



Regular Meeting of Council

Minutes

Date: January 28, 2019
Time: 6:30 pm
Location: Council Chambers Level 2, City Hall

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, Angela Morgan (Clerk)

1. Call to Order:

2. National Anthem:

3. Regrets:

4. Proclamations:

- 4.1 Be That Guy Day - January 13, 2019
- 4.2 Special Olympics Week - February 18 - 22, 2019
- 4.3 Heritage Month - February 2019
- 4.4 Black History Month - February 2019

5. Motion to Approve Council Minutes:

Moved by: Councillor Sharman
Seconded by: Councillor Bentivegna

Confirm the minutes of the following meeting of Council:

CARRIED

- 5.1 Regular meeting of Council December 17, 2018
- 5.2 Special meeting of Council January 14, 2019

6. Recognitions and Achievements:

7. Presentations:

8. Declarations of Interest:

9. Delegations:

- 9.1 Sean Javed spoke regarding Grant from Community Heritage Fund for 2349 Lakeshore Road (PB-02-19)

10. Recommendations from Standing Committees:

- 10.1 Committee of the Whole - Workshop meeting of January 7, 2019

There are no recommendations for this committee.

- 10.2 Committee of the Whole meeting of January 14, 2019

- a. Grant from Community Heritage Fund for 2349 Lakeshore Road (PB-02-19)

Moved by: Councillor Sharman

Seconded by: Councillor Kearns

Refer the recommendation from city building department report PB-02-19 back to staff to consider information presented by the delegate.

CARRIED

- 10.3 Planning and Development Committee meeting of January 15, 2019

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

CARRIED (7 to 0)

- a. Official plan and zoning by-law amendments for 2421-2431 New Street (PB-05-19)

Receive and file department of city building report PB-05-19 regarding official plan and zoning by-law amendments for 2421-2431 New Street.

CARRIED

- b. Official plan and zoning by-law amendments for 1497-1511 Old Plains Road West (PB-01-19)

Receive and file department of city building report PB-01-19 regarding official plan and zoning by-law amendments for 1497-1511 Old Plains Road West.

CARRIED

10.4 Committee of the Whole - Budget meeting of January 17, 2019

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

CARRIED (7 to 0)

a. Asset Management Program (CW-02-19)

Receive and file Capital Works Department Report CW-02-19 regarding the City of Burlington Asset Management Program

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

CARRIED (7 to 0)

b. Expenses excluded from the budget (F-01-19)

Receive and file finance department report F-01-19 regarding expenses excluded from the budget to meet the requirements of Regulation 284/09 Municipal Act, 2001.

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

CARRIED (7 to 0)

c. 2019 operating and capital budget overview (F-02-19)

Receive the proposed 2019 operating budget book; and

Receive the proposed 2019-2028 capital budget and forecast book; and

Direct staff to present the recommendations in Appendix A to the Committee of the Whole – Budget meeting of February 21, 2019 for review and approval, taking into consideration committee amendments.

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

CARRIED (7 to 0)

- d. Direction to coordinate a workshop regarding asset management and financing plan (SD-01-19)

Direct the City Clerk to review the current schedule of meetings and allocate time for a workshop to discuss the asset management and financing plan prior to the February 7, 2019 Committee of the Whole – Budget meeting.

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

CARRIED (7 to 0)

- e. Direction to report back regarding government relations matters (SD-02-19)

Direct the City Manager to review our current committee cycles to incorporate regular opportunities for the proactive and strategic consideration and discussion of government relations matters including existing and emerging developments at the Regional, Provincial and Federal level that affect the City of Burlington; and

Direct the City Manager to report back to the March 7, 2019 Committee of the Whole - Workshop meeting with a presentation/workshop session leading to a strategic action plan related to priority government relation issues and opportunities.

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

CARRIED (7 to 0)

10.5 Committee of the Whole - Workshop meeting of January 21, 2019

There are no recommendations for this committee.

11. Motion to Approve Standing Committee Minutes:

Moved by: Councillor Bentivegna

Seconded by: Councillor Sharman

Approve the following minutes:

CARRIED

- 11.1 Committee of the Whole - Workshop meeting of January 7, 2019
- 11.2 Committee of the Whole meeting of January 14, 2019
- 11.3 Planning and Development Committee meeting of January 15, 2019
- 11.4 Committee of the Whole - Budget meeting of January 17, 2019
- 11.5 Committee of the Whole - Workshop meeting of January 21, 2019

12. Reports of Municipal Officers:

- 12.1 Amended memo, from Mayor Meed Ward regarding Bill 66 - An Act to restore Ontario's competitiveness by amending or repealing certain Acts.

