



Regular Meeting of Council  
Agenda

**Date:** August 24, 2020  
**Time:** 1:00 pm  
**Location:** Council Chambers - members participating remotely

Due to COVID-19 this meeting will be conducted as a virtual meeting, with no public attendance. Only the Mayor, along with a clerk and audio/visual technician, will be in council chambers, with all other staff and members of council participating in the meeting by calling in remotely. The meeting will be live web streamed, as usual, and archived on the city website.

Pages

1. **Call to Order:**
2. **National Anthem:**
3. **Regrets:**
4. **Proclamations:**
  - 4.1 Canada United Weekend - August 28-30, 2020
  - 4.2 National Coaches Week - September 19-27, 2020
  - 4.3 Rail Safety Week - September 21-27, 2020
  - 4.4 Good will amity Week September 27, 2020 - October 3, 2020
  - 4.5 Childhood Cancer Awareness Month - September 2020
5. **Motion to Approve Council Minutes:**

Confirm the minutes of the following meeting of Council:

  - 5.1 Regular meeting of Council July 13, 2020
  - 5.2 Special meeting of Council July 28, 2020
  - 5.3 Special meeting of Council August 13, 2020

**6. Recognitions and Achievements:**

**7. Presentations:**

**8. Declarations of Interest:**

**9. Delegations:**

Requests to delegate to this virtual meeting can be made by completing the online delegation registration form at [www.burlington.ca/delegation](http://www.burlington.ca/delegation), or by submitting a written request by email to the Clerks Department at [clerks@burlington.ca](mailto:clerks@burlington.ca) by 9:00 am on the day the meeting is to be held. All requests to delegate must contain a copy of the delegate's intended remarks which will be circulated to all members of Council in advance as a backup should any technology issues occur. If you do not wish to delegate, but would like to submit feedback, please email your comments to [clerks@burlington.ca](mailto:clerks@burlington.ca). Your comments will be circulated to Council members in advance of the meeting and will be attached to the minutes, forming part of the public record.

**10. Recommendations from Standing Committees:**

**10.1 Environment, Infrastructure & Community Services meeting of August 10, 2020**

1 - 6

**a. Tender Award – Fairview Street Bus Bays – Teen Tour Way Shelters (CW-26-20)**

Award the tender for contract CW-20-10, Fairview Street Bus Bays – Teen Tour Way Shelters to King Paving and Construction Ltd., 3385 Harvester Rd., Burlington, ON, for \$527,802.66 including HST; and

Authorize the Mayor and City Clerk to sign any required agreements with the bidder named above, subject to the satisfaction of the Executive Director of Legal Services and Corporation Counsel; and

Approve the total cost of \$798,239 (Net HST) to be charged to Capital Order TR0039 and funded as outlined in the Financial Matters section of the report.

**b. Options for Loose Leaf Collection (RPF-26-20)**

Approve Option 3 of roads parks and forestry department report RPF-26-20 and that the Director of Roads, Parks & Forestry be directed to implement a four-week Loose Leaf

Collection Program for 2020 and 2021 and report back to Council in Q1 of 2022 to identify successes and challenges; and

Direct the Director of Roads, Parks and Forestry to manage any kind of equipment needs that are necessary to ensure one leaf pick up per zone, weather dependent.

- c. Burlington Economic Development Governance Review (CM-19-20)

Table city manager's office report CM-19-20 regarding the Burlington Economic Development Corporation and TechPlace to be considered at the Community Planning, Regulation & Mobility Committee meeting to be held on September 15, 2020; and

Direct the City Manager to work with Burlington Economic Development Corporation to develop next steps and provide an update on the proposed implementation of recommendations as part of the update to committee in September.

- d. City Hall customer service window and re-entry (EICS-17-20)

Table Environment, Infrastructure and Community Services report EICS-17-20 regarding City Hall customer service window and re-entry; and

Direct the Executive Director of Environment Infrastructure and Community Services to report back in Q4 2020 with further long-term design concepts for the first-floor public areas of City Hall; and,

Direct the Executive Director of Environment Infrastructure and Community Services to advance to detailed design and construction for the redesigned service counters for the One Window Development and Service Burlington Customer Experience areas to accommodate physical distancing requirements and customer service needs as generally outlined in report EICS-17-20.

