



Regular Meeting of Council

Minutes

Date: July 15, 2019
Time: 5:30 pm
Location: Council Chambers Level 2, City Hall

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

Member Regrets: Lisa Kearns

Staff Present: Tim Commisso, David Thompson (Audio/Video Specialist), Debbie Hordyk, Danielle Manton

1. Call to Order:

2. National Anthem:

3. Proclamations:

3.1 India Independent Nation Day: August 15, 2019

3.2 Terry Fox Day: September 15, 2019

4. Motion to Approve Council Minutes:

Moved by: Councillor Galbraith

Seconded by: Councillor Bentivegna

Confirm the minutes of the following meeting of Council:

CARRIED

4.1 Regular meeting of Council June 17, 2019

4.2 Special meeting of Council June 17, 2019

5. Declarations of Interest:

5.1 Councillor Galbraith - Recommendation report for official plan and zoning by-law amendments for 1085 Clearview Ave., 1082, 1086 and 1090 St. Matthew's Ave. (PB-31-19)

Councillor Galbriath's home residence is within 50 metres of this development.

6. Delegations:

- 6.1 James Thomson spoke regarding award of RFP-201-19 design build and install LaSalle Marina floating wave break (CW-31-19)
- 6.2 James Thomson spoke regarding LaSalle Park Marina Agreement and Operating Model (CM-05-19)

7. Recommendations from Standing Committees:

- 7.1 Committee of the Whole meeting of July 8 and 11, 2019

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

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

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

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

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

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

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

- d. Santa 5 K road race (COW-09-19)

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

- e. Waterfront Centre roof replacement (PR-08-19)

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

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

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

CARRIED

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

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

CARRIED

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

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

- k. Alternative transit service delivery models (COW-10-19)

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

- m. Enterprise risk – labour market (HR-02-19)

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

CARRIED

- o. Financial condition assessment (F-29-19)

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

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

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

- q. Construction and Mobility Management Policy (CW-27-19)

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

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

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

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

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

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

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

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

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".

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

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

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.

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

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

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.

IN FAVOUR: (4): Councillor Galbraith, Councillor Nisan, Councillor Sharman, and Councillor Bentivegna

OPPOSED: (2): Mayor Meed Ward, and Councillor Stolte

Absent (1): Councillor Kearns

CARRIED (4 to 2)

n. 2020 budget framework (F-28-19)

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

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

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

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.

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

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

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.

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

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

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.

IN FAVOUR: (4): Mayor Meed Ward, Councillor Galbraith, Councillor Nisan, and Councillor Sharman

OPPOSED: (2): Councillor Stolte, and Councillor Bentivegna

Absent (1): Councillor Kearns

CARRIED (4 to 2)

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

IN FAVOUR: (5): Mayor Meed Ward, Councillor Galbraith, Councillor Nisan, Councillor Stolte, and Councillor Sharman

OPPOSED: (1): Councillor Bentivegna

Absent (1): Councillor Kearns

CARRIED (5 to 1)

- x. Direction regarding 2020 budget process (SD-25-19)
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.

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

7.2 Planning and Development meeting of July 9, 2019

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

- c. Corrections to 441 Maple Avenue official plan amendment and rezoning applications (PB-56-19)
Receive and file department of city building report PB-56-19 providing information on the 441 Maple Avenue official plan amendment and rezoning applications.

CARRIED

- d. State of the Business Improvement Areas (BIAs) 2019 (PB-03-19)

Receive and file department of city building report PB-03-19 providing an update on the State of the Business Improvement Areas (BIAs) 2019.

CARRIED

- e. Maple Avenue cycling facilities (PD-05-19, SD-22-19)

Direct the Director of Transportation Services to carry out an assessment, including public consultation, of providing improved cycling facilities for Maple Avenue from Lakeshore Road to Fairview Street. This assessment may include the re-purposing or re-configuration of exiting vehicle lanes, for potential implementation following the completion of the QEW works to be undertaken by the Ministry of Transportation in the vicinity of the QEW/Northshore interchange and report back to the Planning and Development Committee.

