



Committee of the Whole Meeting

Minutes

Date: July 8, 2019
Time: 9:30 am
Location: Council Chambers Level 2, City Hall

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

Staff Present: Tim Commisso, Joan Ford, Mary Battaglia, Laura Boyd, Sue Connor, Chris Glenn, Sheila Jones, Allan Magi, Nancy Shea-Nicol, Christine Swenor, Mary Lou Tanner, David Thompson (Audio/Video Specialist), Lisa Palermo (Clerk)

1. Declarations of Interest:

None.

2. Delegation(s):

- 2.1 Doug Brown, Burlington for Accessible Sustainable Transit spoke regarding 2019-2022 Burlington's plan from vision to focus (CM-15-19)
- 2.2 William Love, Roseland Community Organization spoke regarding tree removal - 3061 Balmoral Ave (RPF-11-19)
- 2.3 Darren Sanger-Smith spoke regarding tree removal - 3061 Balmoral Ave (RPF-11-19)
- 2.4 Tracey and Darrell King spoke regarding tree removal - 3061 Balmoral Ave (RPF-11-19)
- 2.5 Roberta McGregor and Janet Lindsay, Recycling Revisited spoke regarding 2020 Budget framework (F-28-19)
- 2.6 James Thomson spoke regarding award of RFP-204-19 design build and install LaSalle Marina floating wave break (CW-31-19)
- 2.7 James Thomson spoke regarding LaSalle Park Marina agreement and operating model (CM-05-19)

3. Consent Items:

3.1 Update to emergency and continuity management program by-law (BFD-01-19)

Moved by Councillor Sharman

Approve By-law 46-2019, attached as Appendix A to Burlington Fire Department report BFD-01-19, a by-law to provide for an Emergency and Continuity Management Program, Municipal Emergency Response Plan and Emergency Management Program Committee Terms of Reference; and

Repeal By-law 87-2015, a by-law to provide for an Emergency Management Program and by-law 40-2017, a By-law to amend By-law 87-2015.

CARRIED

3.2 Assumption of Multinational Five Investments Limited Phase 2B Subdivision (CW-35-19)

Moved by Councillor Sharman

Assume the Multinational Five Investments Limited Phase 2B Subdivision, registered as Plan 20M-1110, File 510-02/05-2B; and

Accept all works and services under the jurisdiction of the city within the subdivision to become the property of the City of Burlington; and

Direct the City Clerk to notify the Region of Halton of this assumption; and

Release Subdivision Agreement Instrument Number HR1020308 from title save and except for the following conditions:

- Condition 25 a) to h) inclusive, affecting all lots and blocks; and

Authorize the City Solicitor to prepare any necessary documents and authorize the Mayor and City Clerk to sign them; and

Direct the City Clerk to present the necessary by-law to Council to accept all works and services of the said plan of subdivision and assume the following streets as public highways:

STREET PARCEL PIN NUMBER

Walkway Block 125 20M-1110 07202-3821

Velebit Park Boulevard 20M-1110 07202-3822

Adobe Gate 20M-1110 07202-3823

Ryan Lane 20M-1110 07202-3824; and

Authorize the City Solicitor or her designate, to amend the parcel designation in the by-law, if necessary, upon registration of the by-law.

CARRIED

3.3 2019 Capital budget variance and project closure (F-32-19)

Moved by Councillor Sharman

Direct the Director of Finance to proceed with the closure of 77 capital projects identified as being completed in finance department report F-32-19.

CARRIED

3.4 Santa 5 K road race (COW-09-19)

Moved by Councillor Sharman

Approve the Santa 5K Road Race event starting in 2020 and in subsequent years on the same day as the Burlington Santa Claus Parade.

CARRIED

3.5 Waterfront Centre roof replacement (PR-08-19)

Moved by Councillor Sharman

Authorize the Mayor and City Clerk to enter into Phase II of the agreement for the roof replacement at the Waterfront Centre between the City of Burlington and Spencer's at the Waterfront Inc., to the satisfaction of the Director of Parks and Recreation, City Solicitor, Director of Finance and the Executive Director of Capital Works, subject to 2020 Capital Budget approval.

CARRIED

3.6 Enterprise Resource Planning (ERP) program update (IT-03-19)

Moved by Councillor Sharman

Receive and file information technology services report IT-03-19 providing an update on the Enterprise Resource Planning (ERP) program.