- e. By the Glass Resolution by Council for AGCO (EICS-C-02-20)

Support the application of Backed By Bees honey winery for a Manufacturer's Limited Liquor Sales Licence for By the Glass.

a. Speed limit installations (TS-21-20)

Direct the Director of Transportation Services to prepare an amending by-law to amend the speed limit on the roads identified in Appendix A of transportation services department report TS-21-20.

b. Deregistration By-law for lands on Upper Middle Road and Georgina Court (PL-35-20)

Approve By-law 74-2020, as shown in Appendix A of community planning report PL-35-20, being a by-law to deem Lots 8, 9 and Blocks 262 and 263 in Plan 20M-824 as not being registered lots and blocks within a Plan of Subdivision, pursuant to Section 50(4) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

c. Red Tape Red Carpet (RTRC) implementation update – Q2 2020 (BEDC-04-20)

Receive and file Burlington Economic Development report BEDC-04-20 regarding Red Tape Red Carpet (RTRC) implementation update for Q2 2020 and associated appendices; and

Adopt the POST Promise for all city facilities and activities, as part of the City's commitment to keeping our community safe during reopening, and direct Health and Safety staff to complete the POST Promise form and install the appropriate signage at all city facilities; and

Encourage all businesses and services operating in Burlington to adopt the POST Promise; and

Direct the Direct the Director of Corporate Communications and Government Relations to support the Burlington Economic Recovery Network in executing a communications campaign to support adoption of the POST Promise city wide.

d. Burlington Transit electronic fare system device replacement (PRESTO) (TR-06-20)

Authorize the Chief Financial Officer to fund \$726,620 for the PRESTO device replacement project from the Capital Purposes Reserve Fund as outlined in transit department report TR-06-20.

e. Amendments to Designation By-law for 227 Green Street

(formerly 2358 Lakeshore Road) (PL-41-20)

State an intention to amend By-law 138-1993 pursuant to Part IV of the *Ontario Heritage Act*, section 30.1, as shown in the draft amending by-law attached as Appendix C of community planning department report PL-41-20; and

Direct staff to provide notice of Council's intention to amend By-law 138-1993, in accordance with section 30.1 of the *Ontario Heritage Act*; and

Authorize the City Clerk to present the amending by-law to council, provided there is no objection to the statement of intention to amend Designation By-law 138-1993; and

Authorize the City Clerk to take the necessary actions in the event of any objection to the statement of intention to amend By-law 8-1993 pursuant to Part IV of the *Ontario Heritage Act*, section 29(7).

f. Downtown Urban Growth Centre (UGC) and Major Transit Station Areas (MTSA) Designations (PL-33-20)

Request the Region of Halton, through its Municipal Comprehensive Review of the Regional Official Plan, to adjust the boundary of the Downtown Burlington Urban Growth Centre to generally align with the lands in proximity to the Burlington GO Station; and

Direct the Director of Community Planning to provide all related planning studies and background information to the Region to support the adjustment of the Downtown Burlington Urban Growth Centre boundary; and

Direct the Director of Community Planning to work with the Region of Halton through its Municipal Comprehensive Review of the Regional Official Plan to remove the Major Transit Station Area designation from the downtown and delineate the boundaries of all other Major Transit Station Areas in Burlington; and

Direct the Director of Community Planning to work with the Region of Halton to implement a staged approval of its Municipal Comprehensive Review of their Official Plan through Section 26 of the *Ontario Planning Act* to prioritize the above issues; and

Request Provincial support of the Region of Halton Municipal Comprehensive Review of its Official Plan, including the adjustment of the boundary of the Downtown Burlington Urban Growth Centre and make all necessary modifications to Provincial mapping in order to ensure all amendments are in conformity with the Growth Plan; and

Direct the Director of Community Planning to prepare the appropriate amendments to the City of Burlington Official Plan upon Provincial approval of the Region of Halton Municipal Comprehensive Review of its Official Plan to remove the Major Transit Station Area designation in the downtown and to reflect the adjusted boundary of the Downtown Burlington Urban Growth Centre; and

Direct the Director of Community Planning to provide an engagement plan with residents, businesses and community stakeholders to Council with respect to the proposed adjustment of the downtown Urban Growth Corridor and Major Transit Station Area to satisfy the regulatory and Region requirements at the September 15, 2020 Community Planning, Regulation & Mobility Committee meeting.

g. Community Planning organizational update (PL-45-20)

Receive and file Community Planning transmittal report PL-45-20; and

Approve the Future State organizational structure for Community Planning in principle as identified in the presentation contained in Appendix A to community planning department report PL-45-20; and

Direct the Director of Community Planning to work with the Executive Director of Human Resources and the Chief Financial Officer to initiate implementation of Phase 1 of the Repositioning of Community Planning, as identified in the presentation contained in Appendix A to community planning department report PL-45-20; and

Direct the Director of Community Planning to prepare for consideration business cases for Phase 2, Phase 3, and Phase 4 during the appropriate future budget cycles (2021 and 2022) to fully implement the Repositioning of Community Planning strategy, as identified in the presentation contained in Appendix A to community planning department report PL-45-20; and

Direct the Director of Community Planning to immediately initiate a Development Application Fee review.

- h. Petition from Appleby Village Homeowners Association (CPRM-08-20)

Receive and file the petition submitted by the Appleby Village Homeowners Association regarding First Capital Appleby Corporation's development application.

- i. Confidential legal matter (L-19-20)

Receive and file legal department report L-19-20 providing confidential legal advice on a legal matter.

- j. Confidential legal advice on a planning matter (L-20-20)

Receive and file legal department report L-20-20 providing confidential legal advice on a planning matter.

