



Regular Meeting of Council

Minutes

Date: April 20, 2021
Time: 1:00 pm
Location: Council Chambers - members participating remotely

Members Present: Mayor Marianne Meed Ward, Kelvin Galbraith, Lisa Kearns, Rory Nisan, Shawna Stolte, Paul Sharman, Angelo Bentivegna

Staff Present: Tim Commisso, David Thompson (Audio/Video Specialist), Debbie Hordyk, Kevin Arjoon (Clerk)

Note: Due to COVID-19, and public health measures, public attendance was not permitted at this meeting. The Mayor, Councillors, staff and delegations participated remotely.

1. Call to Order:

2. National Anthem:

3. Regrets:

None.

4. Proclamations:

4.1 Medical Laboratory Professionals Week: April 11-17, 2021

4.2 National Volunteer Week: April 18-24, 2021

4.3 Canada-Netherlands Friendship Day: May 5, 2021

4.4 Personal Support Worker Day: May 19, 2021

4.5 Menstrual Health Day: May 28, 2021

4.6 Burlington Youth Week: May 1-7, 2021

4.7 Guillain-Barre Syndrome (GBS)/ Chronic Inflammatory Demyelinating Polyneuropathy(CIDP) Awareness Month: May 2021

5. Motion to Approve Council Minutes:

Moved by: Councillor Galbraith
Seconded by: Councillor Kearns

Confirm the minutes of the following meeting of Council:

CARRIED

5.1 Regular meeting of Council March 23, 2021

5.2 Special meeting of Council April 8, 2021

5.3 Special meeting of Council April 17, 2021

6. Recognitions and Achievements:

None.

7. Presentations:

None.

8. Declarations of Interest:

8.1 Mayor Meed Ward - Confidential legal advice respecting a civil litigation matter (L-14-21)

This item is regarding a civil litigation matter that Mayor Marianne Meed Ward is named in.

9. Delegations:

9.1 Jim Thomson spoke regarding Public Boat Launch Service Plan (RCC-02-21)

9.2 Khadija Zafat spoke regarding City of Burlington Housing Strategy – Draft Engagement Plan (PL-16-21)

10. Recommendations from Standing Committees:

10.1 Council Workshop Committee meeting of March 22, 2021

There were no recommendations from this Committee meeting.

10.2 Community Planning, Regulation and Mobility meeting of April 6, 2021

All items were voted upon by way of one consent vote.

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

CARRIED (7 to 0)

- a. Milton Animal Shelter Services (BB-04-21)

Approve the proposed contract extension for the use of the City of Burlington's Animal Shelter and its staff as the shelter and pound for Town of Milton Animal Services; and

Authorize the Mayor and City Clerk to execute the agreement between the Town of Milton and the City of Burlington and any other documentation required to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

CARRIED

- b. Burlington Brownfield Focus Community Improvement Plan adoption by-laws (ECDEV-02-21)

Approve the by-law to designate the Community Improvement Project Area, as contained in Appendix A of Burlington Economic Development report ECDEV-02-21; and

Approve the by-law to adopt a Brownfield Focus Community Improvement Plan for the Community Improvement Project Area, as contained in Appendix A of Burlington Economic Development report ECDEV-02-21.

CARRIED

- c. Red Tape Red Carpet (RTRC) update Q1 2021 (ECDEV-03-21)

Receive and file Burlington Economic Development report ECDEV-03-21 regarding Red Tape Red Carpet (RTRC) implementation update for Q1 2021 and associated appendices.

CARRIED

- d. Burlington Urban Design Advisory Panel update (PL-23-21)

Receive and file community planning department report PL-23-21 regarding an update on the Burlington Urban Design Advisory Panel.

CARRIED

- e. 90 minute waived parking fees (TS-05-21)

Approve the extension of the 90 minute waived parking fees pilot program by 6 months of continuous business operation in the “red zone” or a less restricted level and report back to Council at the October 2021 meeting cycle.

CARRIED

- f. Grant application from the Community Heritage Fund for 2411 Lakeshore Road (PL-18-21)

Approve the grant application for restoration work to verandah deck boards at 2411 Lakeshore Road in the amount of \$673.15 to be funded by the Burlington Community Heritage Fund.