CARRIED

- g. Endress+Hauser Canada Limited (PD-04-19, SD-23-19)

Direct the City Manager, Director of City Building and staff to engage with Endress+Hauser on their application to develop land on International Blvd. taking advantage of their Project Management, Lean Management with integrated process management/value chains and aligned performance measurement expertise in order to enhance city planning and development application approval processes and achieve the applicants desired construction timeline.

CARRIED

- a. Recommendation report for a zoning by-law amendment to extend the temporary use to permit entertainment/recreational uses on downtown patios (PB-35-19)

Approve an amendment to Zoning By-Law 2020 to extend the Temporary Use to permit entertainment / recreational uses on

outdoor patios in the Downtown, with a time frame not to exceed three years, as recommended by staff in Appendix B to department of city building report PB-35-19; and

Direct the Director of City Building to report back with a recommendation on permitting entertainment/recreation uses on patios city wide.

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

- b. Information report for a plan of subdivision and zoning by-law amendment for 143 Blue Water Place and 105 Avondale Court (PB-53-19)

Receive and file department of city building report PB-53-19 regarding the plan of subdivision and zoning by-law amendment for 143 Blue Water Place and 105 Avondale Court.

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

- f. Downtown Streetscape Guidelines (PB-50-19)

Receive and file the draft Downtown Streetscape Guidelines, included as Appendix A to department of city building report PB-50-19; and

Table department of city building report PB-50-19 to the Planning and Development Committee meeting of September 10, 2019 for debate and approval in principle of the Downtown Streetscape Guidelines with implementation subject to future budget considerations; and

Direct the Director of Roads, Parks and Forestry to bring forward for council consideration during the 2020 operating budget, an additional \$255,000 to acquire 2.83 full-time employees (FTE)

dedicated to Roads, Parks and Forestry for downtown streetscape implementation; and

Direct the Director of Roads, Parks and Forestry to review and report back to Council on the feasibility (including anticipated capital and operation costs) of implementing a waste diversion program throughout the downtown Business Improvement Area that would explore the use of multi-stream waste receptacles; and

Direct the Director of City Building to report back with more recommended options for the Lakeshore Road streetscape, including the currently proposed design; and

Direct the Director of City Building to report back with life-cycle cost estimates for concrete/permeable unit pavers throughout the streetscape.

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

- h. Recommendation report for official plan and zoning by-law amendments for 1085 Clearview Ave., 1082, 1086 and 1090 St. Matthew's Ave. (PB-31-19)

Councillor Galbraith declared a conflict on this item. (Councillor Galbraith's home residence is within 50 metres of this development.)

Refuse the application for official plan and zoning by-law amendments submitted by MHBC Planning Limited, 442 Brant St. Suite 204, Burlington, ON L7R 2G4, on behalf of LIV Communities for the properties located at 1085 Clearview Ave., 1082, 1086 and 1090 St. Matthew's Ave. for the development of a 6-storey, 162-unit residential building.

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

Absent (1): Councillor Kearns

CARRIED (5 to 0)

8. Motion to Approve Standing Committee Minutes:

Moved by: Councillor Sharman

Seconded by: Councillor Bentivegna

Approve the following minutes:

CARRIED

8.1 Committee of the Whole meeting of July 8 and 11, 2019

8.2 Planning and Development meeting of July 9, 2019

9. Motions:

9.1 Motion to Move into Closed Session

Moved by: Councillor Bentivegna

Seconded by: Councillor Stolte

Moved into closed session at 5:36 p.m. in accordance with the following provisions under the Municipal Act, sections 239 (2)(d) labour relations or employee negotiations, with respect to a Human Resources matter.

CARRIED

9.2 Motion to Move into Open Session

Moved by: Councillor Sharman

Seconded by: Councillor Bentivegna

Moved into open session at 5:57 p.m.