CARRIED

3.7 Federation of Canadian Municipalities (FCM) Conference (M0-05-19)

Moved by Councillor Sharman

Receive and file mayor's office report MO-05-09 regarding the 2019 Federation of Canadian Municipalities conference.

CARRIED

4. Regular Items:

4.1 2018-2022 Burlington's Plan from Vision to Focus (V2F) (CM-15-19)

Moved by Mayor Meed Ward

Approve the revised 2018-2022 Burlington's Plan: From Vision to Focus (V2F) – July 2019+, **as amended**; and

Direct the Deputy City Manager to report to Council with an implementation strategy for including and assessing “Social Implications” as part of staff reports to City Council; and

Amend page 10 of Burlington's Plan from Vision to Focus 2018-2022, Key Priority Area One: Increasing Economic Prosperity and Community Responsive City Growth by amending wording to this sentence: “Complete the scoped Official Plan Review and Interim Control By-law Studies by Q1-2020”, by adding the wording “with a focus on reasonable, growth, not overdevelopment, that reflects the community’s vision for Burlington, and includes a review of the Mobility Hub and Urban Growth Centre designations in the downtown”; and

Add the same language to pages 13 and 27 to Burlington's Plan from Vision to Focus 2018-2022; and

Amend page 11 of Burlington's Plan from Vision to Focus 2018-2022, Key Priority Area Four: Building More Citizen Engagement, Community Health and Culture by moving Tree Canopy to Key Priority Area Three: Supporting Sustainable Infrastructure and a Resilient Environment; and

Amend page 11 of Burlington's Plan from Vision to Focus 2018-2022, Key Priority Area Four: Building More Citizen Engagement, Community Health and Culture by changing the wording "Achieve a 1:1 tree removal/tree replacement ratio by 2022" to "Achieve a 2:1 tree removal/tree replacement ratio by 2022"; and

Amend page 11 of Burlington's Plan from Vision to Focus 2018-2022, Key Priority Area Four: Building More Citizen Engagement, Community Health and Culture by changing the wording "Increase the City's tree canopy by 50% of 2020 baseline by 2041" to "Increase the City's tree canopy to 35% by 2041"; and

Amend page 11 of Burlington's Plan from Vision to Focus 2018-2022, Key Priority Area Four: Building More Citizen Engagement, Community Health and Culture by amending the wording to the community engagement 4-year target add by adding the wording "For each initiative where community input is sought, report back to the community on how their input shaped decision-making"; and

Add the same language to pages 18 to Burlington's Plan from Vision to Focus 2018-2022; and

Amend page 12 of Burlington's Plan from Vision to Focus 2018-2022, Focus Area One: Increasing Economic Prosperity and Community Responsive City Growth by adding the words "development applications" at the end of the Key Action Item "Implement the recommendations of the Red Tape Red Carpet Taskforce to make it easier for businesses to locate and thrive in Burlington, attracting more investment. First priorities will be grading and drainage; Committee of Adjustment; and Zoning business process reviews; and

Review and report back on the capacity of all recreational facilities (fields, arenas, community centres) to determine the potential need for new community facilities found on page 17 of Focus Area 4 - Building More Citizen Engagement, Community Health and Culture; and

Amend page 17 of Burlington's Plan from Vision to Focus 2018-2022, Focus Area 4 - Building More Citizen Engagement, Community Health and Culture by changing the wording "Maintain the standard, that homes are within a 15-20 minute walk of a park" to "Aim for a standard that homes are within a 5 minute walk of a park"; and

Amend page 29 of Burlington's Plan from Vision to Focus 2018-2022, Focus Area 5 - Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation by amending the wording "Implementation of a one stop customer service counter for the Department of City Building City Building; Q4-2022" to "Implementation of a one stop customer service counter for the Department of City Building City Building; Q4-2020; and

Amend page 3, Focus Areas, of Burlington's Plan from Vision to Focus 2018-2022 to remove adjectives, and to replace “community responsive city growth” with “community responsive growth management” for the balance of the document; and

Amend page 29, section 5.4 of Burlington's Plan from Vision to Focus 2018-2022 to change the wording “Conduct a community-wide survey every three years, starting in fall 2019 to determine if residents feel they are being engaged and are part of the City’s decision-making process” to “Conduct a community-wide survey every two years starting in 2019 to determine whether citizens are engaged and feel they are part of the city’s decision-making process and based on established municipal norms, including issues, quality of life, city programs & services, value for taxes and governance”.

