (6 to 1)

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

Councillor Nisan declared a conflict on this item. (Councillor Nisan's family is participating in the pilot program.)

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.

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

OPPOSED: (1): Councillor Bentivegna

Conflict (1): Councillor Nisan

CARRIED (5 to 1)

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

Moved by: Councillor Galbraith

Seconded by: Councillor Nisan

Refer item ah. Official Plan and Zoning By-law amendments for 1120 Cooke Boulevard (PL-04-24) to the April 16, 2024 Council meeting.

CARRIED

13.2 Audit Committee meeting of March 6, 2024

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. Status of Management Action Plans (CA-01-24)

Receive and file office of the city auditor report CA-01-24 providing a summary of the Management Action Plans in progress.

CARRIED

b. Resourcing for office of the city auditor (CA-05-24)

Receive and file office of the city auditor report CA-05-24 regarding resourcing for office of the city auditor.

CARRIED

c. Performance management process for the City Auditor – 2024 (CA-04-24)

Receive and file office of the city auditor report CA-04-24 regarding the performance management process for the City Auditor - 2024.

CARRIED

d. Audit Committee Terms of Reference & Audit Charter - update (CA-06-24)

Approve option one identified in office of the city auditor report CA-06-24 regarding Audit Committee Terms of Reference & Audit Charter update; and

Appoint the following Audit Committee members to the Audit Committee Terms of Reference Subcommittee:

- Councillor Paul Sharman, Michael Di Iulio and Kartik Gupta

CARRIED

- e. Global Internal Audit Standards - update (CA-07-24)

Receive and file office of the city auditor report CA-07-24 providing a Global Internal Audit Standards update.

CARRIED

- f. Corporate Risk Management Implementation Plan (CS-06-24)

Endorse corporate strategy report CS-06-24 regarding the updated Corporate Risk Management Implementation Plan attached as Appendix A.

CARRIED

- g. Vision 2040 – Risk Confidence Rating Update (CS-07-24)

Endorse corporate strategy report CS-07-24 providing the updates to the risk confidence ratings for the risks to strategy Vision 2040 for the corporation of the City of Burlington.

CARRIED

- h. Quarterly dashboard for office of the city auditor (CA-02-24)

Receive and file office of the city auditor's report CA-02-24 providing a quarterly dashboard of City Auditor Key Performance Indicators (KPI's) attached as Appendix A.

CARRIED

- i. Confidential Cyber-security audit (protect controls) (CA-03-24)

Receive and file City Auditor's Office report CA-03-24 regarding the Cyber-Security Audit (Protect controls) attached as Appendix-A.

CARRIED

13.3 Pipeline to Permit Committee meeting of March 7, 2024

- a. Surety Bonds presentation provided by Brandon Kassies and Stephanie Kuntz, Marsh Canada Limited (PP-06-24)(SD-06-24)

Direct the Acting Chief Financial Officer or designate to, at minimum but not limited to, consult with WE-HBA and Marsh to explore and report back to the Pipeline to Permit Committee on how to implement a Modern Pay-on-Demand Surety Bond program by the end of Q2 2024. (SD-06-24)

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

Absent (1): Councillor Sharman

CARRIED (6 to 0)

- b. Pipeline to Permit Committee Forecast - March to September 2024 (PP-03-24)

Approve the Pipeline to Permit Committee Forecast - March to September 2024 as amended.

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

Absent (1): Councillor Sharman

CARRIED (6 to 0)

- c. Motion memorandum regarding the Preparing Burlington for the Future (PP-05-24)(SD-07-24)

Moved by: Councillor Kearns

Seconded by: Councillor Nisan

Request that further information and discussion be brought forward to a future **Committee of the Whole - Corporate Services, Strategy, Risk and Accountability** meeting regarding Project Amplify and the future of Burlington 2051.

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

Absent (1): Councillor Sharman

CARRIED (6 to 0)

Moved by: Councillor Kearns

Seconded by: Councillor Nisan

Amend the motion by replacing the words future Pipeline to Permit committee with "Committee of the Whole - Corporate Services, Strategy, Risk and Accountability".

