



Community Planning, Regulation & Mobility Committee Meeting

Minutes

Date: November 9, 2021
Time: 9:30 am
Location: Council Chambers - members participating remotely

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

Staff Present: Tim Commisso, Heather MacDonald, Mark Simeoni, Craig Kummer, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Jo-Anne Rudy (Clerk)

1. **Declarations of Interest:**

None

2. **Statutory Public Meetings:**

The Community Planning, Regulation and Mobility Committee, in accordance with Section 34 of the Planning Act, as amended, held Public Meeting No. 13-21 on November 9, 2021 regarding Official Plan and Zoning By-law amendments for 720, 735, 740 Oval Court and 5135 & 5155 Fairview Street. Having considered the oral and written comments received from staff and delegations, the Community Planning, Regulation and Mobility Committee approved community planning department report PL-53-21.

2.1 Official Plan and Zoning By-law amendments for 720, 735, 740 Oval Court and 5135 & 5155 Fairview Street (PL-53-21)

Moved by Mayor Meed Ward

Direct staff to continue to proceed with the processing of the submitted official plan and zoning by-law amendments for 720, 735, 740 Oval Court, 5135 and 5155 Fairview Street, including evaluating and incorporating any/all comments received by committee and the public at the statutory

public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.

CARRIED

- a. Daintry Klein expressed concern with the Official Plan and Zoning By-law amendments for 720, 735, 740 Oval Court and 5135 & 5155 Fairview Street as it relates to the loss of mature trees and stormwater management (PL-53-21)
- b. Mary Alice St. James expressed concern with the Official Plan and Zoning By-law amendments for 720, 735, 740 Oval Court and 5135 & 5155 Fairview Street as it relates to flooding and lack of affordable housing (PL-53-21)
- c. Justin Curto expressed concern with the Official Plan and Zoning By-law amendments for 720, 735, 740 Oval Court and 5135 & 5155 Fairview Street as it relates to size and scale of the development (PL-53-21)
- d. Staff presentation regarding Official Plan and Zoning By-law amendments for 720, 735, 740 Oval Court and 5135 & 5155 Fairview Street (PL-53-21)
- e. Additional correspondence regarding Official Plan and Zoning By-law amendments for 720, 735, 740 Oval Court and 5135 & 5155 Fairview Street (PL-53-21)
- f. Delegation material from Daintry Klein regarding Official Plan and Zoning By-law amendments for 720, 735, 740 Oval Court and 5135 & 5155 Fairview Street (PL-53-21)
- g. Delegation material from Mary Alice St. James regarding Official Plan and Zoning By-law amendments for 720, 735, 740 Oval Court and 5135 & 5155 Fairview Street (PL-53-21)

3. Delegation(s):

- 3.1 Brian Dean, Burlington Downtown Business Association, spoke in support of the 90-minute waived parking fees update (TS-11-21)

4. Consent Items:

- 4.1 Relocation of parking penalty rates (TS-13-21)

Moved by Councillor Kearns

Approve the amendments to By-law 39-2016, otherwise known as the “Parking and Idling By-law” and amendments to By-law 40-2016, otherwise known as the “Administrative Penalty By-law” to relocate the parking penalty amounts from By-law 39-2016 into By-law 40-2016 as outlined in Appendix A to transportation services department report TS-13-21, in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

CARRIED

4.2 Updated Housing and Development Liaison Committee Terms of Reference (PL-54-21)

Moved by Councillor Kearns

Approve the updated Terms of Reference for the Housing and Development Liaison Committee contained in Appendix A to community planning department report PL-54-21.

CARRIED

5. Regular Items:

5.1 By-law amendments to extend COVID By-laws into 2022 (BB-11-21)

Moved by Councillor Nisan

Approve the amendment to By-law 62-2020, otherwise known as the "COVID-19 Mask By-law", by deleting section 25 in its entirety and replacing it with the following new section 25:

This By-law comes into force on the date of its passing and shall remain in effect until 12:01 a.m. on June 30, 2022, or within 5 business days of when the Province of Ontario repeals their mask mandate, whichever comes first, OR unless extended or revoked by City Council; and

Approve the amendment to By-law 17-2020, otherwise known as the “COVID-19 Physical Distancing By-law”, to extend the expiry date to June 30, 2022 and remove Community Centres from the physical distancing requirement, as attached as Appendix B to Building and By-law Department report BB-11-21, in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

CARRIED

Amendment:

Moved by Councillor Sharman

Delete the first paragraph in its entirety and replace with the following:

Approve the amendment to By-law 62-2020, otherwise known as the "COVID-19 Mask By-law", by deleting section 25 in its entirety and replacing it with the following new section 25:

This By-law comes into force on the date of its passing and shall remain in effect until 12:01 a.m. on June 30, 2022, or when the Province of Ontario repeals their mask mandate, whichever comes first, OR unless extended or revoked by City Council.

