



Committee of the Whole Meeting

Minutes

Date: May 13, 2024
Time: 9:30 am
Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Mayor Marianne Meed Ward (Chair), Kelvin Galbraith, Lisa Kearns, Rory Nisan, Shawna Stolte (absent on May 14, 2024), Paul Sharman, Angelo Bentivegna

Staff Present: Hassaan Basit, Allan Magi, Blake Hurley, Chad MacDonald, Craig Kummer, Sue Evfremidis, Samantha Yew, Nick Anastasopoulos, Emilie Cote, Scott Hamilton, Karen Roche, Enrico Scalera, Jamie Tellier, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Suzanne Gillies (Clerk), Jo-Anne Rudy (Clerk)

1. **Call to Order**

The Chair called the meeting to order.

2. **Land Acknowledgement**

The Chair read the Land Acknowledgement.

3. **Approval of the Agenda**

Moved by Councillor Stolte

Motion to suspend the rules for section 45.2 of the Procedure By-law 31-2021, as amended, to allow the staff presentation to extend past 10 minutes for item 13.1, 2024 Development Charges Background Study (F-04-24).

CARRIED

Moved by Councillor Nisan

Approve moving discussion of item 11.4 St. Luke's Window to the Lake opportunity report (RCC-09-24) to the beginning of the CSSRA Regular Items.

CARRIED

Moved by Councillor Sharman

Approve the agenda as amended.

CARRIED

4. Declarations of Interest

None

5. Delegation(s)

- 5.1 Rev. Canon Stuart Pike and Rick Reycraft, St. Luke's Anglican Church, spoke regarding St. Luke's Window to the Lake opportunity (RCC-08-24) (EICS)
- 5.2 Don Prescott, Burlington Accessibility Advisory Committee, spoke regarding motion memorandum regarding lot 5B electric vehicle charging station (COW-14-24) (EICS)
- 5.3 Amy Schnurr, BurlingtonGreen, spoke regarding Better Homes Burlington Pilot Program update (EICS-10-24) (EICS)
- 5.4 Jesse Elders, Bay Area Climate Change Council, spoke regarding Better Homes Burlington Pilot Program update (EICS-10-24) (EICS)
- 5.5 Ed Keenleyside, Friends of Freeman Station, spoke regarding proposed next steps for the operation of Freeman Station (RCC-09-24) (EICS)
- 5.6 Kimberly Watson, Museums of Burlington, spoke regarding proposed next steps for the operation of Freeman Station (RCC-09-24) (EICS)
- 5.7 Joe Gaetan spoke regarding proposed next steps for the operation of Freeman Station (RCC-09-24) (EICS)
- 5.8 Kathy Stacey, KSA Architectural Solutions, spoke regarding recommendation to designate 518 Brant Street (PL-31-24) (CPRM)
- 5.9 Barry O'Brien spoke regarding recommendation to designate 518 Brant Street (PL-31-24) (CPRM)

- 5.10 William Simmons spoke regarding Official Plan Amendment and Zoning By-law Amendment applications for 276, 284 and 292 Plains Road East (PL-36-24) (CPRM)
- 5.11 Martin Quarcoopome, Weston Consulting, spoke regarding Official Plan Amendment and Zoning By-law Amendment applications for 276, 284 and 292 Plains Road East (PL-36-24) (CPRM)

6. Consent Items

- 6.1 Climate Resilient Burlington: a plan for adapting to our warmer, wetter and wilder weather annual progress report (EICS-05-24) (EICS)

Moved by Councillor Nisan

Receive and file environment and energy report EICS-05-24 regarding Climate Resilient Burlington: a plan for adapting to our warmer, wetter and wilder weather year 2 progress report.

CARRIED

- 6.2 Burloak Regional Waterfront Park 2024 update (ES-03-24) (EICS)

Note: this item was moved to EICS Regular Items.