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

Absent (1): Councillor Sharman

CARRIED (6 to 0)

14. Motion to Approve Standing Committee Minutes:

Moved by: Councillor Bentivegna

Seconded by: Councillor Nisan

Approve the following minutes:

CARRIED

14.1 Committee of the Whole minutes of March 4 and 5, 2024

14.2 Audit Committee meeting minutes of March 6, 2024

14.3 Pipeline to Permit Committee meeting minutes of March 7, 2024

15. Urgent Business:

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

Councillor Galbraith declared a conflict on this item. (Councillor Galbraith owns properties within 120 m. of the subject property.)

Moved by: Councillor Bentivegna

Seconded by: Councillor Stolte

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 and community planning department memo to report PL-20-24, to permit a mixed use development with a height up to 24 storeys; and

Approve Official Plan Amendment No. 143 to the City of Burlington Official Plan, as provided in Appendix A of community planning department memo to 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 A of community planning department memo to 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 2020.470, attached as Appendix B of community planning department memo to 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.

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

Conflict (1): Councillor Galbraith

Absent (1): Councillor Sharman

CARRIED (5 to 0)

16. Confidential Items and Closed Session:

Reporting out of the Special Council Closed Session meeting of January 12, 2024.

City Manager Interviews and Deliberations, pursuant to Municipal Act, 2001 sections 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, and 239(2)(k), a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Moved by: Councillor Galbraith

Seconded by: Councillor Kearns

Receive and file the City Manager Interviews and Deliberations.

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

Absent (1): Councillor Sharman

CARRIED (6 to 0)

Moved by: Councillor Bentivegna

Seconded by: Councillor Nisan

Motion to go into closed session:

That Council move into closed session to discuss item 13.1 r. 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 and item 16.2 Confidential Regional review update (CM-04-24) Pursuant to Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.

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

Absent (1): Councillor Sharman

CARRIED (6 to 0)

16.1 Motion to approve confidential closed session minutes:

Moved by: Councillor Kearns
Seconded by: Councillor Bentivegna

Confirm the following confidential closed session minutes:

CARRIED

- a. Confidential closed session minutes for Special Council meeting of January 12, 2024
- b. Confidential closed session minutes for Committee of the Whole meeting of March 4 and 5, 2024
- c. Confidential closed session minutes for Audit Committee meeting of March 6, 2024

16.2 Confidential Regional review update (CM-04-24)

17. Rise and Report:

Moved by: Councillor Galbraith
Seconded by: Councillor Kearns

Receive and file confidential legal department report L-03-24 providing a status update on the 2024-2025 Insurance Renewal.

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

Absent (1): Councillor Sharman

CARRIED (6 to 0)

Moved by: Councillor Galbraith
Seconded by: Councillor Kearns

Direct the City Manager to report on the outcome of the pilot assessment of prioritized services by the Regional CAO Service Streamlining initiative by Q4 2024.

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

Absent (1): Councillor Sharman

18. Motions of Members:

- 18.1 Motion memo regarding Proposed Amendment to Subsection 27(16) of the Ontario Heritage Act with respect to the removal of listed (non-designated) properties from municipal heritage registers (ADM-03-24)

Moved by: Councillor Stolte

Seconded by: Councillor Kearns

Whereas Subsection 27(16) of the Ontario Heritage Act stipulates that any non-designated heritage property listed on the municipal register of properties as of December 31, 2022, shall be removed from the municipal register on or before January 1, 2025, if the council of the municipality does not give a notice of intention to designate the property under subsection 29(1) of the Ontario Heritage Act on or before January 1, 2025; and

Whereas Since January 1, 2023, municipal staff and members of the Heritage Burlington Advisory Committee have been diligently working to: review the municipal heritage register; research the heritage value and interest of listed (non-designated) properties; review and research the heritage value and interest of non-designated properties; contact owners of such properties; determine which properties should potentially be designated in accordance with the provisions of Section 29 of the Ontario Heritage Act; and take all required steps to designate such properties; and

Whereas the above-noted work involving approximately 200 currently listed properties, which does not include properties of potential cultural heritage value that have yet to be evaluated and/or assessed, in the City of Burlington is extremely time-consuming and cannot be completed by December 31, 2024, with the limited municipal resources available.

Now therefore be it resolved;

That this Council authorizes the Mayor to promptly send a letter to Doug Ford, Premier of Ontario, Michael Ford, Minister of Citizenship and Multiculturalism, and Natalie Pierre, MPP Burlington, respectfully requesting that Subsection 27(16) of the Ontario Heritage Act be amended to extend the above-noted deadline for five years from January 1, 2025, to January 1, 2030; and

That a copy of this resolution be sent to AMO and Big City Mayors.