CARRIED

Amendment:

Moved by Councillor Nisan

Amend the first paragraph by adding the words "within 5 business days of" after "June 30, 2022, or".

CARRIED

5.2 90-Minute waived parking fees update (TS-11-21)

Moved by Councillor Kearns

Direct staff to cease the 90-minute waived parking fees pilot program and reinstate paid hourly parking within the downtown, effective **December 1, 2021.**

CARRIED

Amendment:

Moved by Mayor Meed Ward

Change the effective date to December 1, 2021.

CARRIED

Amendment:

Moved by Mayor Meed Ward

Report back to council on a potential two-week phase in.

LOST

5.3 Speed limits in residential neighbourhoods (TS-14-21)

Moved by Councillor Nisan

Direct the Director of Transportation Services to prepare for the approval of Council the necessary by-laws amending Traffic By-law 86-2007 to designate the areas identified in transportation services department report TS-14-21 with a 40 km/h speed limit and to establish a 30 km/h speed limit in front of schools within these areas; and

Direct the Director of Transportation Services to amend the city's Speed Limit Policy to include provisions for 30 km/h speed limits on roadways with school frontage within a designated speed limit area.

CARRIED

5.4 Red Tape Red Carpet (RTRC) update for Q3 2021 (ECDEV-05-21)

Moved by Mayor Meed Ward

Receive and file Burlington Economic Development report ECDEV-05-21 regarding Red Tape Red Carpet (RTRC) implementation update for Q3 2021 and associated appendices.

CARRIED

5.5 Future of City of Burlington Outdoor Patio Program (CPRM-07-21) (SD-31-21, SD-32-21, SD-33-21, SD-34-21)

Moved by Councillor Kearns

Direct the Director of Community Planning to report back in Q1 2022 with a report, including options and recommendations, outlining a plan and process for moving forward with a permanent city-wide outdoor patio program (post COVID-19 recovery); and (SD-31-21)

Direct the Director of Community Planning to include the following areas and considerations:

- Update and alignment of city patio related policies, zoning requirements and bylaws with current, pending or proposed Province of Ontario legislation/regulations inclusive of the Municipal Act;
- Duration of the outdoor patio season(s);
- Differentiation of patios on city-owned public lands and private property;
- City patio fee options including potential waiver of patio and adjacent parking fees;
- City departmental support to facilitate patio installation and safe operation of patios on city sidewalks, parking lots and/or road allowances;
- Environmental scan of other GTHA municipalities related to the future of outdoor patios;
- Access to potential funding and other small business support from federal or provincial governments;
- Application of CaféTO best practices or similar patio program to the Burlington Downtown Business Areas; and (SD-31-21)

Direct the Chief Financial Officer to report on the future city operating and capital budget requirements to support the outdoor patio program in conjunction with the above report; and (SD-32-21)

Direct the Director of Community Planning to complete a review of the city policy and by-law changes (e.g. zoning) contributing to the effectiveness of the 2020 and 2021 outdoor patio program; and (SD-33-21)

Direct the Director of Planning and the Executive Director of Burlington Economic Development to undertake hospitality industry stakeholder engagement consultation, (including BDBA, Aldershot BIA & Burlington Restaurant Association) with respect to the proposed plan for the city's permanent outdoor patio program; and (SD-31-21)

Direct the Director of Community Planning to report on options for the standardization of patio materials for patios on municipal property. (SD-34-21)

CARRIED

6. Confidential Items:

None

7. Procedural Motions:

None

8. Information Items:

Moved by Councillor Nisan

Receive and file the following item, having been given due consideration by the Community Planning, Regulation and Mobility Committee.

CARRIED

8.1 Staff presentation regarding Red Tape Red Carpet (RTRC) update for Q3 2021 (ECDEV-05-21)

9. Staff Remarks:

10. Committee Remarks:

11. Adjournment:

11:00 a.m. (recessed), 11:05 a.m. (reconvened), 12:42 p.m. (recessed), 6:30 p.m. (reconvened), 7:10 p.m. (recessed), 7:20 p.m. (reconvened)

Councillor Kearns was absent for the evening session

Chair adjourned the meeting at 8:06 p.m.