



Regular Meeting of Council Agenda

Date: April 16, 2024

Time: 9:30 am

Location: Hybrid meeting- virtual and Council Chambers, City Hall

Council meetings are hybrid, allowing members of Council, city Staff and the public the option of participating remotely, or in person. The meeting is live streamed, and posted to the city's website. For further information please contact clerks@burlington.ca

1. Call to Order:

2. Land Acknowledgement:

3. National Anthem:

4. Regrets:

5. Approval of the Agenda:

6. Declarations of Interest:

7. Proclamations:

7.1 Royal Canadian Air Force Centennial Day: April 1, 2024

7.2 Polish Week: April 28 - May 5, 2024

7.3 Be A Donor Month: April 2024

7.4 Halton Foundation Learning Month: April 2024

7.5 Sikh Heritage Month: April 2024

7.6 Canada Netherlands Friendship Day: May 5, 2024

7.7 World Migratory Bird Day: May 11, 2024

7.8 Apraxia Awareness Day: May 14, 2024

7.9 Guillain-Barré Syndrome (GBS) and Chronic Inflammatory Demyelinating Polyneuropathy (CIDP) Month: May 2024

8. Recognitions and Achievements:

8.1 City Staff United Way Campaign award and cheque presentation

9. Presentations:

10. Motion to approve Council Minutes:

Confirm the minutes of the following meeting of Council:

10.1 Regular Council minutes of March 19, 2024

10.2 Special Council minutes of March 26, 2024

10.3 Special Council minutes of April 2, 2024

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 Michael Bator will speak regarding Petition, Restoration of Democracy at Burlington City Council, opposing Strong Mayor Powers (ADM-07-24)

12. Petitions:

12.1 Petition sponsored by Councillor Kearns, titled Restoration of Democracy at Burlington City Council, opposing Strong Mayor Powers (ADM-07-24)

This item is subject to a motion to waive the rules of procedure to allow item 18.1 on the agenda to be discussed at this meeting of Council April 16, 2024 as it was received after the deadline to the Clerks office.

13. Recommendations from Standing Committees:

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

- a. 2023 Treasurer's statement for development charges reserve funds, park dedication reserve fund and the community benefit charge reserve fund (F-16-24) (CSSRA)

Receive and file finance department report F-16-24, 2023 providing the Treasurer's statement for Development Charges reserve funds, Park Dedication reserve fund and the Community Benefit Charge reserve fund.

- b. Annual Ombudsman reports for 2022 and 2023 (CL-10-24) (CSSRA)

Receive the 2022 and 2023 annual report from ADR Chambers, Ombudsman for the City of Burlington, attached as Appendix A and Appendix B respectively to office of the city clerk report CL-10-24.

- c. Halton Court Services collection agency fees by-law (L-18-24) (CSSRA)

Authorize the Manager of Procurement Services or designate, to negotiate and execute any necessary service agreements, contracts and ancillary documents with any third-party collection agencies, and extensions thereto, resulting from RFP-24-206 Collection Services for POA court, with content satisfactory to the Executive Director of Legal Services and Corporation Counsel, or designate; and

Authorize the Manager of Court Administration, or designate, to add collection agency fees to Provincial Offences Act defaulted fines owed to the City at the rates approved by Council; and

Authorize the Manager of Court Administration, or designate, to add collection agency fees to Provincial Offences Act defaulted fines owed to the City at the rates approved by Council; and

Approve the Collection Agency By-law, substantially in the form attached as Appendix A to legal services department report L-18-24, in the form satisfactory to the Executive Director of Legal Services and Corporation Counsel, or designate.

- d. Flag Raising, Proclamations and Pier Lighting Policy (CL-09-24) (CSSRA)

Approve the Flag Raising, Proclamations and Pier Lighting Policy substantially in the form attached as Appendix A to the office of the city clerk report CL-09-24.

- e. Update on customer centric digital architecture and customer relationship management CRM (BDS-02-24) (CSSRA)

Receive and file Burlington Digital Service report BDS-02-24 providing update on Customer Centric Digital Architecture and CRM; and

Approve the single source procurement of the Microsoft Dynamics 365 Minimum Viable Product as a pilot for our CRM software replacement for up to a total of \$200,000 with Microsoft as the software provider and MNP as the implementation partner, as further outlined in this report; and

Authorize the Manager of Procurement Services to execute any required contract(s), with the content satisfactory to the Executive Director of Legal Services and Corporation Counsel and issue any required Purchase Order(s).

- f. Corporate Zero Waste Policy update (EICS-09-24) (EICS)

Approve the updated Corporate Zero Waste Policy attached as Appendix A to environment, infrastructure and community services report EICS-09-24.

- g. 2023 accessibility progress report (ES-02-24) (EICS)

Receive and file engineering services department report ES-02-24 regarding the 2023 accessibility progress report.

