



Regular Meeting of Council Agenda

Date: April 23, 2019
Time: 5:30 pm
Location: Council Chambers Level 2, City Hall

NOTE: The first hour of this meeting will be in closed session to discuss confidential legal department report regarding litigation update (L-10-19)

1. **Call to Order:**
2. **National Anthem:**
3. **Regrets:**
4. **Proclamations:**
 - 4.1 Parental Alienation Awareness Day - April 25, 2019
 - 4.2 Burlington Gymnastics Club Day - May 3, 2019
 - 4.3 Canada Netherlands Friendship Day - May 5, 2019
 - 4.4 Time of Remembrance and Reconciliation for those who lost their lives during the second world war - May 8 and 9, 2019
 - 4.5 Be Kind to One Another Days - May 17 and 18, 2019
 - 4.6 National Youth Week - May 1-7, 2019
 - 4.7 Polish Days Week - May 1-7, 2019
 - 4.8 Navy Week - May 3-10, 2019
 - 4.9 Mental Health Week - May 6-12, 2019
 - 4.10 National Public Works Week - May 19-25, 2019
 - 4.11 Tourism Week in Canada - May 26 - June 2, 2019

- 4.12 International Building Safety Awareness Month - May 2019
- 4.13 Foot Health Awareness Month - May 2019
- 4.14 Apeldoorn Month - May 2019
- 4.15 Bladder Cancer Month - May 2019

5. Motion to Approve Council Minutes:

- 5.1 Regular Minutes of Council March 25, 2019

6. Recognitions and Achievements:

7. Presentations:

8. Declarations of Interest:

9. Delegations:

In order to speak at a Council meeting, individuals must register as a delegation no later than 12:00 noon on the day of the meeting. To register, complete the online application at www.burlington.ca/delegation, email cityclerks@burlington.ca or phone 905-335-7600 ext. 7805.

- 9.1 Don Matthews will speak regarding Strathcona Drive and area proposed sidewalks (TS-05-19)
- 9.2 John Weller will speak regarding Strathcona Drive and area proposed sidewalks (TS-05-19)
- 9.3 Jim Ruta will speak regarding Strathcona Drive and area proposed sidewalks (TS-05-19)
- 9.4 Andrew Diveky will speak regarding Strathcona Drive and area proposed sidewalks (TS-05-19)
- 9.5 Samer El-Fashny representing Better Life Retirement Residence Inc. will speak regarding proposed exemptions to Interim Control By-law 10-2019 (PB-40-19)
- 9.6 Cindy Prince will speak regarding proposed exemptions to Interim Control By-law 10-2019 (PB-40-19)
- 9.7 Lisa Kohler representing Halton Climate Collective will speak regarding the City of Burlington Climate Emergency Declaration (ADM-3-19)

- 9.8 Kim Barrett representing Conservation Halton will speak regarding the City of Burlington Climate Emergency Declaration (ADM-3-19)
- 9.9 Janelle Wepler representing Conservation Halton will speak regarding the City of Burlington Climate Emergency Declaration (ADM-3-19)
- 9.10 Gabriella Kalapos will speak regarding the City of Burlington Climate Emergency Declaration. (ADM-3-19)

10. Recommendations from Standing Committees:

- 10.1 Committee of the Whole meeting of April 1, 2019
 - a. Official delegation to Itabashi, Japan (CL-06-19)
 - b. 2019 POA business plan and budget (CM-02-19)
 - c. Tender award for Rexway Drive area minor reconstruction (CW-03-19)
 - d. 2019 proposed budget and tax levy for the Burlington Downtown Business Improvement Area (F-10-19)
 - e. 2019 proposed budget and tax levy for the Aldershot Village Business Improvement Area (F-11-19)
 - f. By-Law to exempt the Halton Naval Veterans Association and The Navy League of Canada from municipal taxes (F-17-19)
 - g. Operating budget performance report as at December 31, 2018 (F-27-19)
 - h. Enterprise Resource Planning (ERP) update (IT-01-19)
 - i. Transit rates and fees update (TR-01-19)
 - j. Mayor's 2019 travel (M-02-19)
 - k. Federal budget 2019 gas tax one-time funding (CM-07-19)
 - l. Strathcona Drive area proposed sidewalks (TS-05-19)
 - m. Confidential update on a litigation matter (L-10-19)
 - n. Confidential update on a litigation matter (L-11-19)
- 10.2 Planning and Development meeting of April 2, 2019