- 6.3 Tree planting initiatives update (RPF-03-24) (EICS)

Moved by Councillor Nisan

Approve the by-law, substantially as shown in Appendix A of roads, parks and forestry department report RPF-03-24, being a by-law to amend By-law 55-2020 Tree Planting Initiatives Reserve Fund; and

Direct the Chief Financial Officer to allocate \$175,000 from the tree establishment and enhancement reserve to the Forestry Operating budget in 2024 to fund the identified tree planting projects; and

Authorize the Director of Roads, Parks and Forestry to enter into discussions with Conservation Halton to develop a formal agreement related to tree planting partnerships with the City; and

Direct the Director of Roads, Parks, and Forestry to report back on an annual basis with respect to tree establishment and enhancement initiatives funded through the reserve fund.

CARRIED

7. Presentation(s)

None

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

Chair: Councillor Rory Nisan

Committee Clerk: Suzanne Gillies

- 8.1 Transforming design and delivery of services – Year 1 update on Digital Business Strategy (BDS-01-24)

Moved by Councillor Kearns

Receive and file burlington digital services report BDS-01-24 providing the first year progress of the adopted Digital Business Strategy.

CARRIED

- 8.2 Motion memorandum regarding renomination of the Mayor's Association of Municipalities of Ontario (AMO) position (COW-13-24)

Moved by Councillor Galbraith

Be it resolved that the Council for the City of Burlington nominate Mayor Marianne Meed Ward for the position of Director on Large Urban Caucus on the AMO Board of Directors for the 2024-2026 term.

CARRIED

- 8.3 St. Luke's Window to the Lake opportunity (RCC-08-24)

Note: this item was moved from EICS Regular items and was discussed before item 8.1.

Moved by Councillor Kearns

Authorize the Executive Director of Environment, Infrastructure and Community Services to collaborate with St. Luke's Church on the feasibility of a new publicly accessible walkway from Elgin Street to Lakeshore on the Boulevard as outlined in recreation, community and culture department report RCC-08-24.

CARRIED

9. Confidential Items and Closed Session

Chair: Councillor Rory Nisan
Committee Clerk: Suzanne Gillies

Moved by Councillor Galbraith

Proceed into closed session on **May 13, 2024 at 1:02 p.m.** in accordance with the following provision under the Municipal Act:

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 regarding item **9.1**.

CARRIED

9.1 Confidential legal update on litigation matter regarding 1200 King Road (L-21-24)

10. Rise and Report

Committee reconvened into open session on May 13, 2024 at 1:21 p.m.

Moved by Councillor Galbraith

Receive and file confidential legal update on a litigation matter regarding 1200 King Road (L-21-24).

CARRIED

11. Environment, Infrastructure & Community Services Regular Items

Chair: Councillor Lisa Kearns
Committee Clerk: Suzanne Gillies

Note: view the [May 14, 2024 video](#) for the discussion of items 11.6 and 11.7.

11.1 Civic Square and Brant Street renewal project update (ES-10-24)

Moved by Councillor Nisan

Receive and file engineering services department report ES-10-24 providing an update to the Civic Square and Brant Street renewal project.

CARRIED

11.2 Better Homes Burlington Pilot Program update (EICS-10-24)

Moved by Councillor Nisan

Approve an extension of the Better Homes Burlington pilot program to provide a maximum of six zero-interest loans of up to \$10,000 each in 2024, to Burlington residents who meet program eligibility criteria; and

Consider an investment in the amount of \$50,000 during the Mayor's 2025 budget process to make the Better Homes Burlington pilot an ongoing program and increase the number of annual zero-interest loans, with consideration to additional future funding top-ups to grow a revolving fund to support Better Homes Burlington.

CARRIED

11.3 Proposed next steps for the operation of Freeman Station (RCC-09-24)

Moved by Councillor Kearns

Direct the Director of Recreation, Community and Culture to assume responsibility for the operation, upkeep and maintenance of Freeman Station after the sunset of the Friends of Freeman Station as a non-profit charitable organization; and

Direct the Director of Recreation, Community and Culture to report back to committee and council with detailed costing on a range of options for the sustainable operation of Freeman Station **by September 2024**.

