



## Special Council meeting

### Minutes

Date: August 7, 2024  
Time: 9:30 am  
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: Hassaan Basit, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Debbie Hordyk, Lisa Palermo (Deputy 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. **Approval of the Agenda:**

Moved by: Councillor Bentivegna  
Seconded by: Councillor Sharman

Approve the Special Council agenda for August 7, 2024 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)**

4. **Declarations of Interest:**

None

**5. Delegations:**

- 5.1 Tanya Warren representing Headon Forest Neighbourhood will speak regarding Program to assist homeowners with the cost of planning and building approval fees for basement flooding renovation work (BB-04-24)

Note: This delegation was withdrawn.

- 5.2 Anne and Dave Marsden spoke regarding Motion Memo from Mayor Meed Ward regarding Relief fund for future community emergencies (ADM-10-24)

- 5.3 Crystal Matte will speak regarding Verbal update regarding the July 15 and 16 Flooding Event.

Note: This delegation was withdrawn.

- 5.4 Mary Alice St. James spoke regarding Program to assist homeowners with the cost of planning and building approval fees for basement flooding renovation work (BB-04-24)

**6. Items to be considered at the Special Meeting of Council:**

- 6.1 Statutory Public Meeting and Recommendation Report for Zoning By-law Amendment application for 484 Plains Road East (PL-55-24)

At its special meeting, the Council of the Corporation of the City of Burlington, in accordance with the Planning Act, held Public Meeting No. 11-24 on August 7, 2024, regarding Zoning By-law Amendment application for 484 Plains Road East. Having considered the oral and written comments received from staff and the public, Council approved community planning department report PL-55-24.

Moved by: Councillor Galbraith

Seconded by: Councillor Kearns

Approve the Zoning By-law Amendment application for the property located at 484 Plains Road East, as outlined in community planning department report PL-55-24, to permit the increase of residential apartment units by 42, increase in height for the rooftop mechanical and amenity space, decrease underground parking setback to phase one line, amend the definition of stacked townhome; and

Approve Zoning By-law 2020.482, attached as Appendix D to community planning department report PL-55-24, which amends the zoning of the

lands located at 484 Plains Road East; and

Deem that the amending zoning by-law will conform to the Official Plan, 1997 of the City of Burlington and that there are no applications to alter the Official Plan with respect to the subject lands.

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

**CARRIED (7 to 0)**

- a. Staff presentation regarding Statutory Public Meeting and Recommendation Report for Zoning By-law Amendment application for 484 Plains Road East (PL-55-24)
  - b. Mark Condello representing Glen Schnarr and Associates spoke regarding Statutory Public Meeting and Recommendation Report for Zoning By-law Amendment application for 484 Plains Road East (PL-55-24)
- 6.2 Statutory Public Meeting and Recommendation Report for Official Plan and Zoning By-law Amendment application for 2362 Fairview Street (PL-62-24)

At its special meeting, the Council of the Corporation of the City of Burlington, in accordance with the Planning Act, held Public Meeting No. 12-24 on August 7, 2024, regarding Official Plan and Zoning By-law Amendment applications for 2362 Fairview Street. Having considered the oral and written comments received from staff and the public, Council approved community planning department report PL-62-24.

Moved by: Councillor Kearns  
Seconded by: Councillor Nisan

Approve the applications for Official Plan Amendment and Zoning By-law Amendment at 2362 Fairview Street, as recommended by staff in community planning department report PL-62-24, to permit a 13 storey (including mechanical penthouse) mixed use building; and

Approve Official Plan Amendment No. 150 to the City of Burlington Official Plan, as provided in Appendix D of community planning department report PL-62-24, to create a site specific “Mixed Use Corridor – General” designation for the lands located at 2362 Fairview Street; 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. 150 as contained in Appendix D of community planning department report PL-62-24 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 (505-02/24); and

Approve Zoning By-law 2020.483, attached as Appendix E of community planning department report PL-62-24, to further amend the site specific “Mixed Use General (H-MXG-371)” with a Holding “H” prefix as provided in Appendix E to Report PL-62-24 (File: 520-05/24); and

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 150 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 150 is adopted.