- a. Information report for proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086, and 1090 St. Matthew's Avenue (PB-28-19)
- b. Information report for proposed plan of subdivision, official plan and zoning by-law amendments for Surrey Lane, Warwick Drive and Georgian Court (PB-33-19)
- c. 2018 annual building permit revenues and expenses (PB-20-19)
- d. 2019 City of Burlington development charges process (F-12-19)
- e. Proposed zoning by-law amendment for 3267 Mainway (PB-12-19)
- f. Alternative procurement process for scoped re-examination of the adopted Official Plan (PB-42-19)
- g. Proposed exemptions to Interim Control By-law 10-2019 (PB-40-19)
- h. Undelegation of site plan approval for 2254 Orchard Road (PD-02-19)

10.3 Audit Committee meeting of April 3, 2019

- a. Report providing status of 2018 audit work plan, budget and performance metrics (CA-02-19)
- b. Report providing summary of in-progress management action plans (CA-03-19)
- c. Financial highlights for period ending December 31, 2018 (F-20-19)
- d. Financial policies (F-21-19)
- e. Details of the 2019 audit work plan (CA-01-19)
- f. Summary of audit results - health, safety & wellness (CA-04-19)

10.4 Committee of the Whole Workshop meeting of April 4, 2019

There were no recommendations for this meeting.

10.5 Planning and Development Public meeting of April 9, 2019

- a. Information report for proposed official plan and zoning by-law amendments for 5353 Lakeshore Road (PB-09-19)

10.6 Committee of the Whole Workshop meeting of April 11, 2019

There were no recommendations for this meeting.

11. Motion to Approve Standing Committee Minutes:

11.1 Committee of the Whole meeting of April 1, 2019

11.2 Planning and Development meeting of April 2, 2019

11.3 Audit Committee meeting of April 3, 2019

11.4 Committee of the Whole Workshop meeting of April 4, 2019

11.5 Planning and Development Public meeting of April 9, 2019

11.6 Committee of the Whole Workshop meeting of April 11, 2019

12. Reports of Municipal Officers:

12.1 Proposed official plan and zoning by-law amendments for 1335-1355 Plains Road East (PB-15-19)

12.2 2019 Tax Levy by-law report (F-18-19)

13. Notices of Motion:

14. Motions:

14.1 Development Charges

Whereas the Provincial Government has established increasing housing supply as a priority and is currently reviewing the impact of municipal development charges on housing supply; and

Whereas development charges are the primary municipal revenue source for the financing of municipal infrastructure required to increase housing supply; and

Whereas development charges only account for approximately 5-7% of new single family home prices in the GTA, and that housing prices are driven by the market; and

Whereas a reduction in development changes will reduce a municipality's ability to finance essential infrastructure needed for growth, reduce the supply of serviced land and will unfairly impact existing homeowners; and

Whereas current development charges legislation, through the Development

Charges Act, 1997 S.O. 1997 c.27 as amended does not allow municipalities to recover the full cost of growth which is not consistent with the principle that growth pays for growth; and

Whereas Halton has an estimated annual funding gap of \$87.7 million (including Region, Local, and School Boards) as a result of the inability to collect the full cost recovery under the current legislation; and

Whereas the current development charges legislation provides the ability to collect development charges prior to building permit/subdivision (Section 27), which is critical in Halton for the delivery of infrastructure to support additional new housing; and

Whereas any reduction to the flexibility to finance growth through development charges will have a direct impact on Halton's ability to increase housing supply;

Now therefore be it resolved:

That the Provincial Government be called upon to not reduce the use of development charges or make changes to section 27 of the DCA; and

That the Provincial Government be called upon to improve the DCA, to ensure that all growth related costs of municipal infrastructure and services are recovered through development charges ensuring growth pays for growth; and

That the Regional Chair write a letter to the Premier, the Minister of Municipal Affairs and Housing expressing Regional Council's concerns regarding changes to section 27 of the Development Charges Act or a reduction in the use of development charges, and that Halton would welcome the opportunity to work with the Provincial Government to find creative solutions to increase the stock of affordable housing, while ensuring that growth pays for growth; and

That a copy of the letter be sent to the Association of Municipalities of Ontario, Halton's Members of Provincial Parliament, and the Local Municipalities.