10.3 Corporate Services, Strategy, Risk & Accountability meeting of August 13, 2020

18 - 25

- a. Investigation report from Burlington Ombudsman MUN-463-0719 (CL-15-20)

Receive and file clerks department report CL-15-20 containing the investigation report regarding file MUN-463-0719 from ADR Chambers, Ombudsman for the City of Burlington.

- b. Financial status report as at June 30, 2020 (F-29-20)

Receive and file finance department report F-29-20 providing the financial status as at June 30, 2020.

- c. Award of contract - job evaluation implementation (HR-01-20)

Authorize the award of the contract for consulting services related to job evaluation implementation to Gallagher Benefits Services (Canada) Group Inc. ("Gallagher McDowall Associates"), 181 University Avenue, Suite 1200, Toronto, Ontario, M5H 3M7 for \$205,660 including HST; and

Authorize the Manager of Procurement Services to issue a purchase order and/or sign any associated agreements with the bidder named above, subject to the approval of the Executive Director of Legal Services and Corporation Counsel; and

Approve the total cost of \$185,203.20 (Net HST) to be charged to the Human Resources Operating Budget.

- d. Establishment of a lobbyist registry (CSSRA-06-20) (SD-14-20)

Direct the City Clerk to bring forward a staff report to implement a Lobbyist Registry for the City of Burlington, in accordance with the *Municipal Act* section 223.9.

- e. Voting options for 2022 and ranked ballots (CL-06-20)

Defer clerks department report CL-06-20 regarding voting options for 2022 and ranked ballots to the September 17, 2020 Corporate Services, Strategy, Risk and Accountability Committee meeting.

- f. Supplementary information and directions regarding subdivision agreement extension for Garden Trails Subdivision (PL-48-20)

Receive community planning department report PL-48-20 regarding supplementary information with respect to a proposed extension of subdivision approval for the Garden Trails Subdivision located at 550 Genista Drive; and

Refuse the request to extend Draft Plan Approval for the Garden Trails subdivision (24T099005/B) at 550 Genista Drive, as recommended in community planning department report PL-31-20.

- g. Confidential legal update on a litigation matter (L-12-20)

Authorize the Executive Director of Legal Services or their designate to proceed in accordance with the instructions given in confidential legal department report L-12-20.

- h. Confidential update on a litigation matter (L-11-20)

Defer confidential legal department report L-11-20 regarding a confidential update on a litigation matter to the September 17, 2020 Corporate Services, Strategy, Risk and Accountability Committee meeting.

## 11. Motion to Approve Standing Committee Minutes:

Approve the following minutes:

- 11.1 Environment, Infrastructure & Community Services meeting minutes of



August 10, 2020

11.2 Community Planning, Regulation & Mobility meeting minutes of August 11, 2020

11.3 Corporate Services, Strategy, Risk & Accountability meeting minutes of August 13, 2020

**12. Reports of Municipal Officers:**

12.1 Appointments to Heritage Burlington Advisory Committee and Burlington Accessibility Advisory Committee

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Confidential Appendix B to be distributed under separate cover.

Approve appointments to the Heritage Burlington Advisory Committee and Burlington Accessibility Advisory Committee (BAAC) as outlined in Confidential Appendix B of clerk's department report CL-14-20 and following approval from Council, make the recommended names for appointments public.

**13. Notices of Motion:**

**14. Motions:**

14.1 Protecting Amateur Sport Organizations and Municipalities from Liability Related to COVID-19 (ADM-08-20)

Whereas the Province of Ontario has enacted numerous legislative and regulatory measures to ensure the health and safety of Ontarians through, and respond to the implications of, the COVID-19 global pandemic; and

Whereas the Province has enacted legislation and regulatory measures related to the sports and fitness sector, including regulations pertaining to facilities for both indoor and outdoor sports and recreational fitness activities as set out in O. Reg. 263/20: Order Under Subsection 7.0.2 (4) of the Act – Stage 2 Closures; and

Whereas on July 13, 2020 the Province announced plans to have several regions progress to Stage 3 of Phase 2: Restart within A Framework for Reopening our Province which will permit increased gathering limits and the reopening of more businesses and public spaces; and

Whereas it is important to have the eventual and safe return of amateur organized sport activities, which play an important role in the physical,

psychological and emotional well-being of people of all ages in the City of Burlington and communities across Ontario, while adhering to all applicable public health guidance and protecting the health, safety and welfare of all participants; and

Whereas it is in the public interest to ensure that Ontario-based amateur sport organizations are protected from liability for damages relating, directly or indirectly, to COVID-19, where those sport organizations are operating or providing sport activities in full accordance with all applicable Provincial emergency legislation and public health guidance; and

Whereas many organized sport activities and broader community activities are undertaken, administered or provided in indoor or outdoor City of Burlington municipal facilities, and it is important to ensure that the City of Burlington are protected from liability for damages relating, directly or indirectly, to COVID-19, where said Municipalities are operating, providing or permitting such sport and community activities to take place in full accordance with all applicable Provincial emergency legislation and public health guidance; and