CARRIED

- 4.2 Approval to expropriate - Waterdown Road from Craven Avenue to Mountain Brow Road (L-19-19)

Moved by Councillor Galbraith

Receive and consider the Inquiry Officer’s Report enclosed as Appendix ‘A’ of legal department report L-19-19; and

Adopt the reasons for approval set out in Appendix ‘B’ of legal department report L-19-19, entitled Decision and Reasons for Approval to Expropriate Land; and

As approving authority under the *Expropriations Act*, approve the expropriation of the lands set out in Appendix ‘C’ of legal department report L-19-19 (the “Subject Lands”), which are required for the reconstruction, realignment, widening and improvement of Waterdown Road from Craven Avenue to Mountain Brow Road, and works ancillary thereto; and

Enact By-law 48-2019 as set out in Appendix 'D' of legal department report L-19-19.

CARRIED

4.3 Burlington Transit's five-year business plan update (TR-03-19)

Moved by Mayor Meed Ward

Table transit department report TR-03-19 regarding the transit five year business plan; and

Refer debate and approval to the Committee of the Whole meeting to be held **November 4, 2019**.

CARRIED

4.4 Alternative transit service delivery models (COW-10-19)

Moved by Councillor Sharman

Direct the Director of Transit to further explore the use of alternative service delivery models, including on-demand, as a replacement of certain fixed-routes and/or low-density areas and report back to Council with a briefing preferably by October 2019, followed by recommendations and a plan by **November 2019**.

CARRIED

4.5 Tree removal – 3061 Balmoral Ave (RPF-11-19)

Moved by Councillor Sharman

Approve the request by Structured Creations to remove one City-owned tree (31 cm Littleleaf Linden) from the City's road allowance at 283 Hart Ave to allow driveway access as part of development permit application GDCC-2019-050, received March 27, 2019; and

Instruct Structured Creations to provide compensation for the tree removal by providing cash in lieu of replacement totaling \$2,500.00. The approved appraisal method is Aggregate caliper; and

Tree replacement will be a condition of a tree permit provided by Urban Forestry with a warranty of 2 years for replacements to be provided to the City, equivalent to the value of the replaced trees; and

Direct that all associated costs with respect to the removal of the tree will be the responsibility of Structured Creations, and the contractor hired to remove the tree will require approval by the Manager of Urban Forestry or designate.

CARRIED

4.6 Tree removal – 5209 Stonehaven Drive (RPF-12-19)

Note: this item was withdrawn.

4.7 Enterprise risk – labour market (HR-02-19)

Moved by Councillor Nisan

Receive and file human resources department report HR-02-19 regarding enterprise risk - labour market

CARRIED

4.8 2020 budget framework (F-28-19)

Moved by Councillor Sharman

Receive and file finance department report F-28-19 regarding 2020 budget framework.

CARRIED

4.9 Financial condition assessment (F-29-19)

Moved by Councillor Sharman

Receive the BMA Financial Condition Assessment Report dated June 2019; and

Approve the Capital Reserve fund Financial Policy to target a consolidated reserve fund balance of 2% of the city's total asset replacement value; and

Direct the Director of Finance to undertake an update to the City of Burlington's Financial Condition Assessment every four years with each new term of Council.

CARRIED

- 4.10 Update to the corporate energy and emissions management plan (CW-08-19)

Moved by Councillor Nisan

Approve Appendix A of capital works department report CW-08-19 – The Corporate Energy and Emissions Management Plan for submission to the Ontario Ministry of Energy, Northern Development and Mines and to be posted on the city's website as required by Ontario Regulation 507/18; and

Direct the Executive Director of Capital Works to report annually on the progress of implementing the plan in Appendix A of capital works department report CW-08-19 including energy consumption and the carbon footprint for City operations.