- h. Update to the Corporate Energy and Sustainable Buildings Policy (EICS-07-24) (EICS)

Approve the updated Corporate Energy and Sustainable Buildings Policy attached as Appendix A to environment, infrastructure and community services report EICS-07-24.

- i. Burlington Official Plan, 2020 targeted realignment exercise – workplan update 2 (PL-09-24) (CPRM)

Receive and file community planning department report PL-09-24 regarding Burlington Official Plan, 2020 targeted realignment exercise – workplan update 2.

- j. Deregistration by-law for 3540-3548 Commerce Court (PL-24-24) (CPRM)

Approve the by-law, substantially as shown in Appendix A of community planning department report PL-24-24, being a by-law to deem Lots 6 and 7 in Plan M-150 as not being registered lots within a Plan of Subdivision, pursuant to Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13, as amended.

- k. Low-income property tax rebate program (F-03-24)

Continue the current low-income senior property tax rebate program and broaden to include eligible homeowners for low-income persons with disabilities as outlined in the criteria contained in Appendix A to finance

department report F-03-24; and

Direct the Chief Financial Officer in consultation with the Executive Director of Legal Services & Corporation Counsel to prepare the necessary by-law for the Low- Income Property Tax Rebate Program, for approval at Council on April 16th, effective for the 2024 taxation year; and

Forward to the Region of Halton the Low-Income Property Tax Rebate By-law and formally request the Region participate in the cost sharing of the tax rebate program.

I. Preparing for the 2025 budget (F-19-24)

Receive and file finance department report F-19-25 providing an update to the format of the 2025 budget documents and the preliminary 2025 Mayors budget approval timelines; and

Direct the City Clerk to schedule a Special Council meeting on November 25, 2024 for the purpose of reviewing the Mayor's proposed budget.

m. Proposed quarterly city services update reporting (F-23-24)

Receive and file finance department report F-23-24 regarding the proposed quarterly city services update reporting.

n. Health, safety and wellness review of 2023 (HR-05-24)

Receive and file human resources department report HR-05-24 providing the 2023 health, safety and wellness review.

o. Update on merger of Tourism Burlington with Burlington Economic Development (CM-06-24)

Receive and file city manager's office report CM-06-24 being an update on the merger of Tourism Burlington with Burlington Economic Development.

p. Motion memorandum regarding Mayor's speaker series (COW-08-24)

Endorse the Mayor's Speaker Series.

q. Quarterly Mayoral decisions report (CL-11-24)

Receive and file Office of the City Clerk report CL-11-24 providing the Quarterly Mayoral Decisions report.

r. Transmittal of ADR Ombudsman (ADRO) investigation report (CM-07-24)

Accept the findings and recommendations of the detailed ADRO

investigation report dated April 1, 2024 attached as Appendix A to city manager's office report CM-07-24; and

Direct the City Clerk to report back no later than the end of Q2 2024 with recommended changes to the City's Procedural By-law to address any outstanding procedural by-law compliance issues outlined in the detailed report

s. Advisory committee annual reports and 2024 work plans and budget (CL-08-24)

Approve the 2024 advisory committee work plans and budget requests attached as appendix A to office of the city clerk report CL-08-24; and

Receive and file the 2023 advisory committee annual reports attached as appendix B to office of the city clerk report CL-08-24.

t. Corporate project status report – Dec, Jan 2024, Feb 2024 (CM-05-24)

Receive and file city manager's office report CM-05-24 providing status reports for designated corporate projects for the period December 2023, January and February 2024 as detailed in Appendices A and B.

u. Confidential update on a litigation matter regarding a trespass notice (L-01-24)

Instruct the Executive Director of Legal Services & Corporation Counsel or his designate to proceed in accordance with the instructions sought in Confidential Legal Report L-01-24.

v. Confidential litigation matter regarding OPA 130 (L-16-24)

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-16-24.

w. Confidential litigation matter regarding Niagara Escarpment Plan Amendment PC 225 22 (L-09-24)

Receive and file confidential Legal Department report L-09-24 providing an update on a litigation matter re Niagara Escarpment Plan Amendment PC 225 22.

x. Confidential verbal update regarding a human resources matter (COW-12-24)

Receive and file confidential verbal update regarding a human resources

matter.

y. Urban Forest Master Plan update (RPF-02-24)

Approve the Urban Forest Master Plan, Woodland Management Strategy as presented and aligned with option one as detailed in roads, parks and forestry department report RPF-02-24; and

Direct the Acting Chief Financial Officer to incorporate the financial needs of the Urban Forest Master Plan into the multi-year simulation and multi-year community investment plan forecast; and

Direct the Director, Roads, Parks and Forestry to coordinate with the Manager, Government Relations to actively pursue grant opportunities through provincial and federal governments to offset implementation costs of the Urban Forest Master Plan & Woodlot Management Strategy.