CARRIED

- g. Comments to Niagara Escarpment Commission (NEC) and Environmental Registry of Ontario (ERO) for the Burlington Nelson Quarry Extension (PL-22-21)

Endorse Director of Community Planning comments, as contained within Appendix ‘A’ of community planning department report PL-22-21 (‘City of Burlington – Correspondence re: Burlington Nelson Quarry Extension’); and

Direct the Director of Community Planning to forward ‘City of Burlington – Correspondence re: Burlington Nelson Quarry Extension’ by courier and email to the Niagara Escarpment Commission (NEC) prior to the comment deadline; and

Direct the Director of Community Planning to submit ‘City of Burlington – Correspondence re: Burlington Nelson Quarry Extension’ to the Environmental Registry of Ontario (ERO) in response to ERO No. 019-3215 prior to the comment deadline; and

Direct the City Clerk to forward Council's Resolution, subject to the endorsement of community planning report PL-22-21, to the Niagara Escarpment Commission (NEC); and

Direct the City Clerk to forward community planning department report PL-22-21 to the Joint Agency Review Team.

CARRIED

- h. City of Burlington Housing Strategy – Draft Engagement Plan (PL-16-21)

Direct the Director of Community Planning to work with the project Steering Committee and Working Group to finalize the draft Engagement Plan attached as Appendix A to community planning report PL-16-21; and

Appoint the following three members of Council to sit on the Housing Strategy Working Group:

- Mayor Marianne Meed Ward
- Councillor Shawna Stolte
- Councillor Paul Sharman

CARRIED

- 10.3 Corporate Services, Strategy, Risk and Accountability meeting of April 7, 2021

Items a, b, c, d, e, f, g and h were voted upon by way of one consent vote.

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

CARRIED (7 to 0)

- a. Annual report from the Burlington Ombudsman (CL-07-21)

Receive the annual report from ADR Chambers, Ombudsman for the City of Burlington.

CARRIED

- b. Council Remuneration Review Working Group Terms of Reference (CL-08-21)

Approve the revised terms of reference attached as Appendix A to office of the city clerk report CL-08-21 for the Council Remuneration Review Working Group; and

Direct the City Clerk to proceed with appointments to the Council Remuneration Review Working Group (2022-2026 term) outside of the public appointment policy, with the slate of selected appointments reviewed by the City Manager; and

Direct the Council Remuneration Review Working Group to report its findings to Council on or before October 19, 2021.

CARRIED

- c. Bill 197 process update (F-11-21)

Receive and file finance department report F-11-21 providing an update on the Bill 197 process.

CARRIED

- d. 2020 annual status update on community engagement (CC-01-21)

Receive and file corporate communications and engagement department report CC-01-21 providing a status update on community and staff engagement.

CARRIED

- e. Naming of Corporate Assets Policy (CC-02-21)

Approve the amended Naming of Corporate Assets Policy as provided in Appendix A of corporate communications and engagement department report CC-02-21.

CARRIED

- f. Procedure By-law amendments in response to SD-30-20 and staff directions reporting (CL-05-21)

Enact a Procedure By-law for the City of Burlington, in accordance with section 238 (2) of the Municipal Act, and as attached as

Appendix A to office of the city clerk report CL-05-21, as amended;
and

Direct the City Clerk to bring a report to the Audit Committee regarding their terms of reference, with respect to risk in relation to the scope of risk under the Corporate Services, Strategy, Risk and Accountability Committee; and

Direct the City Clerk to amend section 26.2 b) of the proposed Procedure By-law to add the words "Vice Chair".

CARRIED

- g. Interim advisory committee budget allocation process (CL-10-21)

Approve the interim advisory committee budget allocation process as outlined in office of the city clerk report CL-10-21.

CARRIED

- h. High level corporate strategy workplan update – March 2021 (CS-03-21)

Endorse the updated City of Burlington's high-level corporate strategy workplan as proposed and outlined in Appendix A of corporate strategy department report CS-03-21.

CARRIED

- i. Confidential legal advice respecting a civil litigation matter (L-14-21)

Mayor Meed Ward declared a conflict on this item. (This item is regarding a civil litigation matter that Mayor Marianne Meed Ward is named in.)

Mayor Marianne Meed Ward passed the gavel to Deputy Mayor Paul Sharman to call the vote on this item.

Instruct the Executive Director of Legal Services or their designate to proceed in accordance with the instructions sought in confidential legal department report L-14-21.

