



Regular Meeting of Council

Minutes

Date: November 18, 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, Debbie Hordyk, Angela Morgan (Clerk)

1. Call to Order:

2. National Anthem:

3. Regrets:

4. Proclamations:

4.1 International Day of Persons with Disabilities - December 3, 2019

5. Motion to Approve Council Minutes:

Moved by: Councillor Sharman

Seconded by: Councillor Galbraith

Confirm the minutes of the following meeting of Council:

5.1 Regular meeting of Council October 28, 2019

6. Recognitions and Achievements:

7. Presentations:

7.1 Gaby Kalapos, Executive Director of the Clean Air Partnership presented the 2019-2023 Governmental Declaration on Clean Air and Climate Change to Council for endorsement.

8. Declarations of Interest:

None.

9. Delegations:

None.

10. Recommendations from Standing Committees:

10.1 Committee of the Whole meeting of November 4, 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. HIGH FIVE® Accreditation Verification visit (PR-03-19)

Receive and file report PR-03-19 which provides Council with information on the HIGH FIVE® program and reaccreditation process as related to City of Burlington recreation programming for ages 6-12 years.

CARRIED

b. 2019-2023 Inter-Governmental Declaration on Clean Air and Climate Change (CW-46-19)

Direct the Mayor or designate to sign the Clean Air Council 2019-2023 Inter-Governmental Declaration on Clean Air & Climate Change, as detailed in Appendix A of capital works report CW-46-19, on behalf of the City of Burlington at City Council on November 18, 2019.

CARRIED

c. Cootes to Escarpment EcoPark System Update (CW-05-19)

Receive and file capital works report CW-05-19 regarding an update on the Cootes to Escarpment EcoPark System.

CARRIED

d. Burlington Active Aging Plan update (PR-02-19)

Receive and file recreation services department report PR-02-19 which provides an update on the Burlington Active Aging Plan and Adult Program Service Expansion.

CARRIED

- e. 2018-2022 Burlington's Plan Vision to Focus Financial Plan (F-41-19)

Receive and file finance department report F-41-19 regarding the 2018-2020 Vision to Focus financial plan.

CARRIED

- f. 2020 Budget Overview (F-46-19)

Refer finance department report F-46-19 regarding the 2020 budget overview to the Planning and Development Committee meeting on Tuesday November 4, 2019.

CARRIED

- h. Confidential legal department litigation update (May 1 to September 30, 2019) (L-22-19)

Direct the Executive Director of Legal Services or her designate to proceed in accordance with the instruction sought in matters 17, 18, 19, 20 and 30, and that the balance of L-22-19 be received and filed.

CARRIED

- i. Confidential parks and recreation department report regarding a vendor agreement update (PR-10-19)

Receive and file confidential recreation services department report PR-10-19 regarding a vendor agreement update.

CARRIED

- j. Confidential finance department report regarding contingency – September 30, 2019 (F -43-19)

Receive and file confidential finance department report F-43-19 regarding contingency - September 30, 2019.

CARRIED

g. Market Competitiveness (HR-03-19)

Adopt the principles outlined in human resources report HR-3-19;
and

Direct the Executive Director of Human Resources to realign non-union salaries as outlined in Confidential Appendix A of HR-3-19 and adopt option 2.1 as contained in the report.

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

OPPOSED: (1): Councillor Stolte

CARRIED (6 to 1)

10.2 Planning and Development meeting of November 5, 2019

a. Information report for official plan and rezoning amendments at 2093, 2097 & 2101 Old Lakeshore Road, 2096 & 2100 Lakeshore Road (PB-72-19)

Receive and file department of city building report PB-72-19 regarding official plan and rezoning amendments for 2093, 2097, 2101 Old Lakeshore Road and 2096, 2100 Lakeshore Road.

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

CARRIED (7 to 0)

b. Amendment to Nuisance and Noise By-Law No.19-2003 (PB-79-19)

Approve the amendment of Nuisance and Noise By-law 19-2003 by adding that air horns are not to be used in the City of Burlington at any time, as outlined in Appendix A to department of city building report PB-79-19.