CARRIED

Amendment:

Moved by Councillor Stolte

Replace the wording 'as part of the 2025 budget development process' with 'by September 2024'.

CARRIED

11.4 St. Luke's Window to the Lake opportunity (RCC-08-24)

Note: this item was moved to CSSRA Regular Items.

11.5 Motion Memo regarding lot 5B electric vehicle charging station (COW-14-24)

Moved by Councillor Kearns

Refer item 11.5 Motion Memo regarding lot 5B electric vehicle charging station COW-14-24 to the May 21, 2024 Council meeting.

CARRIED

- 11.6 Agencies, Boards and Commissions Mandate and Integrity Commissioner recommendations follow-up (RCC-10-24)

Moved by Councillor Sharman

Adopt the Mandate for Members of Council and City Staff serving as Directors on Agencies, Boards and Commissions Boards as attached in Appendix A to recreation, community and culture department report RCC-10-24.

CARRIED

- 11.7 Accountability Framework for Agencies, Boards and Commissions (ABC) and Joint Venture (JV) organizations (RCC-11-24)

Moved by Councillor Bentivegna

Direct the Director of Recreation, Community and Culture to implement the framework outlined in recreation, community and culture department report RCC-11-24 into revised agreements with the support of the City's Legal Counsel, in a priority sequence, starting in Q4 2024; and

Authorize the Executive Director of Legal Services and Corporation Counsel to prepare and present to Council for enactment a by-law amending By-law 71-2023, being By-law to delegate approvals to staff, that will:

1. Delegate the authority to negotiate all agreements with the City's agencies, boards and commissions and joint ventures, including without limitation any such shared services agreements, operating agreements, relationship agreements, leases, licenses and other agreements as are necessary for the implementation and administration of the matters set out in recreation, community and culture department report RCC-11-24 to the Director of Recreation, Community and Culture with content satisfactory to the Executive Director of Environment, Infrastructure, and Community Services and in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

2. Delegate authority to execute agreements contemplated above on behalf of the Corporation of the City of Burlington to the Mayor and City Clerk.

CARRIED

- 11.8 Burloak Regional Waterfront Park 2024 update (ES-03-24) (EICS)

Note: this item was moved from Consent Items and discussed before Item 11.1.

Receive and file report engineering services department report ES-03-24 related to the Burloak Regional Waterfront Park 2024 update; and

Request that Regional Council consider an amendment to the approved Burloak Regional Waterfront Park Master Plan to expand the park washroom building to include a maintenance facility.

CARRIED

12. Community Planning, Regulation & Mobility Regular Items

Chair: Councillor Shawna Stolte

Committee Clerk: Jo-Anne Rudy

- 12.1 Indexation of Building Permit fees 2024 (BB-01-24)

Moved by Councillor Nisan

Approve a 3% indexation of building permit fees for 2024 as detailed in building and by-law department report BB-01-24; and

Direct the Director of Building Services and Chief Building Official to prepare a by-law to amend By-law 66-2019, the Building Permit By-law, to adopt the annual indexation of building permit fees for 2024, in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel, or designate, for approval at Council on May 21, 2024, to come into effect as of May 22, 2024.

CARRIED

- 12.2 Recommendation to designate 518 Brant Street (PL-31-24)

Moved by Councillor Kearns

State an intention to designate the property at 518 Brant St. under Part IV, Section 29, of the Ontario Heritage Act and in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes for 518 Brant Street which is attached to community planning department report PL-31-24 as Appendix B; and

Direct the Director of Community Planning to provide notice of Council's intention to designate 518 Brant St., in accordance with subsections 29 (3) and 29 (4) of the Ontario Heritage Act; and

Direct the City Clerk to introduce the necessary by-law to designate the property as being of cultural heritage value or interest to Council which will be enacted in accordance with subsection 29 (8) of the Ontario Heritage Act, provided no objections are received; and

Direct the City Clerk to take the necessary actions in the event of any objection to the notice of intention to designate pursuant to the Ontario Heritage Act, subsections 29 (5) and 29 (6), such that the Director of Community Planning may report back to Council to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