14.2 City of Burlington Climate Emergency Declaration

Whereas, the Intergovernmental Panel on Climate Change (IPCC) has determined the need for a significant and structural reduction in carbon emissions in the next 11 years to avoid further economic, ecological, and societal loss; and

Whereas, Canada is, according to the Government of Canada's April 2019 Changing Climate Report, experiencing warming at twice the rate of the rest of the world, with Northern Canada heating up at almost three times the global average; and

Whereas, infrastructure failures linked to climate change could cost Canada \$300 billion over the next decade unless we change the way we build; and

Whereas, local governments are at the frontline of taking actions to manage the worst impacts of climate change, creating low carbon communities and calling on senior levels of government for a more urgent response; and

Whereas, the City of Burlington has already experienced consequences attributed to climate change such as the ice storm of December 2013, the flood of 2014, winter storm volatility in 2019, and the effects of invasive species; and

Whereas, climate change is currently ranked as the number three risk on the City of Burlington's Enterprise Risk Register; and

Whereas, the City of Burlington understands that climate action and the low carbon transition also represents an opportunity for economic stimulation and job development opportunities in a new low-carbon economy; and

Whereas, the City of Burlington recognizes many local community groups and organizations are already taking collective action on climate change; and

Whereas, the City of Burlington recognizes that climate change is a significant issue with a goal for city operations to be net carbon neutral by 2040 and working towards the community becoming net carbon neutral by working collectively with community stakeholders and senior levels of government, and that more action is necessary.

Now therefore be it resolved:

That the City of Burlington declare a climate emergency for the purposes of deepening our commitment to protecting our economy, environment and community from climate change; and

That Council and staff immediately increase the priority of the fight against climate change and apply a climate lens to the plans and actions of the City of Burlington including the Council strategic workplan and future budgets; and

That staff are directed to bring a report to the June 3, 2019 Committee of the Whole meeting that outlines actions taken to date and includes a critical path for the development of the first City of Burlington Climate Action Plan that will:

a. address the operations of the corporation of the municipality as well as the functioning of the entire community; and

b. include a plan for a thorough and complete consultation with stakeholders and the

community; and

c. increase action and ambition for the City's climate change-related activities; and

That staff are directed to bring the Burlington Climate Action Plan to Council no later than December 2019 for approval.

14.3 Paris Galt Moraine Conservation Act, 2019

Whereas the Paris and Galt moraines cut across several municipalities: Peel Region, Wellington County, the City of Guelph, Region of Waterloo, Norfolk County, Brant County and Halton Region; and three Conservation Authorities: Grand River Conservation Authority, Credit Valley Conservation Authority and Conservation Halton; and

Whereas Municipalities within the Grand River watershed are dependent on groundwater as the source of municipal drinking water and are designated as urban growth centres in the Province's Growth Plan for the Greater Golden Horseshoe, 2017, namely Guelph, Cambridge, Kitchener and Waterloo; and

Whereas critical primary recharge areas in the moraines require protection in order to protect the future drinking water supplies in the area; and

Whereas a conservation plan for the Paris and Galt moraines would provide an important policy framework to protect the critical ecological and hydrological integrity of the area; and

Whereas the inter-jurisdictional complexity of the Paris and Galt moraines warrants the assistance of provincial leadership in the development of policy for its protection; and

Now therefore be it resolved:

That The City of Burlington Council supports and endorses the passage of Bill 71, the *Paris Galt Moraine Conservation Act, 2019*; and

That a copy of this resolution be forwarded to the Ministry of Municipal Affairs and Housing, Halton's MPP's, MPP Mike Schreiner, Conservation Halton, Credit Valley Conservation Authority, Grand River Conservation Authority, the Regional Municipality of Peel, the Regional Municipality of Waterloo, the City of Guelph, Wellington County, Norfolk County, Brant County and the Local Municipalities for their endorsement.

14.4 Recommendation of Appointment to the Halton Solid Waste Management Site Advisory Committee.

Approve the appointment of Councillor Lisa Kearns to the Halton Solid

Waste Management Committee to the end of the Council term in 2022.

14.5 Municipal Assets Initiative Project – Grindstone Creek

Whereas there is an opportunity for the City of Burlington in partnership with Conservation Halton, Royal Botanical Gardens and the City of Hamilton on a Municipal Natural Assets Initiative (MNAI) to protect our natural assets in the Grindstone Creek area of our Greenbelt; and

Whereas the project would support and guide municipalities in identifying, valuing and accounting for natural assets in their financial planning and asset management programs and developing leading-edge, sustainable, cost-effective and climate resilient infrastructure. The program will assist participating organizations to better manage our infrastructure and natural assets in the face of climate change, development pressures, and increasing challenges associated with asset management. It also presents an opportunity to leverage financial contributions as the Friends of the Greenbelt Foundation is also contributing funds; and