Whereas many municipal services and programs are undertaken, administered or provided in Burlington Municipal facilities or in other settings which may involve in-person interaction, and it is important to ensure that the City of Burlington is protected from liability for damages relating, directly or indirectly, to COVID-19, where said Municipality is operating and providing municipal services and programs in accordance with all applicable Provincial emergency legislation and public health guidance;

Now therefore be it resolved:

That Burlington Council request that the Province of Ontario enact the necessary legislation to:

a) Protect Ontario-based amateur sport organizations, including those operated and administered by community non-profit organizations, municipalities and school boards and their directors, officers, employees and volunteers that organize, administer, facilitate or provide such organized sport activities, from liability for damages relating, directly or indirectly, to COVID-19, where those sport organizations and individuals operate or provide those activities in full accordance with all applicable Provincial emergency legislation and public health guidance;

b) Protect the City of Burlington from liability for damages relating, directly or indirectly, to COVID-19, where said Municipalities are

operating, providing or permitting sport and community activities to take place in indoor or outdoor Municipal facilities in full accordance with all applicable Provincial emergency legislation and public health guidance;

c) Protect the City of Burlington from liability for damages relating, directly or indirectly, to COVID-19, where said Municipalities are undertaking, administering or providing municipal services and programs within City of Burlington facilities or in other settings in full accordance with all applicable Provincial emergency legislation and public health guidance; and

That the Mayor of Burlington write a letter to the Honourable Doug Ford, Premier of Ontario, advising of Regional Council's resolution, and that a copy of the letter be forwarded to Burlington's Local Municipalities, the Association of Municipalities of Ontario, The Honourable Lisa MacLeod, Minister of Heritage, Sport, Tourism and Culture Industries and Burlington's Members of Provincial Parliament (MPPs) for their information.

14.2 Motion to Waive Notice:

Suspend the rules of procedure to waive the requirements of notice to allow for a reconsideration of City Manager's report service redesign Interim modifications and resumptions (CM-20-20), in accordance with procedure by-law 04-2020, s. 35.

14.3 Motion to Reconsider:

That Burlington City Council reconsider service redesign Interim modifications and resumptions (CM-20-20), approved by Council at its meeting of August 13, 2020. In accordance with procedure by-law 04-2020, s. 45.

14.4 Motion to Amend Service re-design interim modifications and resumptions (CM-20-20)

Amend the recommendation from service redesign interim modifications and resumptions (CM-20-20) from the Corporate Services, Strategy, Risk & Accountability meeting of August 13, 2020 and approved at the August 13, 2020 Special meeting of Council, by adding the words **summer and** before fall seasons in the fifth paragraph.

14.5 Service re-design interim modifications and resumptions (CM-20-20)

Direct the City Manager to proceed with implementing the interim service delivery program recommendations as outlined in Appendix A

and B of city manager's office report CM-20-20 outlining recreation & community facilities and use of indoor pools – recreation services, respectively, while considering potential partnerships with the private sector to provide potential cost savings; and

Receive and file Appendix C of city manager's office report CM-20-20 providing an update to the interim service delivery modifications for Halton Court Services – legal services and City Hall/Sims Square public & staff re-entry; and

Receive and file Appendices D, E, F and G of city manager's office report CM-20-20 providing interim service delivery modifications for Tourism Burlington, the Museums of Burlington, the Art Gallery of Burlington and Burlington Public Library, respectively; and

Direct the Chief Financial Officer to track and monitor the financial implications of the above service delivery program changes in the ongoing COVID-19 financial impact reporting to Council; and

Direct the Executive Director of Environment, Infrastructure and Community Services to provide a 25% reduction in fees for all city rental users, to include both for-profit and not-for-profit organizations, for the **summer** and fall seasons with the opportunity for review and extension prior to the winter season as a COVID-19 emergency response; and

Direct the Executive Director of Environment, Infrastructure and Community Services to add \$25,000 to the fee assistance program for individuals, and report back prior to the winter season on the balance of the funding available.

**15. Motion to Receive and File Council Information Packages:**

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

15.1 Council Information Package July 16, 2020

15.2 Council Information Package August 6, 2020

15.3 Council Information Package August 13, 2020

15.4 Council Information Package August 20, 2020

**16. Motion to Receive and File Information Items:**

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

- |      |  |         |
|------|--|---------|
| 16.1 | Protecting Amateur Sport Organizations and Municipalities from Liability Related to COVID-19 (ADM-08-20)                                 | 34 - 35 |
| 16.2 | Memo from Mary Battaglia regarding COVID-19 emergency response verbal update (CSSRA-07-20) (SD-15-20)                                    | 36 - 37 |
| 16.3 | Correspondence from John Was regarding Downtown Urban Growth Centre (UGC) and Major Transit Station Areas (MTSA) Designations (PL-33-20) | 38 - 39 |