z. Bay Area Climate Change Council (EICS-04-24)

Reaffirm the City's commitment to supporting the Bay Area Climate Change Council in the amount of \$56,000 annually until 2026, at which time the City's future support for the organization will be re-assessed.

aa. Update and recommendations for shared court pilot at Ireland Park (RCC-05-24)

Receive and file recreation, community and culture report RCC-05-24 update to shared court pilot at Ireland Park which concludes the 2023 pilot and maintains court-sharing practices for 2024 and onward.

ab. Community centres for everyone and approval of policy for maximizing use of underutilized spaces (RCC-07-24)

Approve corporate policy Promoting Use of Underutilized Spaces in Recreation Facilities as presented in Appendix A of recreation, community and culture department report RCC-07-24 and direct the Director of Recreation, Community and Culture to begin implementation of the policy in Q3 2024; and

Direct the Director of Recreation, Community and Culture to report back on community room usage and policy application in Q1 2026.

ac. Motion memorandum regarding Range Burlington (COW-09-24)(SD-09-24)

Authorize the Director of Recreation, Community and Culture to further explore the re-development opportunity at 1540 King Road in accordance with existing planning regulations and fees and the Joint Venture Financing

Program. (SD-09-24)

ad. Motion memorandum regarding agencies, boards and commissions (ABC) mandate and Integrity Commissioner advice (COW-10-24) (SD-07-24)(SD-08-24)

Direct the Director of Recreation, Community and Culture to provide recommendations with respect to the mandate for council members and city staff appointed to Boards of Directors of ABCs (SD-07-24); and

Direct the City Clerk to engage with the Integrity Commissioner to request general advice on the role and responsibilities of council members on ABC boards. (SD-08-24)

ae. Discussion for a future Festivals and Events Policy (RCC-06-24)

Direct the Director of Recreation, Community and Culture to report back with a Festivals and Events Policy for approval by end of Q2 2024.

af. Rainbow crosswalks update (TS-07-24)

Direct the Director of Transportation to remove the three rainbow crosswalks at Fairview Street and Drury Lane, Plains Road West and Botanical Drive, and Upper Middle Road in front of M.M. Robinson High School and replace them with ladder crosswalks; and

Direct the Director of Transportation to install rainbow themed pole wraps to the traffic poles adjacent to the crosswalks at the three intersections; and

Direct the Director of Transportation, in collaboration with Recreation, Community and Culture as well as Corporate Communications and Engagement, to seek feedback from members of the 2SLGBTQIA+ community on the approach to best commemorate the community outside of the travelled portion of the roadway.

ag. Objections to Statements of Intention to Designate 574 Brant St. and 620 Brant St. (PL-25-24)

Decline the request to withdraw the notices of intention to designate 574 Brant St. and 620 Brant St. under Part IV, Section 29 of the Ontario Heritage Act, having considered the notices of objection by TMA Law on behalf of the owners, dated January 12, 2024 and attached to community planning department report PL-25-24 as Appendices A & B; and

Enact the by-laws substantially in the form attached as Appendix D to community planning department report PL-25-24, being a bylaw to designate 574 Brant St. and a by-law to designate 620 Brant St., both under

Part IV, Section 29 of the Ontario Heritage Act, in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Direct the Director of Community Planning to provide notice of the passing of the by-laws designating the properties, in accordance with subsection 29 (8) of the Ontario Heritage Act.

ah. Targeted realignment future growth areas – 1200 King Road, Bronte Creek Meadows and Bridgeview (PL-29-24)

Direct the Director of Community Planning to implement the targeted timeline set out in Appendix A of community planning department report PL-29-24 to support the development of an Area Specific Plan informed by city objectives, inputs from the landowner/applicant information and city-led public engagement, to define the urban structure role, the growth framework prioritization and the land use policies for Bronte Creek Meadows; and

Direct the Director to engage with all ROPA 49 landowners as one input into the development of the city's population and employment work and to inform the development of the revisions to the urban structure, growth framework and preparing supporting timeline and approach to initiate the development of area specific plans or their equivalent.