CARRIED

9.3 Proposed CN Milton Logistics Hub

Moved by: Councillor Nisan

Seconded by: Councillor Stolte

Whereas CN is proposing a logistics truck and rail hub, consisting of approximately 160 ha (400 acres) of the 486 ha (1200 acres) of land it owns around its existing mainline rail, east of Tremaine Road and south of

Britannia Road, in the Town of Milton. CN has not disclosed its plans for the remaining lands on this site; and

Whereas The hub will operate 24 hours a day, seven days a week and result in 1,600 truck trips to and from the site each day. This congestion poses a risk to the safety of motorists, cyclists, pedestrians and families in the area; and

Whereas the proposed site is immediately adjacent to existing and future residential areas. Approximately 34,000 current and future residents, twelve schools, two long-term care homes and one hospital are located within one kilometer of the site. The site will generate increased levels of noise, air pollution and lighting, and significantly impact the community's health and safety; and

Whereas efforts to protect the environment will be impacted by the effect of emissions, storm water discharge, water takings and watercourse alterations; and

Whereas the project will result in less serviceable employment lands and potentially fewer jobs for Halton. The site and the surrounding area currently plan for 1,500 jobs and this project will only result in 130 jobs; and

Whereas the project is currently being assessed by a Canadian Environmental Assessment Agency Joint Review Panel Process; and

Whereas the Halton Municipalities have identified significant non-rail aspects of the project that raise concerns for residents and the community and have brought forward these concerns to the Panel.

Now therefore be it resolved that the City of Burlington supports the May 29, 2019 submissions of the Halton Municipalities to the review panel established under the Canadian Environmental Assessment Act, 2012 ("CEAA") including, in particular, the findings that the Proposed CN Milton Logistics Hub Project is likely to cause significant adverse environmental effects, as further outlined in Report No. LPS78-19 re: "CEAA Panel Review of the Proposed CN Milton Logistics Hub", attached as Appendix A – Halton Region Report No. LPS78-19; and

That the City supports the May 29, 2019 submissions for setting out the "interests of the localities" relevant to CEAA and section 98 of the Canada Transportation Act ("CTA"), as further outlined in Report No. LPS78-19 re: "CEAA Panel Review of the Proposed CN Milton Logistics Hub"; and

That the City supports the future submission to the Canadian Environmental Assessment Review Panel for the Proposed CN Milton Logistics Hub by the Halton Municipalities of such further information, including oral and written presentations and remarks, as advances the May 29, 2019 submissions and matters relevant to the CEEA and section 98 of the CTA, as further outlined in Report No. LPS78-19 re: “CEEA Panel Review of the Proposed CN Milton Logistics Hub”; and

That the City Clerk forward a copy this resolution to the Canadian Environmental Assessment Review Panel for the Proposed CN Milton Logistics Hub; and

That the City Clerk forward a copy of this resolution to the Town of Halton Hills, the Town of Milton, the Town of Oakville and Conservation Halton, Halton’s MPs and MPPs, the Federation of Canadian Municipalities, the City of Mississauga, the Regional Municipality of Peel and the Ontario Ministry of Municipal Affairs and Housing.

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

9.4 Regional Governance Review

Moved by: Councillor Nisan

Seconded by: Councillor Galbraith

Whereas the Regional Governance Review Terms of Reference for Special Advisors Michael Fenn and Ken Seiling states that all materials produced by the Special Advisors, including research, analysis, reports and recommendations, are the exclusive property of the Ministry of Municipal Affairs and Housing and may be released publicly at the discretion of the Ministry; and

Whereas the Regional Governance Review must be transparent in the interest of accountability and in consideration of the potential impacts to local and regional municipal governments and the communities they serve; and

Whereas the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) has requested that the report of the Special Advisors to

the Minister of Municipal Affairs and Housing, containing the findings and recommendations be made public; and

Now therefore be it resolved that Burlington City Council endorse AMCTO's position that the report prepared by the Special Advisors, regarding the Regional Governance Review, be publicly released upon its completion and presentation to the Minister of Municipal Affairs and Housing; and

That the City Clerk circulate a copy of this resolution to Minister of Municipal Affairs and Housing, Jane McKenna, M.P.P., Effie Triantafilopoulos, M.P.P., Parm Gill, M.P.P., Special Advisors Michael Fenn and Ken Seiling, AMCTO, AMO and all GTA municipalities

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

9.5 Verbal update regarding confidential Human Resources labour relations matter.

Moved by: Councillor Galbraith

Seconded by: Councillor Nisan

Approve revisions to the collective agreement for IAFF Local 1552, as presented in closed session, effective January 1, 2019 up to and including December 31, 2022.