**17. Motion to Consider Confidential Items:**

**18. Motion to Approve By-Laws:**

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

- |      |  |
|------|--|
| 18.1 | 70-2020: A by-law to amend By-law 8-1995 to update the legal description and the reasons for designation of 2411 Lakeshore Road.   |
| 18.2 | 71-2020: A by-law to authorize a request for the issuing of debentures by the Regional Municipality of Halton for Aldershot Pool – Pool Deck Repairs and Tiling Project. |
| 18.3 | 72-2020: A by-law to amend By-law 86-2007, as amended, being a by-law for the regulation of traffic.   |
| 18.4 | 73-2020: A by-law to amend By-law 86-2007, as amended, being a by-law for the regulation of traffic.   |
| 18.5 | 74-2020: A by-law to deregister lands on Upper Middle Road and Georgina Court.   |

**19. Motion to Confirm Proceedings of the Council Meeting:**

Enact and pass By-law Number 75-2020, being a by-law to confirm the proceedings of Council at its meeting held Monday, August 24, 2020, being read a first, second and third time.

**20. Verbal update on COVID-19 from Acting City Manager Heather MacDonald and Mayor Marianne Meed Ward.**

**21. Statements by Members:**

**22. Motion to Adjourn:**

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



**Environment, Infrastructure & Community Services Committee Meeting**  
**Minutes**

Date: August 10, 2020  
Time: 9:30 am  
Location: Council Chambers - members participating remotely

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

Staff Present: Tim Commisso, Mary Battaglia, Jamie Tellier, Joan Ford, Chris Glenn, Scott Hamilton, Heather MacDonald, Allan Magi, Nancy Shea-Nicol, David Thompson (Audio/Video Specialist), Suzanne Gillies (Clerk)

**1. Declarations of Interest:**

None.

**2. Delegation(s):**

- 2.1 Brian Dean, Burlington Downtown Business Association spoke regarding COVID 19 Response- Main Street Business Support (BEDC-05-20)
- 2.2 Ed Fothergill spoke regarding Tender Award - Fairview Street Bus Bays - Teen Tour Way Shelters (CW-26-20)
- 2.3 Randall Smallbone spoke regarding Burlington Economic Development Corporation regarding BEDC Governance Review (CM-19-20)

**3. Consent Items:**

- 3.1 Tender Award – Fairview Street Bus Bays – Teen Tour Way Shelters (CW-26-20)  
  
Moved by Mayor Meed Ward

Award the tender for contract CW-20-10, Fairview Street Bus Bays – Teen Tour Way Shelters to King Paving and Construction Ltd., 3385 Harvester Rd., Burlington, ON, for \$527,802.66 including HST; and

Authorize the Mayor and City Clerk to sign any required agreements with the bidder named above, subject to the satisfaction of the Executive Director of Legal Services and Corporation Counsel; and

Approve the total cost of \$798,239 (Net HST) to be charged to Capital Order TR0039 and funded as outlined in the Financial Matters section of the report.

**CARRIED**

#### **4. Regular Items:**

##### **4.1 Options for Loose Leaf Collection (RPF-26-20)**

Moved by Councillor Nisan

Approve Option 3 of roads parks and forestry department report RPF-26-20 and that the Director of Roads, Parks & Forestry be directed to implement a four-week Loose Leaf Collection Program for 2020 and 2021 and report back to Council in Q1 of 2022 to identify successes and challenges; **and**

**Direct the Director of Roads, Parks and Forestry to manage any kind of equipment needs that are necessary to ensure one leaf pick up per zone, weather dependent.**

**CARRIED**

Amendment:

Moved by Councillor Stolte

**Direct the Director of Roads, Parks and Forestry to manage any kind of equipment needs that are necessary to ensure one leaf pick up per zone, weather dependent.**

**CARRIED**

##### **4.2 Burlington Economic Development Governance Review (CM-19-20)**

Moved by Councillor Stolte



Table city manager's office report CM-19-20 regarding the Burlington Economic Development Corporation and TechPlace to be considered at the Community Planning, Regulation & Mobility Committee meeting to be held on September 15, 2020; and

Direct the City Manager to work with Burlington Economic Development Corporation to develop next steps and provide an update on the proposed implementation of recommendations as part of the update to committee in September.

**CARRIED**

4.3 COVID 19 Response - Main Street Business Support (BEDC-05-20)

Moved by Councillor Sharman

Receive and file Burlington Economic Development Corporation report BEDC-05-20 regarding Main Street Business Support; and

Direct the Chief Financial Officer to earmark \$125,000 in funds as a COVID-19 expense to support main street business and complement the Digital Main Street and Provincial Safe Restart COVID-19 programs; and

Request that the Region of Halton match the City of Burlington's contribution of \$125,000 and earmark these funds to support main street businesses in Burlington; and

Request that Burlington Economic Development work with City of Burlington to recommend a Main Street Business Support Program and appropriate delivery partners, subject to receiving details on the Provincial Safe Restart COVID-19 program and a suitable program being permitted under municipal legislation; and

Direct the Executive Director of Burlington Economic Development to report back verbally to Council on the next steps during the September COVID-19 update, in keeping with the above recommendations; **and**