13.2 Pipeline to Permit Committee meeting of April 11, 2024

a. Contextual updates and Legislative & Regulatory changes affecting Conservation Halton's Development permitting (PP-11-24)

Defer items 3.2 Contextual Updates and 3.2.a Legislative & Regulatory Changes Affecting Conservation Halton's Development Permitting (PP-11-24) to the May 16, 2024 Pipeline to Permit Committee Meeting.

b. Motion Memorandum regarding process review of municipal addresses for new residential homes (PP-07-24)(SD-10-24)

Direct the Director of Community Planning and the Director of Engineering Services in conjunction with the Business Process Review (BPR) underway for Municipal Addressing to ensure new residential property addresses are confirmed early in the planning and development approval process and report back to the Pipeline to Permit Committee on completion of review (Q4 2024) on the changes implemented. (SD-10-24)

c. Motion Memorandum regarding action plan to meet Burlington's housing targets for 2024 (PP-08-24)(SD-11-24)

Direct the Executive Director of Community Planning Regulation & Mobility and Executive Director of Environment Infrastructure & Community

Services, or designates, to develop an action plan that facilitates residential housing applications through the development approval process, to enable meeting Burlington's housing target for 2024, and report back to the Pipeline to Permit Committee in Q2 2024 with any recommendations; and

Direct the Executive Director of Community Planning Regulation & Mobility and Executive Director of Environment Infrastructure & Community Services, or designates, to report back via the above noted action plan on the progress made to date and future business process improvements planned for streamlining planning and development application approvals; and

Direct the Executive Director of Community Planning Regulation & Mobility to update the high impact criteria for processing files via the above noted action plan to include development files that will facilitate reaching Burlington's housing target. (SD-11-24)

14. Motion to Approve Standing Committee Minutes:

Approve the following minutes:

14.1 Committee of the Whole meeting minutes of April 8 and 9, 2024

14.2 Pipeline to Permit Committee meeting minutes of April 11, 2024

15. Urgent Business:

15.1 Official Plan and Zoning By-law amendments for 1120 Cooke Blvd

This item was deferred from the Council meeting of March 19, 2024 to this meeting of Council April 16, 2024.

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.

16. Confidential Items and Closed Session:

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

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

16.1 Motion to approve confidential closed session minutes:

- a. Confidential closed session minutes for Council meeting of March 19, 2024
- b. Confidential closed session minutes for Special Council meeting of April 2, 2024
- c. Confidential closed session minutes for Committee of the Whole meeting of April 8 and 9, 2024

17. Rise and Report:

18. Motions of Members:

18.1 Motion memo for Petition sponsored by Councillor Lisa Kearns and Councillor Rory Nisan, dated April 12, 2024 regarding “Restoration of Democracy at Burlington City Council”, and related correspondence. (ADM-07-24)

A motion to waive the rules of procedure will be required to allow this item on the agenda to be discussed at this meeting of Council April 16, 2024 as it was received the deadline.

Receive and file petition titled “Restoration of Democracy at Burlington City Council,” and

Receive and file the correspondence received regarding the delegation of strong mayors powers.

19. Council Information Package:

- 19.1 Council Information Package March 28, 2024
- 19.2 Council Information Package April 5, 2024
- 19.3 Council Information Package April 12, 2024

20. Motion to Receive and File Information Items:

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

- 20.1 Update on report PL-04-24, applications for Official Plan Amendment and Zoning By-law Amendment for 1120 Cooke Blvd (ward 1)
Memorandum to be distributed as an addendum Monday, April 15, 2024.
- 20.2 Correspondence received regarding the delegation of Strong Mayor Powers (68 submissions) related to Motion memo (ADM-07-24)
This item is subject to a motion to waive the rules of procedure to allow item 18.1 on the agenda to be discussed at this meeting of Council April 16, 2024 as it was received after the deadline.

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 14-2024:A by-law to adopt Official Plan Amendment No. 142 to permit a mixed-use development comprising three tall buildings of maximum 30, 32, and 34 storeys with 1165 residential units and ground-level non-residential uses at 1120 Cooke Boulevard.
Report PL-04-24, Committee of the Whole March 4 and 5, 2024
- 22.2 26-2024:A by-law to designate 620 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-69-23, Community Planning, Regulation and Mobility December 5, 2023

22.3 27-2024:A by-law to designate 574 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 December 5, 2023

22.4 28-2024:A by-law to designate 400 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-18-24, Committee of the Whole February 5 and 6, 2024

22.5 29-2024:A by-law to provide a tax rebate for eligible property owners.

Report F-03-24, Committee of the Whole April 8 and 9, 2024

22.6 30-2024:A by-law deeming Lots 6 and 7 of Plan M-150 not to be lots in a registered plan of subdivision for the purpose of Section 50(4) of the Planning Act, 3540-3548 Commerce Court.

Report PL-24-24 Committee of the Whole April 8 and 9, 2024

22.7 31-2024:A by-law to appoint the City Clerk for the Corporation of the City of Burlington, to amend By-law 40-2021 and to repeal By-law 08-2020.

22.8 34-2024:A by-law to repeal by-law 40-2019 being a by-law to appoint a City Manager as the chief administrative officer for the City of Burlington and to delegate the powers, and assign the duties, accountabilities and functions of the City Manager.

22.9 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, Council April 16, 2024

23. Confirmatory By-law:

Enact and pass By-law Number 35-2024 being a by-law to confirm the proceedings of Council at its meeting held April 16, 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.