IN FAVOUR: (6): Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

Absent (1): Mayor Meed Ward

CARRIED (6 to 0)

10.4 Environment, Infrastructure and Community Services meeting of April 8, 2021

Items a, b, c, d, e, g, h, and i were voted upon by way of one consent vote.

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

CARRIED (7 to 0)

- a. Single Source Procurement – Regenerative Air Street Sweeper (RPF-06-21)

Approve the single source purchase of one vacuum street sweeper to The Equipment Specialist Inc., 400 Parkdale Ave, N, Bldg 3, Hamilton, Ontario L8H 5Y2 at a purchase price of \$443,186.00

CARRIED

- b. Single Source Report – Hyundai Kona Electric Vehicles (RPF-08-21)

Approve the single source purchase of four 2021 Hyundai Kona electric vehicles to Weins Canada Inc., 3120 Steeles Ave, East, Markham, Ontario L3R 1G9 at a purchase price of \$177,858.40 including HST; and

Approve the purchase of additional 2021 Hyundai Kona vehicles through this single source in 2021 should condition analysis and operational needs require them, to a maximum of 6 vehicles.

CARRIED

- c. Orchard Community Hub (RCC-03-21)

Authorize the Mayor and City Clerk to sign the necessary agreements prepared to the satisfaction of the Executive Director of Legal Services and Corporation Counsel, Director of Recreation, Community and Culture and Chief Financial Officer for the renovation of two classrooms at St. Christopher Catholic Elementary School to provide community space.

CARRIED

d. Fire Safety Grant (CS-06-21)

Authorize the Fire Chief to enter into an agreement, between the City of Burlington and Her Majesty the Queen in right of Ontario as represented by the Office of the Ontario Fire Marshal of Ontario, regarding the Ontario Fire Safety Grant, subject to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

CARRIED

e. Public Boat Launch Service Plan (RCC-02-21)

Authorize the Director of Transportation Services to implement a trailer parking fee at LaSalle Park Community Marina public boat launch and have the fees offset the City's portion of the water lot fees paid to the Hamilton Port Authority; and

Amend the Parking & Idling by-law 39-2016 to include Trailer parking fee and increase penalty amount at LaSalle Park Community Marina as identified in Appendix A to report RCC-02-21.

CARRIED

g. Vision to Focus re-calibration approach (CS-04-21)

Endorse the proposed Vision to Focus re-calibration approach to support the 2018-2022 Burlington's Plan from Vision to Focus top priorities and goals as outlined in corporate strategy department report CS-04-21.

CARRIED

- h. Confidential verbal update on a real estate matter (CSSRA-06-21)
Instruct the Executive Director of Legal Services or their designate to proceed as directed in confidential legal department presentation CSSRA-06-21.

CARRIED

- i. Confidential legal matter (L-15-21)
Instruct the Executive Director of Legal Services or their designate to proceed in accordance with the instructions sought in confidential legal department report L-15-21.

CARRIED

- f. Beachway and Lowville Park Update (TS-04-21) (SD-09-21)

Moved by: Councillor Galbraith
Seconded by: Councillor Kearns

Direct the Director of Transportation to implement Option 1 for parking management at Beachway Park effective May 2021 as outlined in Transportation Services report TS-04-21; and

Direct the Director of Transportation to implement Option 1 for parking management at Lowville Park as outlined in Transportation Services report TS-04-21; and

Amend the Parking and Idling by-law 39-2016 to include a daily rate of \$20 and hourly rate of \$2.50 parking fee, including an increased penalty amount of \$50 at Beachway Park; and

Authorize **10 days** of free parking for Halton residents at **Beachway Park once an online permit exemption form is developed and implemented on July 3rd, 2021** and direct the Director of Information Technology to report back on the revenue impacts after the end of the season in Q4 2021; and

Refer the discussion of treatment options to protect the pipeline to the May 6, 2021 meeting of Environment, Infrastructure Committee Services Committee with staff providing options discussed that include costing; and

Direct the Director Transportation to explore funding to provide pipeline protection treatments from Halton Region and the gas line owners and report back by Q3 2021.

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

CARRIED (7 to 0)

Moved by: Councillor Galbraith
Seconded by: Councillor Kearns

Amend transportation report Beachway and Lowville Park Update (TS-04-21) (SD-09-21) recommendation by replacing the first sentence in the fourth paragraph with the following:

Authorize 10 days of free parking, for Halton residents at Beachway Park once an online permit exemption form is developed and implemented on July 3rd, 2021.