CARRIED

- 4.11 Construction and Mobility Management Policy (CW-27-19)

Moved by Councillor Galbraith

Table capital works department report CW-27-19 containing the Construction and Mobility Policy, which defines the requirement for a Construction and Mobility Management Plan, to the Committee of the Whole meeting to be held September 9, 2019 for debate and approval; and

Table the staff direction directing the Director of Transportation to include the applicable fees in the City's Rates and Fee's By-law to support the Construction and Mobility Management Policy proposed in capital works department report CW-27-19 to the Committee of the Whole meeting to be held September 9, 2019 for debate and approval.

CARRIED

- 4.12 Direction regarding spray pad at Tansley Woods Park (COW-08-19) (SD-26-19)

Moved by Councillor Stolte

Direct the Director of Capital Works to bring forward for council consideration during the 2020 capital budget and 2021-2029 forecast, the design and construction of a spray pad at Tansley Woods Community Park.

CARRIED

- 4.13 Review of citizens' committee recommendations on council compensation (MO-08-19)

Note: this item was withdrawn.

- 4.14 Burlington Economic Development Corporation (BEDC) and consideration of Municipal Development Corporation (MDC) (MO-04-19)

Moved by Mayor Meed Ward

Authorize the issuance of a Request for Proposal to an upset limit of \$100,000 from Strategic Planning Reserve Fund to review and report back to council by December 2019:

a. on the efficiency, effectiveness and optimal structure of the Burlington Economic Development Corporation (BEDC) and TechPlace in achieving the city's business attraction and retention goals, including but not limited to bringing BEDC in-house under the City Manager.

b. Review the opportunities and optimal structure of a Municipal Development Corporation in achieving the city's business attraction and retention goals; incorporate any changes in economic development functions arising from the provincial Regional Review, the results of which are expected in November 2019; and

Authorize the Mayor and City Manager to form a steering committee to develop the terms of reference, oversee the work of the consultant(s) and engage council and the BEDC/TechPlace staff & board in the process, with representation on the steering committee from: Mayor's Office, City Manager's office, Capital Works, Planning, Legal, and Finance departments, BEDC/TechPlace staff & board, Regional Economic Development department, Ward 5 Councillor appointee on BEDC Board, Ward 1 Councillor, co-chair of Red Tape Red Carpet initiative; and

Include this strategic initiative in the Council Workplan as a priority time-dated action item under the City Manager.

CARRIED

- 4.15 D-Day Anniversary - Juno Beach trip (MO-03-19)

Moved by Mayor Meed Ward

Receive and file mayor's office report MO-03-19 regarding D-Day Anniversary – Juno Beach trip; and

Express a strong interest in a twinning relationship with Courseulles-sur-Mer, France; and

Direct the City Clerk in cooperation with the Burlington Mundialization Committee to report back to Committee of the Whole in Q4 2019 with options for twinning with Courseulles-sur-Mer; and

Direct the City Clerk to provide proposed criteria, for committee's consideration, for future twinning relationships including consideration of a city in a developing country.

CARRIED

- 4.16 Award of RFP-204-19 design build and install LaSalle Marina floating wave break (CW-31-19)

Moved by Mayor Meed Ward

Award of the contract to Kropf Industrial Inc., 1 Quebec Drive, Seguin, Ontario P2A 0B2, for \$ 3,438,914.31 including HST 13%; and

Approve the purchase of the extended warranty from Kropf Industrial Inc., for \$107,350.00 including HST 13%; and

Authorize the Manager of Procurement Services to issue a purchase order and/or sign any associated contracts/agreements with the bidder named above subject to the satisfaction of the City Solicitor; and

Charge total cost of \$4,000,000 (Net HST) to capital order PR0150, **financed from the Hydro Reserve Fund, with a minimum \$2.1 million repayment by the future LaSalle Park Marina operator through the annual license agreement.**

CARRIED

Moved by Councillor Nisan

Refer capital works department report CW-31-19 to the September 9, 2019 Committee of the Whole meeting.

LOST

- 4.17 LaSalle Park Marina Agreement and Operating Model (CM-05-19)

Moved by Councillor Sharman

Table city manager's office report CM-5-19 on alternative operating models for the marina at LaSalle Park to the Committee of the Whole meeting on September 9, 2019 at which time staff will provide a recommendation on a preferred operating model for the marina.