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

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

CARRIED (5 to 2)

c. Speed limit installations (TS-18-19)

Approve the amendment to Traffic By-Law 86-2007, as amended, and noted in Appendix A to transportation services department report TS-18-19.

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

CARRIED (7 to 0)

d. Cannabis Production Study– Stage Two Work Plan (PB-68-19)

Direct the Executive Director of Community Planning, Regulation and Mobility to proceed with the “Stage Two” Work Plan of the Cannabis Production Study, as outlined in department of community planning report PB-68-19.

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

OPPOSED: (1): Councillor Stolte

CARRIED (6 to 1)

e. Recommendation report for a plan of subdivision and zoning by-law amendment for 143 Blue Water Place and 105 Avondale Court (PB-69-19)

Approve the zoning by-law amendment application submitted by Bloomfield Developments to rezone the property at 143 Blue Water Place & 105 Avondale Court from “R1.2” to “R1.2-502” and “O2” to permit eight detached dwellings fronting a public road on the basis that it conforms to the Provincial Policy Statement, the Places to Grow Act and the Regional Official Plan; and

Adopt Zoning By-law 2020.417, attached as Appendix B to department of city building report PB-69-19, rezoning the lands at 143 Blue Water Place & 105 Avondale Court from “R1.2” to “R1.2-502” and “O2”; and

Deem that Zoning By-law 2020.417 conforms to the Official Plan of the City of Burlington; and

Approve the application submitted by Bloomfield Developments Inc. to draft approve a residential plan of subdivision consisting of eight

lots, four blocks, and a public road at 143 Blue Water Place and 105 Avondale Court, as shown in Appendix A of department of city building report PB-69-19, subject to the conditions contained in Appendix C of that report; and

Direct the Executive Director of Capital Works to include for consideration the development of the Blue Water Window-to-the-Lake as part of the 2021 Capital Budget and Forecast; and

Direct the Executive Director of Community Planning, Regulation and Mobility to remove the requirement for sidewalks in the conditions of subdivision approval for 143 Blue Water Place and 105 Avondale Court; and

Direct the Executive Director of Environment, Infrastructure and Community Services to report back on potential cost of expanding Block 2 beyond 5% parkland dedication.

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

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

CARRIED (5 to 2)

f. 2020 Budget Overview (F-46-19)

Receive and file the proposed 2020 budget book; and

Direct staff to present the recommendations in Appendix A to finance department report F-46-19 to the Committee of the Whole – Budget meetings of December 10 and 12, 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)

10.3 Audit Committee meeting of November 6, 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. Status of audit work plan, budget and performance metrics (CA-13-19)

Receive and file city auditor's office report CA-13-19 providing the status of the 2019 audit work plan (Appendix A), performance metrics (Appendix B), and budget as of October 11, 2019.

CARRIED

- b. Summary of in-progress management action plans (CA-14-19)

Receive and file city auditor's office report CA-14-19 providing a summary of the management action plans in progress to address high- and medium- risk issues as detailed in Appendix A.

CARRIED

- c. Financial highlights for the period ended Sept. 30, 2019 (F-45-19)

Receive and file report F-45-19 providing financial highlights for the period ended September 30, 2019.

CARRIED

10.4 Committee of the Whole Workshop meeting of November 7, 2019

- a. Joint venture workshop (PR-13-19)

Receive and file parks & recreation department report PR-13-19 providing background on the city's joint venture policy and joint venture organizations.

CARRIED

10.5 Planning and Development Public meeting of November 12, 2019

- a. Recommendation report for official plan and zoning by-law amendments at 2421-2431 New Street (PB-32-19)

Modified approval of the applications for official plan and zoning by-law amendments made by TRG (New-Guelph) Inc. (c/o Weston Consulting), 2100 Old Lakeshore Road, Burlington ON L7R 1A3, to permit the development of two (2) joined 11-storey buildings on the site consisting of a retirement home building and a residential apartment building; and