**Approve an additional \$125,000 be earmarked for an immediate and timely small business relief grant program for COVID 19 reopening costs. The grant program is subject to criteria to be defined to ensure broad equality and eligibility that meets the intent of the Municipal Act to prevent municipalities from giving unfair assistance to business to the detriment of the local taxpayers and competing businesses, and not contingent on funding from Halton Region; and**

**Request that the Region of Halton match the City of Burlington's additional contribution of \$125,000 for an immediate and timely small business relief grant program for COVID 19 reopening costs; and**

**Direct the Mayor to work with Council, Team Burlington and Burlington Economic Recovery Network on an advocacy campaign to the Province and the Region regarding funding for small business relief, including a resolution to the Special Council meeting on Thursday August 13, 2020.**

**CARRIED**

Amendment:

Moved by Mayor Meed Ward

**Amend the second paragraph of the recommendation to remove the words 'subject to Halton Region matching these funds'; and**

**Approve an additional \$125,000 be earmarked for an immediate and timely small business relief grant program for COVID 19 reopening costs. The grant program is subject to criteria to be defined to ensure broad equality and eligibility that meets the intent of the Municipal Act to prevent municipalities from giving unfair assistance to business to the detriment of the local taxpayers and competing businesses, and not contingent on funding from Halton Region; and**

**Request that the Region of Halton match the City of Burlington's additional contribution of \$125,000 for an immediate and timely small business relief grant program for COVID 19 reopening costs; and**

**Direct the Mayor to work with Council, Team Burlington and Burlington Economic Recovery Network on an advocacy campaign to the Province and the Region regarding funding for small business relief, including a resolution to the Special Council meeting on Thursday August 13, 2020.**

**CARRIED**

4.4 City Hall customer service window and re-entry (EICS-17-20)

Moved by Mayor Meed Ward

Table Environment, Infrastructure and Community Services report EICS-17-20 regarding City Hall customer service window and re-entry; and

Direct the Executive Director of Environment Infrastructure and Community Services to report back in Q4 2020 with further long-term design concepts for the first-floor public areas of City Hall; and,

Direct the Executive Director of Environment Infrastructure and Community Services to advance to detailed design and construction for the redesigned service counters for the One Window Development and Service Burlington Customer Experience areas to accommodate physical distancing requirements and customer service needs as generally outlined in report EICS-17-20.

**CARRIED**

4.5 By the Glass Resolution by Council for AGCO (EICS-C-02-20)

Moved by Councillor Bentivegna

Support the application of Backed By Bees honey winery for a Manufacturer's Limited Liquor Sales Licence for By the Glass.

**CARRIED**

**5. Confidential Items:**

None.

**6. Procedural Motions:**

None.

**7. Information Items:**

Receive and file the following 6 items, having been given due consideration by the Environment, Infrastructure and Community Services Committee.

7.1 Presentation from Burlington Economic Development Corporation regarding COVID 19 Response - Main Street Business Support (BEDC-05-20)

7.2 Presentation from Burlington Economic Development Corporation regarding BEDC Governance Review (CM-19-20)

7.3 Correspondence from Judy Worsley regarding COVID 19 Response - Main Street Business Support (BEDC-05-20)

7.4 Staff Presentation regarding City Hall customer service window and re-entry (EICS-17-20)

- 7.5 Correspondence from Brian Dean, Burlington Downtown Business Association regarding COVID 19 Response- Main Street Business Support (BEDC-05-20)
- 7.6 Correspondence from Randall Smallbone regarding Burlington Economic Development Corporation regarding BEDC Governance Review (CM-19-20)

**8. Staff Remarks:**

**9. Committee Remarks:**

**10. Adjournment:**

10:47 a.m. (recessed), 10:53 a.m. (reconvened), 12:36 p.m. (recessed), 1:36 p.m. (reconvened)

Chair adjourned the meeting at 4:56 p.m.



## **Community Planning, Regulation & Mobility Committee Meeting**

### **Minutes**

Date: August 11, 2020  
Time: 9:30 am  
Location: Council Chambers - members participating remotely

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

Staff Present: Tim Commisso, Heather MacDonald, Sue Connor, Joan Ford, Nancy Shea-Nicol, Jamie Tellier, Vito Tolone, David Thompson (Audio/Video Specialist), Jo-Anne Rudy (Clerk)

#### **1. Declarations of Interest:**

Councillor Galbraith declared an interest with:

- L-11-20 confidential update on a litigation matter; and
- CPRM-07-20 correspondence from Paul Kemper, President and CEO, Coletera Development regarding PL190378 LIV Communities - 1085 Clearview Limited Partnership, 1085 Clearview Ave and 1082, 1086 and 1090 St. Matthews Ave revised submission

as his home residence is within 50 metres of the subject matter. Councillor Galbraith previously declared a conflict on this matter and as such, did not receive confidential report L-11-20.