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

**CARRIED (7 to 0)**

- a. Staff presentation regarding Recommendation Report for Official Plan and Zoning By-law Amendment application for 2362 Fairview Street (PL-62-24)
- b. Kevin Nunn representing Weston Consulting spoke regarding Recommendation Report for Official Plan and Zoning By-law Amendment application for 2362 Fairview Street (PL-62-24)
- c. Anne Marie Perlock and Eric Williams spoke regarding Recommendation Report for Official Plan and Zoning By-law Amendment application for 2362 Fairview Street (PL-62-24)
- d. Cody McMullin spoke regarding Recommendation Report for Official Plan and Zoning By-law Amendment application for 2362 Fairview Street (PL-62-24)

- e. Kelly Baker spoke regarding Recommendation Report for Official Plan Amendment and Zoning By-law Amendment for 2362 Fairview Street (PL-62-24)
- 6.3 Statutory Public Meeting and Recommendation Report for Official Plan Amendment and Zoning By-law Amendment for 1393 Graham's Lane (PL-64-24)

At its special meeting, the Council of the Corporation of the City of Burlington, in accordance with the Planning Act, held Public Meeting No. 13-24 on August 7, 2024, regarding Official Plan and Zoning By-law Amendment applications for 1393 Graham's Lane. Having considered the oral and written comments received from staff and the public, Council approved community planning department report PL-64-24.

Moved by: Councillor Nisan  
Seconded by: Councillor Bentivegna

Approve the application submitted by MHBC Planning to amend the Official Plan and Zoning By-law, as modified by staff in Community Planning Department report PL-64-24, to permit the development at 1393 Graham's Lane of a public park, one building with a height of 17 storeys containing residential and non-residential uses, one multi-unit residential building with maximum height of 21 storeys, and a possible additional multi-unit residential building with maximum height of 12 storeys; and

Approve Official Plan Amendment No. 152 to the City of Burlington Official Plan, as provided in Appendix B of Community Planning Department report PL-64-24, to re-designate the lands located at 1393 Graham's Lane 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. 152 as contained in Appendix B of Community Planning Department report PL-64-24 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: 505-01/24); and

Approve Zoning By-law Amendment 2020.484 attached as Appendix C of Community Planning Department report PL-64-24, to rezone the lands located at 1393 Graham's Lane from "Mixed-Use Corridor Employment (MXE)" to "Neighbourhood Park (H-P)" with a Holding "H" prefix and

“Mixed-Use Corridor General (H-MXG-545)” with a Holding “H” prefix and site-specific exception 545 (File: 520-04/24); and

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 152 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 152 is adopted; and

Delegate to the Director of Community Planning the authority to deem the subject property to be a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines.

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

OPPOSED: (1): Councillor Sharman

**CARRIED (6 to 1)**

Moved by: Councillor Sharman

Seconded by: Councillor Galbraith

**Defer Recommendation Report for Official Plan Amendment and Zoning By-law Amendment for 1393 Graham’s Lane (PL-64-24) to the September 9<sup>th</sup> Committee of the Whole meeting.**

IN FAVOUR: (2): Councillor Galbraith, and Councillor Sharman

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

**LOST (2 to 5)**

- a. Staff presentation regarding Recommendation Report for Official Plan Amendment and Zoning By-law Amendment for 1393 Graham's Lane (PL-64-24)
- b. Tamara Tannis representing MHBC Planning spoke regarding Recommendation Report for Official Plan Amendment and Zoning By-law Amendment for 1393 Graham's Lane (PL-64-24)

- c. Anne and Dave Marsden spoke regarding Recommendation Report for Official Plan Amendment and Zoning By-law Amendment for 1393 Grahams Lane (PL-64-24)
- d. Sam Vecia spoke regarding Recommendation Report for Official Plan Amendment and Zoning By-law Amendment for 1393 Grahams Lane (PL-64-24)

6.4 Verbal update regarding the July 15 and 16 Flooding Event

Hassaan Basit, Chief Administrative Officer and Enrico Scalera, Director of Roads, Parks and Forestry provided an update regarding the flooding event.