Approve Official Plan Amendment No. 117 to the City of Burlington Official Plan, as contained in Appendix B to department of city building report PB-32-19, to re-designate the lands located at 2421-2431 New Street from “Neighbourhood Commercial” to “Residential High Density” and to modify the “Residential High Density” policies to include site specific policy for the subject lands; and

Deem that Section 17(21) of The Planning Act has been met; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 117 as contained in Appendix B to department of city building report PB-32-19 to be presented for approval at the same time as the associated by-law to amend Zoning By-law 2020, as amended, for the development proposal; and

Approve, in principle, the zoning regulations provided in Appendix C to department of city building report PB-32-19, to rezone the lands at 2421-2431 New Street from Neighbourhood Commercial “NC” to a site specific Residential High Density “RH4-503” with a Holding “H” prefix, subject to Residential Development Agreement conditions as provided in Appendix D to department of city building report PB-32-19 and the provision of Community Benefits; and

Direct the Executive Director of Community Planning, Regulation and Mobility to hold discussions with the applicant to secure community benefits in accordance with Section 37 of the Planning Act and Part VI, Section 2.3 of the City’s Official Plan, as they relate to the requested increase in height and density on the subject property, and to return to Council with a report outlining the recommended community benefits and the implementing Zoning By-law Amendment.

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

CARRIED (7 to 0)

11. Motion to Approve Standing Committee Minutes:

Moved by: Councillor Sharman

Seconded by: Councillor Galbraith

Approve the following minutes:

CARRIED

- 11.1 Committee of the Whole meeting minutes of November 4, 2019
- 11.2 Planning and Development meeting minutes of November 5, 2019
- 11.3 Audit Committee meeting minutes of November 6, 2019
- 11.4 Committee of the Whole Workshop meeting minutes of November 7, 2019
- 11.5 Planning and Development Public meeting minutes of November 12, 2019

12. Reports of Municipal Officers:

- 12.1 Burlington Transit Five-year Business Plan (TR-06-19)

Moved by: Councillor Sharman

Seconded by: Councillor Bentivegna

Refer transit department report TR-06-19 regarding the five-year business plan for Burlington Transit (2020-2024) back to staff, to report in Q2 of 2020.

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

CARRIED (7 to 0)

13. Notices of Motion:

None.

14. Motions:

- 14.1 Enforcement for Safety on Family Farms

This item was withdrawn before the meeting.

15. Motion to Receive and File Council Information Packages:

Moved by: Councillor Sharman

Seconded by: Councillor Bentivegna

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

CARRIED

- 15.1 Council Information Package November 7, 2019

16. Motion to Receive and File Information Items:

Moved by: Councillor Galbraith
Seconded by: Councillor Kearns

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

CARRIED

16.1 Correspondence from Tom Muir regarding Burlington Transit Five-year Business Plan (TR-06-19)

16.2 Correspondence from Councillor Sharman regarding Burlington Transit five-year Business Plan (TR-06-19)

17. Motion to Consider Confidential Items:

None.

18. Motion to Approve By-Laws:

Moved by: Councillor Galbraith
Seconded by: Councillor Stolte

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

18.1. 56-2019: A by-law to appoint Municipal Law Enforcement Officers for the City of Burlington.

18.3. 58-2019: A by-law to amend By-law 86-2007, as amended, being a by-law for the regulation of traffic.

CARRIED

18.2. 57-2019: A by-law to amend the Nuisance and Noise By-law 19-2003.

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

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

CARRIED (5 to 2)

18.4. 2020-417: A by-law to amend By-law 2020, as amended; 143 Blue Water Place and 105 Avondale Court

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

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

CARRIED (5 to 2)

19. Motion to Confirm Proceedings of the Council Meeting:

Moved by: Councillor Bentivegna

Seconded by: Councillor Stolte

Enact and pass By-law Number 59-2019, being a by-law to confirm the proceedings of Council at its meeting held Monday, November 18, 2019, being read a first, second and third time.

CARRIED

20. Statements by Members:

21. Motion to Adjourn:

Moved by: Councillor Bentivegna

Seconded by: Councillor Kearns

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

7:44 p.m.

CARRIED

Angela Morgan

City Clerk

Marianne Meed Ward

Mayor