CARRIED

12.3 977 Unsworth Avenue Community Heritage Fund Grant application (PL-32-24)

Moved by Councillor Sharman

Approve the subject Community Heritage Fund application for a \$15,000 grant to restore 79 lead panel and steel sash frame windows at 977 Unsworth Ave., due to compliance with Community Heritage Fund criteria; and

Direct the Executive Director of Legal Services and Corporation Counsel, or their delegate, to prepare the necessary Heritage Conservation Agreement (Letter of Understanding) for the owner to sign and return to the City to the satisfaction of the Director of Community Planning; and

Authorize the Mayor and City Clerk to sign the Heritage Conservation Agreement (Letter of Understanding) in connection with this matter.

CARRIED

- 12.4 Bill 185, Cutting Red Tape to Build More Homes Act, 2024 and the Proposed Provincial Planning Statement, 2024 (PL-42-24)

Moved by Councillor Nisan

Receive and file community planning department report PL-42-24 regarding Bill 185, Cutting Red Tape to Build More Homes Act, 2024 and the Proposed Provincial Planning Statement, 2024.

CARRIED

- 12.5 Official Plan Amendment and Zoning By-law Amendment applications for 276, 284 and 292 Plains Road East (PL-36-24)

Moved by Councillor Galbraith

Approve the applications for Official Plan Amendment and Zoning By-law Amendment at 276, 284 and 292 Plains Road East, as recommended by staff in community planning department report PL-36-24, to permit a 7 storey, 141 unit residential building; and

Approve Official Plan Amendment No. 132 to the City of Burlington Official Plan, as provided in Appendix D of Report community planning department report PL-36-24, to re-designate the lands located at 276, 284 and 292 Plains Road East from “Residential – Medium Density” 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. 132 as contained in Appendix D of community planning department report PL-36-24 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 (505-07/21); and

Approve Zoning By-law 2020.476, attached as Appendix E of community planning department report PL-36-24, to rezone the lands located at 276, 284 and 292 Plains Road East from “Residential – Medium Density (RM1-346) with site specific regulations to a site specific “Mixed Use General (H-MXG-542)” with a Holding “H” prefix as provided in Appendix E to community planning department report PL-36-24 (File: 520-08/21); and

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 132 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 132 is adopted.

CARRIED

13. Statutory Public Meeting

Vice Chair: Councillor Lisa Kearns
Committee Clerk: Jo-Anne Rudy

Note: view the [May 14, 2024 video](#) for the discussion of item 13.1.

13.1 2024 Development Charges Background Study (F-04-24)

The Committee of the Whole, in accordance with the Development Charges Act, 1997, as amended, held Public Meeting No. 6-24 on May 14, 2024, regarding 2024 Development Charges Background Study. Having considered the oral and written comments received from staff and the public, the Committee of the Whole approved finance department report F-04-24.

Moved by Councillor Nisan

Approve the City of Burlington 2024 Development Charges Background Study dated March 22, 2024, as amended under section 10 of the Development Charges Act, 1997 (the DCA); and

Approve the capital project listing set out in Chapter 5 of the Development Charges Background Study dated March 22, 2024, as amended; and

Approve the proposed Development Charges By-law with an effective date of June 1, 2024 as set out in Appendix G of the Development Charges Background Study dated March 22, 2024, as amended; and

Determine that no further public meetings are required in accordance with Section 12 of the Development Charges Act, 1997; and

Repeal By-law 29-2019 and amending By-law 26-2022, effective June 1, 2024.

CARRIED

- a. Staff memo regarding 2024 Development Charges Background Study and addendum to the Development Charges Background Study (F-04-24).