#### **2. Statutory Public Meetings:**

None

#### **3. Delegation(s):**

- 3.1 Lawson Hunter spoke to the Regional Official Plan Review - Discussion Papers and expressed the importance of public engagement. (CPRM-06-20)

- 3.2 Dana Anderson, MHBC Planning, spoke to the supplementary information and directions regarding subdivision agreement extension for Garden Trails Subdivision and requested a one year extension. (PL-48-20)
- 3.3 Michael Shih, Garden Trail Developments Ltd., spoke to the supplementary information and directions regarding subdivision agreement extension for Garden Trails Subdivision. (PL-48-20)
- 3.4 Kellie McCormack and Hassaan Basit, Conservation Halton, spoke to the supplementary information and directions regarding subdivision agreement extension for Garden Trails Subdivision. (PL-48-20)
- 3.5 Jeremy Skinner spoke to the petition from Appleby Village Homeowners Association. (CPRM-08-20)
- 3.6 Dina Knight spoke in opposition to the correspondence from Coletara Development regarding PL190378 LIV Communities - 1085 Clearview Ave and 1082, 1086, and 1090 St. Matthews Ave, revised submission. (CPRM-07-20)
- 3.7 Kamal Sharma spoke in opposition to the correspondence from Coletara Development regarding PL190378 LIV Communities - 1085 Clearview Limited Partnership, 1085 Clearview Ave and 1082, 1086, and 1090 St. Matthews Ave, revised submission. (CPRM-07-20)
- 3.8 Douglas Langton spoke in opposition to the correspondence from Coletara Development regarding PL190378 LIV Communities - 1085 Clearview Limited Partnership, 1085 Clearview Ave and 1082, 1086, and 1090 St. Matthews Ave, revised submission. (CPRM-07-20)
- 3.9 John Burton spoke in opposition to the correspondence from Coletara Development regarding PL190378 LIV Communities - 1085 Clearview Limited Partnership, 1085 Clearview Ave and 1082, 1086, and 1090 St. Matthews Ave, revised submission. (CPRM-07-20)
- 3.10 Kathleen Day spoke in opposition to the correspondence from Coletara Development regarding PL190378 LIV Communities - 1085 Clearview Limited Partnership, 1085 Clearview Ave and 1082, 1086, and 1090 St. Matthews Ave, revised submission. (CPRM-07-20)
- 3.11 Roger MacDonald spoke in opposition to the correspondence from Coletara Development regarding PL190378 LIV Communities - 1085 Clearview Limited Partnership, 1085 Clearview Ave and 1082, 1086, and 1090 St. Matthews Ave, revised submission. (CPRM-07-20)

- 3.12 Michael Burjaw spoke in opposition to the correspondence from Coletara Development regarding PL190378 LIV Communities - 1085 Clearview Limited Partnership, 1085 Clearview Ave and 1082, 1086, and 1090 St. Matthews Ave, revised submission. (CPRM-07-20)

**4. Consent Items:**

- 4.1 Speed limit installations (TS-21-20)

Moved by Councillor Nisan

Direct the Director of Transportation Services to prepare an amending by-law to amend the speed limit on the roads identified in Appendix A of transportation services department report TS-21-20.

**CARRIED**

- 4.2 Deregistration By-law for lands on Upper Middle Road and Georgina Court (PL-35-20)

Moved by Mayor Meed Ward

Approve By-law 74-2020, as shown in Appendix A of community planning report PL-35-20, being a by-law to deem Lots 8, 9 and Blocks 262 and 263 in Plan 20M-824 as not being registered lots and blocks within a Plan of Subdivision, pursuant to Section 50(4) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

**CARRIED**

**5. Regular Items:**

- 5.1 Red Tape Red Carpet (RTRC) implementation update – Q2 2020 (BEDC-04-20)

Moved by Councillor Galbraith

Receive and file Burlington Economic Development report BEDC-04-20 regarding Red Tape Red Carpet (RTRC) implementation update for Q2 2020 and associated appendices; **and**

**Adopt the POST Promise for all city facilities and activities, as part of the City's commitment to keeping our community safe during reopening, and direct Health and Safety staff to complete the POST Promise form and install the appropriate signage at all city facilities; and**

**Encourage all businesses and services operating in Burlington to adopt the POST Promise; and**

**Direct the Direct the Director of Corporate Communications and Government Relations to support the Burlington Economic Recovery Network in executing a communications campaign to support adoption of the POST Promise city wide.**

**CARRIED**

**Amendment:**

Moved by Mayor Meed Ward

**Adopt the POST Promise for all city facilities and activities, as part of the City's commitment to keeping our community safe during reopening, and direct Health and Safety staff to complete the POST Promise form and install the appropriate signage at all city facilities; and**

**Encourage all businesses and services operating in Burlington to adopt the POST Promise; and**

**Direct the Direct the Director of Corporate Communications and Government Relations to support the Burlington Economic Recovery Network in executing a communications campaign to support adoption of the POST Promise city wide.**

**CARRIED**

- 5.2 Burlington Transit electronic fare system device replacement (PRESTO) (TR-06-20)

Moved by Councillor Nisan

Authorize the Chief Financial Officer to fund \$726,620 for the PRESTO device replacement project from the Capital Purposes Reserve Fund as outlined in transit department report TR-06-20.