Moved by: Councillor Sharman

Seconded by: Councillor Bentivegna

Whereas, the Government of Ontario has introduced Bill 66, an Act to restore Ontario's competitiveness by amending or repealing certain Acts; and

Whereas, Schedule 10 of the proposed legislation would have amended the Planning Act to allow municipalities to pass "open-for-business planning by-laws"; and

Whereas, the Bill would have allowed such by-laws to override important planning, water, agricultural and environmental protections contained in the Clean Water Act, 2006, the Greenbelt Act, 2005, the Places to Grow Act, 2005, and other provincial legislation; and

Whereas, no notice or public hearing would have been required prior to the passing of such a by-law nor were there to be any appeal rights thereafter; and

Whereas, the Greenbelt is an integral component of land use planning that complements the Growth Plan to encourage smart planning, the reduction of sprawl, protection of natural and hydrological features and agricultural lands; and

Whereas, Burlington's land mass is 50% rural, and the Greenbelt protects 1.8 million acres of farmland, local food supplies, the headwaters of our rivers and important forests and wildlife habitat; and

Whereas, a permanent Greenbelt is an important part of the planning for sustainable communities; and

Whereas, Burlington presently has 509 acres (206 hectares) of vacant employment land supply within the urban boundary ready to be used for business, without the need to weaken the protections provided by the Greenbelt or effectively remove land from it; and

Whereas, protections like those included in the Clean Water Act are critical to the health of Burlington residents; and

Whereas, the government has said it will now remove Section 10 from Bill 66; and

Whereas, nevertheless, Burlington City Council wishes to declare our commitment to protecting the Greenbelt, opposing urban boundary expansion, and protecting access to clean water;

Therefore, be it resolved,

That Schedule 10 in Bill 66 does not represent how the City of Burlington and its residents want to do business; and

That the City of Burlington opposes provisions in Schedule 10 of Bill 66, that amend, repeal or override the Clean Water Act, 2006, the Greenbelt Act, 2005 and other important legislation in the public interest and applauds their removal from the Bill; and

That notwithstanding the announced changes to Bill 66, the City of Burlington will not exercise any powers granted to it in this or any future sections or schedules to pass such planning by-laws where they are contrary to the City's Official Plan; and

That the approval of a Bill 66 by-law clearly requires that the integrity of the Greenbelt and source water protection be achieved; and

That this resolution be distributed to: the leaders of all parties represented in the Legislature; the Minister of Municipal Affairs and Housing; the Minister of the Environment, Conservation and Parks; all Greater Golden Horseshoe municipalities, Halton MPPs, Environmental Defense, the Association of Municipalities of Ontario, the Ontario Federation of Agriculture, and the Friends of the Greenbelt Foundation.

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 Motion to Move into Closed Session

Moved by: Councillor Galbraith
Seconded by: Councillor Kearns

Move into closed session in accordance with the following provisions under the Municipal Act, sections 239 (b) personal matters about an identifiable individual, including municipal or local board employees, with respect to clerk's department report CL-01-19 regarding Citizen Advisory Committee Appointment Report.

7:05 p.m.

CARRIED

12.3 Motion to Move into Open Session

Moved by: Councillor Kearns
Seconded by: Councillor Nisan

Move into open session

7:30 p.m.

CARRIED

12.4 Citizen Advisory Committee Appointment Report (CL-01-19)

Moved by: Councillor Stolte
Seconded by: Councillor Sharman

Motion to amend the recommendation from clerk's department report CL-01-19 to add the following paragraphs.

Amend the terms of appointment for current and returning members of Burlington's Best Committee to end May 31, 2019; and

Direct the City Clerk to explore partnerships with other recognition programs across the City in order to establish one event program that celebrates the recognition for volunteerism and report back to Council by Q3 of 2019; and

Direct the City Clerk to amend the terms of reference for citizen committees to limit Council representative appointments to 2 terms (8 years) and implement a 2 year gap before re-appointment.

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 Sharman
Seconded by: Councillor Bentivegna

Approve appointments to Burlington's citizen advisory committees as outlined in Confidential Appendix A as amended of clerk's department report CL-01-19 and following approval from Council, make the recommended names for appointments public; and

Appoint the following two members of Council to sit on the Development Charges Consultation Committee:

- Mayor Marianne Meed Ward
- Councillor Paul Sharman

Amend the terms of appointment for current and returning members of Burlington's Best Committee to end May 31, 2019.

Direct the City Clerk to explore partnerships with other recognition programs across the City in order to establish one event program that celebrates the recognition for volunteerism and report back to Council by Q3 of 2019.

Direct the City Clerk to amend the terms of reference for citizen committees to limit Council representative appointments to 2 terms (8 years) and implement a 2 year gap before re-appointment.

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

CARRIED (7 to 0)

13. Motion to Receive and File Council Information Packages:

Moved by: Councillor Stolte
Seconded by: Councillor Galbraith

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

CARRIED

13.1 Council Information Package January 11, 2019

13.2 Council Information Package January 18, 2019

13.3 Council Information Package January 25, 2019

14. Motion to Receive and File Information Items:

Moved by: Councillor Stolte

Seconded by: Councillor Nisan

Receive and file the following item, having been considered by Council:

CARRIED

14.1 Memo dated January 23, 2019, from Mayor Meed Ward regarding Bill 66 - An Act to restore Ontario's competitiveness by amending or repealing certain Acts

15. Motion to Consider Confidential Items:

None

16. Motion to Approve By-Laws:

Moved by: Councillor Nisan

Seconded by: Councillor Kearns

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)

16.1 3-2019: A by-law to amend building permit by-law 13-2018, as amended.

17. Motion to Confirm Proceedings of the Council Meeting:

Moved by: Councillor Nisan

Seconded by: Councillor Kearns

Enact and pass By-law Number 4-2019, being a by-law to confirm the proceedings of Council at its meeting held Monday, January 28, 2019, being read a first, second and third time.

CARRIED

18. Statements by Members:

19. Motion to Adjourn:

Moved by: Councillor Galbraith

Seconded by: Councillor Nisan

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

7:49 p.m.

CARRIED

Angela Morgan

City Clerk

Marianne Meed Ward

Mayor