Whereas MNAI recently partnered with the Friends of the Greenbelt Foundation and is soliciting expressions of interest for up to 7 smaller/rural local governments (as attached) to host a pilot project located in a watershed area within or originating within Ontario's Greenbelt. Through this project, MNAI offers guidance and support through scientific, financial and municipal services management expertise. Partners are expected to commit to the approach, provide in-kind multi-disciplinary staff support, provide data, designate a project/partner lead, commit a total of \$105, 000 (split among the partners), and participate in evaluation interviews/follow up exercises for 3 years after the close of the project; and

Whereas Conservation Halton has reviewed the Expression Of Interest (EOI) and is interested in partnering on a pilot project for either the Grindstone Creek (preferred) or Bronte Creek, both of which originate in the Greenbelt and flow through rural portions of Burlington and Hamilton. Grindstone Creek is preferred as this includes Hamilton, downstream lands in Burlington and the RBG; and

Whereas; Conservation Halton would be the lead and costs would be shared. Further information about the initiative is in the attached letter from Conservation Halton (Appendix A); and

Whereas total funding from City of Burlington up to the amount of \$35,000 is to be provided from the Tax Rate Stabilization Reserve Fund; and

Whereas this initiative dovetails nicely with our ongoing work on climate change adaptation and mitigation and can be integrated into existing staff work programs. It is one of the initiatives mentioned in a handout we received at our Climate Change

workshop from the speaker from the Intact Centre for Climate Adaptation (see document “Combatting Canada’s Rising Flood Costs” via natural infrastructure), produced in partnership with the Intact Centre on Climate Adaptation; and

Whereas there is some urgency to indicating our interest to participate, as there is no formal intake period, but the EOI period will close as soon as suitable candidates are found. A copy of the EOI is attached as Appendix B MNAI can be found at <https://mnai.ca>; and

Whereas I believe this program represents an opportunity for the city to continue our efforts to be flood resilient and protect our natural assets and infrastructure.

Now therefore be it resolved:

That Council endorse an Expression of Interest to participate in the MNAI program, including related financial and staff commitment; and

That Council authorize the Executive, Director of Capital Works and related departments to work with Conservation Halton and other parties to complete the application; and

That upon passage of this resolution, city staff continue discussions with counterpart staff at the City of Hamilton and Royal Botanical Garden to seek their participation in the program.

14.6 Motion to move into Closed Session

14.7 Motion to move into Open Session

15. Motion to Receive and File Council Information Packages:

15.1 Council Information Package March 22, 2019

15.2 Council Information Package March 29, 2019

15.3 Council Information Package April 5, 2019

15.4 Council Information Package April 12, 2019

15.5 Council Information Package April 18, 2019

16. Motion to Receive and File Information Items:

16.1 Memo from Melissa Morgan, Planner, regarding Proposed official plan and zoning by-law amendments for 1335-1355 Plains Road East (ADM-5-19)

- 16.2 Memo from Mayor Marianne Meed Ward regarding Development Charges (ADM-4-19)
- 16.3 Memo from Councillor Rory Nisan regarding Climate Emergency Declaration (ADM-3-19)
- 16.4 Conservation Halton Watershed Report Card 2018 (ADM-6-19)
- 16.5 Correspondence from IKEA Canada regarding Climate Emergency Declaration (ADM-7-19)
- 16.6 Memo from Mayor Marianne Meed Ward regarding Municipal Assets Initiative Project – Grindstone Creek (ADM-8-19)

17. Motion to Consider Confidential Items:

18. Motion to Approve By-Laws:

- 18.1 21-2019: Exemptions to the Interim Control By-law.
- 18.2 22-2019: A by-law to adopt Official Plan Amendment No. 114 to add a site-specific policy to permit a townhouse development without other forms of housing at 1335-1355 Plains Road East.
- 18.3 23-2019: A by-law to exempt the Halton Naval Veterans Association from Municipal Taxation.
- 18.4 24-2019: A by-law to exempt the Navy League of Canada from Municipal Taxation.
- 18.5 25-2019: A by-law to levy taxes for the 2019.
- 18.6 2020-406: A by-law to amend By-law 2020, as amended; 1335-1355 Plains Road East.
- 18.7 2020-407: A by-law to amend By-law 2020, as amended; 3267 Mainway.

19. Motion to Confirm Proceedings of the Council Meeting:

20. Statements by Members:

21. Motion to Adjourn: