



Regular Meeting of Council Agenda

Date: March 19, 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

NOTE: This Council meeting will have a scheduled recess at 11:30 a.m. to reconvene at 1:30 p.m. if required.

1. Call to Order:

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. National Anthem:

4. Regrets:

5. Approval of the Agenda:

6. Declarations of Interest:

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:

9. Motion to approve Council Minutes:

Confirm the minutes of the following meeting of Council:

- 9.1 Regular Council minutes of February 13, 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.

- 11.1 Marsha Paley will delegate 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 representing the Heritage Burlington Advisory Committee.

12. Petitions:

13. Recommendations from Standing Committees:

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

- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- k. 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.
- 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.

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.

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.

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.

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

Note: item 20.1 provides supplemental information regarding this item.

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

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.

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.

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

s. 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.

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

- t. 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.
 - Instruct the Manager of Realty Services to proceed in accordance with the instructions sought in confidential legal department report L-14-24.
- u. 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.
 - 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.
- v. 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.
 - Receive and file confidential Legal Services Department report L-17-24 providing an update on a litigation matter regarding 2020 Lakeshore Road.
- w. 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.
 - Instruct the Executive Director of Human Resources to proceed in accordance with the instructions sought in confidential human resources department report HR-04-24.
- x. Confidential motion memorandum regarding a human resources matter (COW-06-24)
 - Pursuant to Section 239(2)(b) of the Municipal Act, personal matters about an identifiable individual, including municipal or local board employees.
 - Receive and file confidential motion memorandum regarding a human resources matter. (COW-06-24)

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

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

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

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.

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.

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

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

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; and

Direct the Executive Director of Environment, Infrastructure and Community Services to report back to the March 19, 2024 Council meeting on options to waive the approximate \$12,000 2024 lease payment by BurlingtonGreen for use of the pumphouse. (SD-02-24)

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

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

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)

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

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.

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.

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.

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.

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.

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.

13.2 Audit Committee meeting of March 6, 2024

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.

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.

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.

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

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.

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.

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.

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.

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

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

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

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)

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

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

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

Request that further information and discussion be brought forward to a future Pipeline to Permit committee meeting regarding Project Amplify and the future of Burlington 2051.

14. Motion to Approve Standing Committee Minutes:

Approve the following minutes:

- 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)

Note: This item was referred to Council from the Committee of the Whole meeting of March 5, 2024.

Item 20.2 provides supplemental information with an updated recommendation regarding this item.

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 redesignate 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 2020.470, 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.

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.

Approve the following closed session minutes;

16.1 Motion to approve confidential closed session minutes:

Confirm the following confidential closed session minutes:

- 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)

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

17. Rise and Report:

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)

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.

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

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.

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

That Council request the Mayor to delegate to Council the powers and duties assigned to the head of council under Section 284.5 of the Municipal Act, with respect to the City Manager; and

That Council request the Mayor to delegate to the City Manager the powers and duties assigned to the head of council under Section 284.6 of the Municipal Act, with respect to:

- a. determining the organizational structure of the municipality; and
- b. hiring, dismissing, or exercising any other prescribed employment powers with respect to any division or the head of any other part of the organizational structure;

That Council request the Mayor to delegate to Council the powers and duties assigned to the head of council under Section 284.7 of the Municipal Act, with respect to prescribed local boards or local boards within a prescribed class of local boards; and

That Council request the Mayor to delegate to Council the powers and duties assigned to the head of council under Section 284.8 of the Municipal Act, with respect to prescribed committees or committees within a prescribed class of committees; and

That the Executive Director of Legal Services and Corporation Counsel for the City of Burlington be directed to consult with external legal counsel on the current state of

any legal challenges to strong mayor power in Ontario and whether a legal challenge would have any chance of success.

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:

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

- 20.1 Staff memorandum regarding details to Appendix A of Remuneration and expenses paid to Council and appointees for 2023 (F-08-24)

Note: This item provides supplemental information regarding item 13.1. p.

- 20.2 Staff memorandum regarding Official Plan Amendment and Zoning By-law Amendment applications for 1026 Cooke Boulevard (PL-20-24)

Note: This item provides supplemental information regarding item 15.1.

- 20.3 Correspondence from Canadian National Railway Company regarding Official Plan and Zoning By-law amendments for 1120 Cooke Boulevard (PL-04-24)

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 10-2024: A by-law to exempt Parcels 163-2 and 163-3, Section M121.
Delegated Authority.
- 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.

Report PL-69-24, Community Planning, Regulation and Mobility meeting December 5, 2023.

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.

Report TS-09-24, Committee of the Whole meeting March 4/5, 2024

22.4 13-2024: A by-law to regulate the delivery of graphic images in the City of Burlington.

Report BL-03-24, Committee of the Whole meeting March 4/5, 2024.

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

Report PL-04-24, Committee of the Whole meeting March 4/5, 2024.

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.

Report PL-11-24, Committee of the Whole meeting March 4/5, 2024.

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.

Report PL-05-24, Committee of the Whole meeting February 5/6, 2024.

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.

Report PL-05-24, Committee of the Whole meeting February 5/6, 2024.

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.

Report PL-05-24, Committee of the Whole meeting February 5, 2024.

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.

Report CL-07-24, Committee of the Whole meeting March 4/5, 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.

Report EICS-03-24, Committee of the Whole meeting March 4, 2024.

22.12 22-2024: A by-law to establish a Tyandaga Golf Course Reserve Fund.

Report RCC-04-24, Committee of the Whole meeting March 4/5, 2024

22.13 2020.469: A by-law to amend By-law 2020, as amended, for parking requirements for multi-unit business parks.

Report PL-13-24, Committee of the Whole meeting March meeting 4/5, 2024.

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.

Report PL-04-24, Committee of the Whole meeting March 4/5, 2024.

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

Pending Council approval of community planning department report PL-20-24

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.

Pending Council approval of community planning department report PL-20-24

23. Confirmatory By-law:

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.

24. Statements by Members:

25. Motion to Adjourn:

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