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

9.6 Motion to Waive Notice

Moved by: Councillor Sharman

Seconded by: Councillor Bentivegna

Suspend the rules of procedure to allow the meeting to begin at 6:00 p.m. instead of 6:30 p.m., in accordance with procedure by-law 64-2016 s. 20.

CARRIED

10. Motion to Receive and File Council Information Packages:

Moved by: Councillor Nisan

Seconded by: Councillor Galbraith

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

CARRIED

10.1 Council Information Package June 27, 2019

10.2 Council Information Package July 4, 2019

10.3 Council Information Package July 11, 2019

11. Motion to Receive and File Information Items:

Moved by: Councillor Bentivegna

Seconded by: Councillor Nisan

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

CARRIED

11.1 Memo regarding amendment to Zoning By-law 2020 to extend the temporary use to permit entertainment/recreational uses on outdoor patios in the downtown (PB-35-19)

11.2 Correspondence from LaSalle Park Marina Association regarding Award of RFP-204-19 design build and install LaSalle Marina floating wave break (CW-31-19)

11.3 Delegation presentation from James Thomson regarding Award of RFP-204-19 design build and install LaSalle Marina floating wave break (CW-31-19)

11.4 Delegation presentation from James Thomson regarding LaSalle Park Marina Agreement and Operating Model (CM-05-19)

12. Motion to Approve By-Laws:

Moved by: Councillor Galbraith

Seconded by: Councillor Nisan

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

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

Absent (1): Councillor Kearns

CARRIED (6 to 0)

- 12.1 42-2019: A by-law to amend By-law 64-2016, being a by-law to provide for the rules of order of Council and its Committees.
- 12.2 43-2019: A by-law to assume parcels of land in the City of Burlington as Public Highway.
- 12.3 44-2019: A by-law to amend By-law 86-2007, as amended, being a by-law for the regulation of traffic.
- 12.4 45-2019: A by-law to appoint Municipal Law Enforcement Officers for the City of Burlington.
- 12.5 46-2019: A by-law to provide for an Emergency and Continuity Management Program and repeal by-law 87-2015 and repeal by-law 40-2017 being a by-law to provide for an Emergency and Continuity Management Program.
- 12.6 47-2019: A by-law to assume parcels of land in the City of Burlington as Public Highway.
- 12.7 48-2019: A by-law to authorize the expropriation of lands for the purposes of the reconstruction, realignment, widening and improvement of Waterdown Road from Craven Avenue to Mountain Brow Road and works ancillary thereto.
- 12.8 49-2019: A by-law to amend By-law Number 105-2001, designating the property located at 736 King Road, for the purposes of correcting a technical error and of satisfying the requirements of the Ontario Heritage Act.
- 12.9 2020-411: A by-law to amend Zoning By-law 2020, as amended, to permit entertainment/recreation uses on downtown patios through a temporary use by-law with a timeframe not to exceed 3 years.

13. Motion to Confirm Proceedings of the Council Meeting:

Moved by: Councillor Galbraith
Seconded by: Councillor Nisan

Enact and pass By-law Number 50-2019, being a by-law to confirm the proceedings of Council at its meeting held Monday, July 15, 2019, being read a first, second and third time.

CARRIED

14. Statements by Members:

15. Motion to Adjourn:

Moved by: Councillor Galbraith
Seconded by: Councillor Nisan

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

7.27 p.m

CARRIED

Danielle Manton
Deputy City Clerk

Marianne Meed Ward
Mayor