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

Absent (1): Councillor Sharman

CARRIED (6 to 0)

18.2 Motion memo regarding Call for new Halton courthouse in Oakville (ADM-04-24)

Moved by: Councillor Kearns

Seconded by: Councillor Nisan

Whereas the Milton Courthouse is dilapidated and its disrepair is affecting the administration of justice for the region; and

Whereas the Halton Consolidated Courthouse Project was shovel-ready for a state-of-the-art facility and would have brought much needed economic stimulus along with 600 jobs for Halton Region and the Province of Ontario; and

Whereas the Chair of the Halton Police Service Board wrote in February 2024 to the Attorney General of Ontario urging the provincial government to reconsider and reinstate the previously announced courthouse project in Oakville; and

Whereas Halton Regional Council passed a resolution in May 2020 calling for the province to reconsider the cancellation of the courthouse project and instead postpone its construction; and

Whereas the Mayors of Burlington, Halton Hills, Milton and Oakville wrote to the Premier and the Attorney General in May 2020 calling on the government to construct a new courthouse in Oakville so as to promote efficiency and efficacy in the criminal justice system in Halton; and

Whereas the Toronto Star reported on August 8, 2023 that trials, proceedings and timely court cases are being jeopardized due to the ongoing issues at the Milton Courthouse, such as mould, crumbling ceilings, and rodents.

Therefore, be it resolved:

That the City of Burlington support the Halton Police Service Board's most recent appeal to the Ministry of the Attorney General to move forward on the construction of the new courthouse in Oakville to ensure Halton

residents access their constitutional right to timely, effective administration of justice in Ontario; and

That a copy of this resolution be forwarded to Minister Doug Downey, Minister Michael Kerzner, MPP Pierre, MPP Triantafilopoulos, MPP Crawford, and Speaker Arnott.

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

Absent (1): Councillor Sharman

CARRIED (6 to 0)

18.3 Motion memo Improving Local Democracy by Strengthening City Decision-Making (ADM-05-24)

Moved by: Councillor Bentivegna

Seconded by: Councillor Kearns

Refer item 18.3 Improving Local Democracy by Strengthening City Decision-Making to a Special Council meeting on March 26, 2024, at 9:30 a.m. to be scheduled by the City Clerk.

IN FAVOUR: (5): Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, and Councillor Bentivegna

OPPOSED: (1): Mayor Meed Ward

Absent (1): Councillor Sharman

CARRIED (5 to 1)

19. Council Information Package:

19.1 Council Information Package February 13, 2024

19.2 Council Information Package February 23, 2024

19.3 Council Information Package March 1, 2024

19.4 Council Information Package March 8, 2024

19.5 Council Information Package March 15, 2024

20. Motion to Receive and File Information Items:

Moved by: Councillor Stolte

Seconded by: Councillor Nisan

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

CARRIED

- 20.1 Staff memorandum regarding details to Appendix A of Remuneration and expenses paid to Council and appointees for 2023 (F-08-24)
- 20.2 Staff memorandum regarding Official Plan Amendment and Zoning By-law Amendment applications for 1026 Cooke Boulevard (PL-20-24)
- 20.3 Correspondence from Canadian National Railway Company regarding Official Plan and Zoning By-law amendments for 1120 Cooke Boulevard (PL-04-24)
- 20.4 Correspondence from Joe Gaetan regarding BurlingtonGreen fee for services (EICS-01-24)(SD-02-24)
- 20.5 Correspondence from David McKay regarding Official Plan Amendment and Zoning By-law Amendment applications for 1026 Cooke Boulevard (PL-20-24)
- 20.6 Staff memorandum regarding Burlington Green fee for service (EICS-01-24)
- 20.7 Delegation notes from Anne and Dave Marsden regarding 2024 Proposed Budget and tax levy Business Improvement Area (F-09-24)
- 20.8 Delegation notes from Anne and Dave Marsden regarding Motion Memorandum regarding call for new Halton courthouse in Oakville (ADM - 04 -24)

21. Notice of Motion:

None.