6.5 Program to assist homeowners with the cost of planning and building approval fees for basement flooding renovation work (BB-04-24)

Moved by: Councillor Stolte  
 Seconded by: Councillor Nisan

Approve a grant program pursuant to S. 107(1) of the Municipal Act, 2001 to provide financial assistance equivalent to the cost of zoning certificate and building permit fees to qualified Burlington residents for eligible flooding renovation work in accordance with the criteria set out in building department report BB-04-24.

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

Absent (1): Councillor Kearns

**CARRIED (6 to 0)**

6.6 Motion Memo from Mayor Meed Ward regarding Relief fund for future community emergencies (ADM-10-24)

Moved by: Councillor Bentivegna  
 Seconded by: Councillor Sharman

Direct the Chief Administrative Officer, or designate, in cooperation with the Chief Financial Officer, to report back to Committee of the Whole on October 7 with options and recommendations on establishing a Burlington Resiliency Fund to support the community during natural disasters or emergencies.

IN FAVOUR: (6): Mayor Meed Ward, Councillor Galbraith, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna  
Absent (1): Councillor Kearns

**CARRIED (6 to 0)**

**7. Confidential Items and Closed Session:**

None

**8. Rise and Report**

None

**9. Motion to approve By-laws:**

Moved by: Councillor Nisan

Seconded by: Councillor Stolte

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 Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

Absent (1): Councillor Kearns

**CARRIED (6 to 0)**

9.1 53-2024: A by-law to adopt Official Plan Amendment No.150 Official Plan and Zoning By-law Amendment application for 2362 Fairview Street.

9.2 54-2024: A by-law to adopt Official Plan Amendment No. 152 to introduce site-specific policies for 1393 Graham's Lane.

9.3 55-2024: A by-law to repeal By-law 85-2022, OPA No. 130 to modify the text of the Burlington Official Plan and add a new Table to implement changes that have been made to the Planning Act resulting from Bill 109, More Homes for Everyone Act, 2022.

9.4 2020.482: A by-law to rezone lands located at 484 Plains Rd. E. to amend the current zone to address some technical deficiencies – National Homes.

9.5 2020.483: A by-law to rezone lands located at 2362 Fairview Street to permit a 13 storey mixed use building – Weston Consulting.



- 9.6 2020.484: A by-law to amend By-law 2020, as amended; for 1393 Graham's Lane.
- 9.7 2020.485: A by-law to amend Zoning By-law 2020 for lands located at 2294 & 2300 Queensway Drive as it relates to the removal of a Holding ('H') Symbol.

**10. Motion to Receive and File Information Items:**

Moved by: Councillor Galbraith  
Seconded by: Councillor Sharman

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

**CARRIED**

10.1 Information items related to Statutory Public meetings for:

- Item 6.1 Report for Zoning By-law Amendment application for 484 Plains Road East (PL-55-24)
- Item 6.2 Report for Official Plan and Zoning By-law Amendment application for 2362 Fairview Street (PL-62-24)
- Item 6.3 Report for Official Plan Amendment and Zoning By-law Amendment for 1393 Graham's Lane (PL-64-24)

**11. Motion to Confirm Proceedings of the Council Meeting:**

Moved by: Councillor Bentivegna  
Seconded by: Councillor Stolte

Enact and pass By-law Number 56-2024 being a by-law to confirm the proceedings of Special Council at its meeting held August 7, 2024 being read a first, second and third time.

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

Absent (1): Councillor Kearns

**CARRIED (6 to 0)**

**12. Motion to Adjourn:**

Moved by: Councillor Bentivegna  
Seconded by: Councillor Nisan

10:05 a.m. (recess), 10:13 a.m. (reconvene), 10:24 a.m. (recess), 10:34 a.m. (reconvene), 11:49 a.m. (recess), 11:56 a.m. (reconvene), 12:04 p.m. (recess), 1:00 (reconvene)

Adjourn this Council now to meet again at the call of the Mayor, 2:43 p.m.

Councillor Kearns left the meeting at 2:00 p.m.

**CARRIED**

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Lisa Palermo

Deputy Clerk

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Marianne Meed Ward

Mayor