CARRIED

- 4.18 Direction regarding scheduling of standing committee meetings (SD-24-19)

Moved by Mayor Meed Ward

Direct the City Clerk to include a standing committee meeting timeslot on each Thursday of a committee meeting week from 9:30 a.m. to 4:00 p.m. to be used for agenda items not completed at standing committee meetings held earlier in the meeting week and for council workshops.

CARRIED

- 4.19 Direction regarding 2020 budget process (SD-25-19)

Moved by Mayor Meed Ward

Direct the Executive Director of Capital Works to report back as part of the proposed 2020 budget with a process to provide additional council consultation on the design, including climate change considerations, of significant city parks and public spaces.

CARRIED

- 4.20 Red Tape Red Carpet Task Force recommendations referred from Planning and Development Committee meeting held July 9, 2019 (MO-06-19)

Moved by Mayor Meed Ward

Table mayor's office report MO-06-19 providing an update and recommendations arising from the Red Tape Red Carpet (RTRC) Task Force to the Planning and Development Committee meeting of September 10, 2019, incorporating any additional feedback and recommendations arising from committee discussion and further community input over July and August; and

Direct the City Manager to work with RTRC Task Force to propose an implementation plan, including owner, timeline and associated costs for all RTRC action items and report back in September.

CARRIED

5. Confidential Items:

- 5.1 Confidential appendix E of legal department report L-19-19 regarding approval to expropriate - Waterdown Road from Craven Avenue to Mountain Brow Road (L-19-19)
- 5.2 Confidential appendix A of city manager's office report CM-05-19 regarding LaSalle Park Marina agreement and operating model (CM-05-19)
- 5.3 Confidential appendices B and C of human resources department report HR-02-19 regarding enterprise risk - labour market (HR-02-19)

6. Procedural Motions:

- 6.1 Proceed beyond the adjournment hour

Moved by Councillor Nisan

Suspend the rules of procedure to allow the meeting to proceed beyond the hour of 10 p.m., in accordance with procedure by-law 64-2016 s. 26.

CARRIED

7. Information Items:

Receive and file the following thirteen items, having been given due consideration by the Committee of the Whole.

- 7.1 Presentation from Tracey and Darrell King regarding the tree removal - 3061 Balmoral Ave (RPF-11-19)
- 7.2 Presentation from Darren Sanger-Smith regarding tree removal - 3061 Balmoral Ave (RPF-11-19)
- 7.3 Correspondence from Richard Hammett regarding tree removal - 3061 Balmoral Ave (RPF-11-19)
- 7.4 Correspondence from Chris Ariens, Burlington Cycling Advisory Committee regarding 2018-2022 Burlington's plan from vision to focus (CM-15-19)

- 7.5 Presentation from Jim Bruzzese, MBA Management Consulting Inc, regarding financial condition assessment (F-29-19)
- 7.6 Presentation from staff regarding 2020 budget framework (F-28-19)
- 7.7 Correspondence from Janet Lindsey, Recycling Revisited regarding 2020 Budget framework (F-28-19)
- 7.8 Presentation from staff regarding update to the corporate energy and emissions management plan (CW-08-19)
- 7.9 Correspondence from Mark McGuire regarding Burlington Economic Development Corporation (BEDC) and consideration of Municipal Development Corporation (MDC) (MO-04-19)
- 7.10 Presentation regarding D-Day Anniversary - Juno Beach trip (MO-03-19)
- 7.11 Correspondence from Lorn Newton, President, LaSalle Park Marina Association regarding award of RFP-204-19 design build and install LaSalle Marina floating wave break (CW-31-19)
- 7.12 Presentation from James Thomson regarding award of RFP-204-19 design build and install LaSalle Marina floating wave break (CW-31-19)
- 7.13 Presentation from James Thomson regarding LaSalle Park Marina agreement and operating model (CM-05-19)

8. Staff Remarks:

9. Committee Remarks:

10. Adjournment:

11:07 a.m. (recessed), 11:21 a.m. (reconvened), 12:03 p.m. (recessed), 1:03 p.m. (reconvened), 4:47 p.m. (recessed), 6:33 p.m. (reconvened), 9:38 p.m. (recessed), 9:46 p.m. (reconvened), 10:27 p.m. (recessed), 12:30 p.m. on Thursday, July 11, 2019 (reconvened), 2:55 p.m. (recessed), 3:03 p.m. (reconvened)

Chair adjourned the meeting at: 3:57 p.m.