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

CARRIED (7 to 0)

11. Motion to Approve Standing Committee Minutes:

Moved by: Councillor Nisan
Seconded by: Councillor Stolte

Approve the following minutes:

CARRIED

- 11.1 Council Workshop Committee meeting minutes of March 22, 2021
- 11.2 Community Planning, Regulation and Mobility meeting minutes of April 6, 2021
- 11.3 Corporate Services, Strategy, Risk and Accountability meeting minutes of April 7, 2021
- 11.4 Environment, Infrastructure and Community Services meeting of April 8, 2021

12. Reports of Municipal Officers:

12.1 Amendment to the 2021 Calendar of Meetings (Month of June) (CL-12-21)

Moved by: Councillor Galbraith

Seconded by: Councillor Nisan

Reconsider the following portion of motion CL-19-2020, approved by Council on November 23, 2020:

Approve the 2021 calendar of meetings for Burlington City Council and its standing committees as outlined in Appendix A of clerks department report CL-19-20.

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

CARRIED (7 to 0)

Approve the 2021 calendar of meetings for Burlington City Council and its standing committees as outlined in Appendix A of clerks department report CL-19-20, with the following amendment:

- **Corporate Services, Strategy, Risk and Accountability – Monday, June 7, 2021**
- **Community Planning, Regulation and Mobility – Tuesday, June 8, 2021**
- **Audit Committee – Wednesday, June 9, 2021**
- **Environment, Infrastructure and Community Services – Thursday, June 10, 2021**
- **Community Planning, Regulation and Mobility (Public Meeting) – Tuesday, June 15, 2021 - Council Workshop – Monday, June 21, 2021**
- **Burlington City Council – Tuesday, June 22, 2021**

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

CARRIED (7 to 0)

Moved by: Councillor Galbraith
Seconded by: Councillor Nisan

Approve the 2021 calendar of meetings for Burlington City Council and its standing committees as outlined in Appendix A of clerks department report CL-19-20;

Delete the entire month of June 2021 meetings and replace with the following schedule:

- **Corporate Services, Strategy, Risk and Accountability – Monday, June 7, 2021**
- **Community Planning, Regulation and Mobility – Tuesday, June 8, 2021**
- **Audit Committee – Wednesday, June 9, 2021**
- **Environment, Infrastructure and Community Services – Thursday, June 10, 2021**
- **Community Planning, Regulation and Mobility (Public Meeting) – Tuesday, June 15, 2021 - Council Workshop – Monday, June 21, 2021**
- **Burlington City Council – Tuesday, June 22, 2021**

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

CARRIED (7 to 0)

12.2 Recommendation for Plan of Subdivision at 600 Maplehill Drive (PL-19-21, SD-08-21)

Moved by: Councillor Sharman
Seconded by: Councillor Galbraith

Approve the application submitted by T. Johns Consulting, on behalf of 2531820 Ontario Inc., for 600 Maplehill Drive, to draft approve a residential plan of subdivision consisting of four townhouse blocks and a private condominium road, as shown in Appendix B of community planning department report PL-19-21, subject to the conditions contained in Appendix C of community planning department report PL-19-21.

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

OPPOSED: (1): Councillor Stolte

CARRIED (6 to 1)

Moved by: Councillor Stolte

Seconded by: Councillor Kearns

Direct the Director of Transportation and Director of Engineering Services to facilitate a meeting with staff, the applicant and Ebenezer Canadian Reformed Church with regards to construction access for the plan of subdivision at 600 Maplehill Drive and report back by the June 2021 meeting cycle. (SD-08-21)

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

OPPOSED: (2): Councillor Galbraith, and Councillor Sharman

CARRIED (5 to 2)

12.3 COVID-19 emergency response verbal update

Moved by: Councillor Sharman

Seconded by: Councillor Bentivegna

Authorize the Director, Building & By-Law to focus enforcement on priority by-laws (as identified) and implement an appropriate communication plan for the duration of the pandemic or until the emergency orders are revoked.

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

CARRIED (7 to 0)

13. Notices of Motion:

None.