22. Motion to Approve By-Laws:

Moved by: Councillor Galbraith

Seconded by: Councillor Nisan

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

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

Absent (1): Councillor Sharman

CARRIED (6 to 0)

- 22.1 10-2024: A by-law to exempt Parcels 163-2 and 163-3, Section M121.
- 22.2 11-2024: A by-law to designate 524 Brant Street, in the City of Burlington, in the Regional Municipality of Halton, to be of cultural heritage value or interest pursuant to the provisions of the Ontario Heritage Act, R.S.O. 1990,chapter O.18, as amended.
- 22.3 12-2024: A by-law to amend By-law 39-2016, being a by-law to regulate parking and idling in the City of Burlington.
- 22.4 13-2024: A by-law to regulate the delivery of graphic images in the City of Burlington.
- 22.6 15-2024: A by-law to adopt Official Plan Amendment No. 141 for city-initiated housekeeping amendments to address general matters of accuracy and clarity.
- 22.7 17-2024: A by-law to regulate seasonal outdoor patios located on City public rights-of-way, or other property under the jurisdiction of the City.
- 22.8 18-2024: A by-law to delegate authority to restrict the common law rights of passage in connection with seasonal outdoor patios in the City of Burlington.
- 22.9 19-2024: A by-law to amend By-law 72-2023, being a by-law to establish and impose certain 2024 rates and fees for services, activities or the use of property.
- 22.10 20-2024: A by-law to amend By-law 40-2021, being by-law to appoint a Deputy City Clerk and Deputy Clerk Pro Tem for the City of Burlington.
- 22.12 22-2024: A by-law to establish a Tyandaga Golf Course Reserve Fund.
- 22.13 2020.469: A by-law to amend By-law 2020, as amended, for parking requirements for multi-unit business parks.

By-laws 10-2024, 11-2024, 12-2024, 13-2024, 15-2024, 17-2024, 18-2024, 19-2024, 20-2024, 22-2024, 2020.469 were voted upon by way of one consent vote.

- 22.5 14-2024: A by-law to adopt Official Plan Amendment 142 – permit a mixed-use development consisting of three residential towers.

This by-law was not voted on as Council referred item 15.1 to the Council meeting of April 16, 2024.

- 22.11 21-2024: A by-Law to Authorize the Imposition of a Special Charge under the Better Homes Burlington Program in Accordance with Ontario Regulation 586/06.

Councillor Nisan declared a conflict on this item. (Councillor Nisan's family is participating in the pilot program.)

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

Conflict (1): Councillor Nisan

Absent (1): Councillor Sharman

CARRIED (5 to 0)

- 22.14 2020.472: A by-law to amend By-law 2020, as amended; for 1120 Cooke Boulevard, for the purpose of facilitating the mixed-use development of three residential towers of maximum heights of 30, 32, and 34 storeys.

This by-law was not voted on as Council referred item 15.1 to the Council meeting of April 16, 2024.

- 22.15 16-2024: A by-law to adopt Official Plan Amendment 143 to redesignate lands at 1026 Cooke Boulevard.

Councillor Galbraith declared a conflict on this item. (Councillor Galbraith owns properties within 120 m. of the subject property.)

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

Conflict (1): Councillor Galbraith

Absent (1): Councillor Sharman

CARRIED (5 to 0)

- 22.16 2020.470: A by-law to amend By-law 2020, as amended, to facilitate the development of a 24-storey mixed use building at 1026 Cooke Boulevard.

Councillor Galbraith declared a conflict on this item. (Councillor Galbraith owns properties within 120 m. of the subject property.)

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

Conflict (1): Councillor Galbraith

Absent (1): Councillor Sharman

CARRIED (5 to 0)

23. Confirmatory By-law:

Moved by: Councillor Kearns

Seconded by: Councillor Galbraith

Enact and pass By-law Number 23-2024 being a by-law to confirm the proceedings of Council at its meeting held March 19, 2024 being read a first, second and third time.

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

Absent (1): Councillor Sharman

CARRIED (6 to 0)

24. Statements by Members:

25. Motion to Adjourn:

Moved by: Councillor Bentivegna

Seconded by: Councillor Stolte

11:03 a.m. (recess), 11:10 (reconvened), 11:30 a.m. (recess), 1:30 p.m. (reconvened), 2:05 p.m. (closed session), 2:43 p.m. (public session), 3:22 p.m. (recess), 3:31 p.m. (reconvened)

4:11 p.m. Adjourn this Council now to meet again at the call of the Mayor.

Councillor Sharman left the meeting at 11:30 a.m.

CARRIED

Samantha Yew
Acting City Clerk

Marianne Meed Ward
Mayor