- b. Staff presentation regarding 2024 Development Charges Background Study (F-04-24)
- c. Michelle Diplock, West End Home Builders' Association, spoke regarding 2024 Development Charges Background Study (F-04-24)
- d. Amanda Stringer, Realtors Association of Hamilton Burlington, withdrew her delegation.
- e. Ed Fothergill, Fothergill Planning and Development Inc., spoke regarding 2024 Development Charges Background Study (F-04-24)
- f. Anita Cassidy, Executive Director, Burlington Economic Development, spoke regarding 2024 Development Charges Background Study (F-04-24)
- g. Delegation material from Michelle Diplock, West End Home Builders' Association, regarding 2024 Development Charges Background Study (F-04-24)
- h. Delegation material from Anita Cassidy, Executive Director, Burlington Economic Development, regarding 2024 Development Charges Background Study (F-04-24)

14. Procedural Motions

None

15. Information Items

Moved by Councillor Nisan

Receive and file the following 15 items, having been given due consideration by the Committee of the Whole.

CARRIED

- 15.1 Office of the City Clerk memo providing forecast of standing committee agendas (COW-15-24)
- 15.2 Correspondence from Meredith Lynes, regarding tree planting initiatives update (RPF-03-24)
- 15.3 Staff presentation regarding Civic Square and Brant Street renewal project update (ES-10-24)
- 15.4 Correspondence from Hugh and Brenda Kent regarding the Better Homes Burlington Pilot Program update (EICS-10-24)

- 15.5 Correspondence from Dale Pusching regarding the Better Homes Burlington Pilot Program update (EICS-10-24)
- 15.6 Delegation material from Rev. Canon Stuart Pike and Rick Reycraft, St. Luke's Anglican Church, regarding St. Luke's Window to the Lake opportunity (RCC-08-24)
- 15.7 Staff memo regarding proposed next steps for the operation of Freeman Station (RCC-09-24)
- 15.8 Delegation material from Ed Keenleyside regarding proposed next steps for the operation of Freeman Station (RCC-09-24)
- 15.9 Delegation material from Joe Gaetan regarding proposed next steps for the operation of Freeman Station (RCC-09-24) (EICS)
- 15.10 Staff presentation regarding Accountability Framework for Agencies, Boards and Commissions (ABC) and Joint Venture (JV) organizations (RCC-11-24)
- 15.11 Correspondence from Anthony Salemi, West End Home Builders' Association regarding indexation of Building Permit fees 2024 (BB-01-24)
- 15.12 Appendix A to community planning report PL-42-24 regarding Bill 185, Cutting Red Tape to Build More Homes Act, 2024 and the Proposed Provincial Planning Statement, 2024 (PL-42-24)
- 15.13 Staff presentation regarding Official Plan Amendment and Zoning By-law Amendment applications for 276, 284 and 292 Plains Road East (PL-36-24)
- 15.14 Delegation material from William Simmons regarding Official Plan Amendment and Zoning By-law Amendment applications for 276, 284 and 292 Plains Road East (PL-36-24)
- 15.15 Delegation material from Martin Quarcoopome, Weston Consulting, regarding Official Plan Amendment and Zoning By-law Amendment applications for 276, 284 and 292 Plains Road East (PL-36-24)

16. Staff Remarks

17. Committee Remarks

18. Adjournment

Meeting was called to order on May 13, 2024 at 9:30 a.m.

10:50 a.m. (recessed), 11:01 a.m. (reconvened), 11:57 a.m. (recessed), 1:00 p.m. (reconvened), 1:02 p.m. (closed), 1:21 p.m. (public), 1:26 p.m. (recessed),

1:28 p.m. (reconvened), 2:43 p.m. (recessed), 2:45 p.m. (reconvened), 3:16 p.m. (recessed)

Note: Councillor Kearns arrived at 10:00 a.m. on May 13, 2024.

Note: Mayor Meed Ward was absent from 1:42 p.m. to 3:16 p.m. on May 13, 2024.

Meeting reconvened on May 14, 2024 at 9:37 a.m.

11:00 a.m. (recessed), 11:10 a.m. (reconvened), 11:53 a.m. (recessed), 2:30 p.m. (reconvened)

Note: Mayor Meed Ward was absent from 2:30 p.m. to 3:32 p.m. on May 14, 2024.

Chair adjourned the meeting at 3:32 p.m.