14. Motions:

14.1 2021 Census of Population

Moved by: Councillor Nisan
Seconded by: Councillor Stolte

Whereas the next Canadian census will take place in May 2021; and

Whereas for over a century, Canadians have relied on census data to tell us about how our country is changing and what matters most; and

Whereas governments at all levels, policy makers, businesses, non-profit organizations and more all depend on key socioeconomic trends and census analysis to make important decisions that have a direct impact on our families, neighbourhoods and businesses; and

Whereas accurate and complete census data support programs and services that benefit our community; and

Whereas in response to the COVID-19 pandemic, Statistics Canada has adapted to ensure that the 2021 Census is conducted throughout the country in the best possible way, using a safe and secure approach; and

Whereas Statistics Canada will be hiring approximately 32,000 people across the country to assist with census collection; and

Whereas the support of municipalities in encouraging residents to complete the census will have a direct impact on gathering the data needed to plan, develop and evaluate programs and services such as schools, daycare, family services, housing, emergency services, roads, public transportation and skills training for employment; and

Whereas the Director General of the Census Management Office of Statistics Canada has contacted our municipality to seek our support in spreading awareness about the upcoming census, the job opportunities available, and the importance of participation by members of our community, by way of a council resolution and any other appropriate communications methods;

Therefore be it resolved that the Council of the Corporation of the City of Burlington supports the 2021 Census, and encourages all residents to complete their census questionnaire online at www.census.gc.ca.

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

CARRIED (7 to 0)

14.2 Motion to move into closed session

Moved by: Councillor Stolte

Seconded by: Councillor Bentivegna

At 2:05 p.m., Burlington City Council moved into closed session. Pursuant to Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding Confidential memorandum from Legal Services regarding 600 Maplehill Drive Plan of Subdivision (L-19-21)

CARRIED

14.3 Motion to move into public session

Moved by: Councillor Stolte

Seconded by: Councillor Bentivegna

Burlington City Council moved into public session at 2:17 p.m.

CARRIED

15. Motion to Receive and File Council Information Packages:

Moved by: Councillor Stolte

Seconded by: Councillor Sharman

Receive and file the following Information Packages, having been prepared and distributed to Council:

CARRIED

15.1 Council Information Package March 26, 2021

15.2 Council Information Package April 1, 2021

15.3 Council Information Package April 9, 2021

15.4 Council Information Package April 16, 2021

16. Motion to Receive and File Information Items:

Moved by: Councillor Kearns

Seconded by: Councillor Nisan

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

CARRIED

16.1 Confidential memorandum from Blake Hurley, Assistant City Solicitor, Nancy Shea-Nicol, Executive Director of Legal Services and Corporation Counsel regarding 600 Maplehill Drive Plan of Subdivision (L-19-21)

16.2 Memorandum from Hayley Parkinson Supervisor of Parking Services, regarding Beachway and Lowville Park Update (SD-09-21)

16.3 Delegation notes from Jim Thomson regarding Public Boat Launch Service Plan (RCC-02-21)

17. Motion to Approve By-Laws:

Moved by: Councillor Galbraith

Seconded by: Councillor Stolte

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

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

CARRIED (7 to 0)

17.1 27-2021: A by-law to appoint Municipal Law Enforcement Officers for the City of Burlington.

17.2 28-2021: A by-law to designate the Community Improvement Project Area.

17.3 29-2021: A by-law to adopt a Brownfield Focus Community Improvement Plan for the Community Improvement Project Area.

17.4 30-2021: A by-law to amend By-law 39-2016 being a by-law to regulate parking and idling in the City of Burlington.

17.5 31-2021: A by-law to provide for the rules of order of Council and its Committees, and to repeal By-law 04-2020 as amended.

17.6 32-2021: A by-law to amend By-law 39-2016 being a by-law to regulate parking and idling in the City of Burlington.

17.7 33-2021: A by-law to authorize a request for the issuing of debentures by the Regional Municipality of Halton for Glastonbury Road Area Minor Reconstruction.

18. Motion to Confirm Proceedings of the Council Meeting:

Moved by: Councillor Kearns

Seconded by: Councillor Galbraith

Enact and pass By-law Number 34-2021, being a by-law to confirm the proceedings of Council at its meeting held Tuesday, April 20, 2021 being read a first, second and third time.

CARRIED

19. Statements by Members:

20. Motion to Adjourn:

Moved by: Councillor Nisan

Seconded by: Councillor Galbraith

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

4:20 p.m.

CARRIED

Kevin Arjoon

City Clerk

Marianne Meed Ward

Mayor