**CARRIED**

- 5.3 Transit in-source bus cleaning pilot (TR-07-20)

Moved by Councillor Sharman



Authorize the Director of Transit to implement a bus cleaning pilot program for 12 months, starting as soon as possible as outlined in transit department report TR-07-20; and

Direct the Director of Transit to issue an RFI for transit cleaning services to provide a market comparison of outsourcing and insourcing bus cleaning and refueling options and report back to the Community Planning, Regulation and Mobility Committee on the results of the pilot program in Q4 of 2021.

**CARRIED**

5.4 Amendments to Designation By-law for 227 Green Street (formerly 2358 Lakeshore Road) (PL-41-20)

Moved by Councillor Bentivegna

State an intention to amend By-law 138-1993 pursuant to Part IV of the *Ontario Heritage Act*, section 30.1, as shown in the draft amending by-law attached as Appendix C of community planning department report PL-41-20; and

Direct staff to provide notice of Council's intention to amend By-law 138-1993, in accordance with section 30.1 of the *Ontario Heritage Act*; and

Authorize the City Clerk to present the amending by-law to council, provided there is no objection to the statement of intention to amend Designation By-law 138-1993; and

Authorize the City Clerk to take the necessary actions in the event of any objection to the statement of intention to amend By-law 8-1993 pursuant to Part IV of the *Ontario Heritage Act*, section 29(7).

**CARRIED**

5.5 Downtown Urban Growth Centre (UGC) and Major Transit Station Areas (MTSA) Designations (PL-33-20)

Moved by Mayor Meed Ward

Request the Region of Halton, through its Municipal Comprehensive Review of the Regional Official Plan, to adjust the boundary of the Downtown Burlington Urban Growth Centre to generally align with the lands in proximity to the Burlington GO Station; and

Direct the Director of Community Planning to provide all related planning studies and background information to the Region to support the adjustment of the Downtown Burlington Urban Growth Centre boundary; and

Direct the Director of Community Planning to work with the Region of Halton through its Municipal Comprehensive Review of the Regional Official Plan to remove the Major Transit Station Area designation from the downtown and delineate the boundaries of all other Major Transit Station Areas in Burlington; and

Direct the Director of Community Planning to work with the Region of Halton to implement a staged approval of its Municipal Comprehensive Review of their Official Plan through Section 26 of the *Ontario Planning Act* to prioritize the above issues; and

Request Provincial support of the Region of Halton Municipal Comprehensive Review of its Official Plan, including the adjustment of the boundary of the Downtown Burlington Urban Growth Centre and make all necessary modifications to Provincial mapping **in order to ensure all amendments are in conformity with the Growth Plan**; and

Direct the Director of Community Planning to prepare the appropriate amendments to the City of Burlington Official Plan upon Provincial approval of the Region of Halton Municipal Comprehensive Review of its Official Plan to remove the Major Transit Station Area designation in the downtown and to reflect the adjusted boundary of the Downtown Burlington Urban Growth Centre; **and**

**Direct the Director of Community Planning to provide an engagement plan with residents, businesses and community stakeholders to Council with respect to the proposed adjustment of the downtown Urban Growth Corridor and Major Transit Station Area to satisfy the regulatory and Region requirements at the September 15, 2020 Community Planning, Regulation & Mobility Committee meeting.**

**CARRIED**

**Amendment:**

Moved by Mayor Meed Ward

Add the following to the end of the 5th paragraph:

**"in order to ensure all amendments are in conformity with the Growth Plan"**

**CARRIED**

**Amendment:**

Moved by Councillor Sharman

**Direct the Director of Community Planning to provide an engagement plan with residents, businesses and community stakeholders to Council with respect to the proposed adjustment of the downtown Urban Growth Corridor and Major Transit Station Area to satisfy the regulatory and Region requirements at the September 15, 2020 Community Planning, Regulation & Mobility Committee meeting.**

**CARRIED**

5.6 Community Planning organizational update (PL-45-20)

Moved by Councillor Galbraith

Receive and file Community Planning transmittal report PL-45-20; and

Approve the Future State organizational structure for Community Planning in principle as identified in the presentation contained in Appendix A to community planning department report PL-45-20; and

Direct the Director of Community Planning to work with the Executive Director of Human Resources and the Chief Financial Officer to initiate implementation of Phase 1 of the Repositioning of Community Planning, as identified in the presentation contained in Appendix A to community planning department report PL-45-20; and

Direct the Director of Community Planning to prepare for consideration business cases for Phase 2, Phase 3, and Phase 4 during the appropriate future budget cycles (2021 and 2022) to fully implement the Repositioning of Community Planning strategy, as identified in the presentation contained in Appendix A to community planning department report PL-45-20; and

Direct the Director of Community Planning to immediately initiate a Development Application Fee review.

**CARRIED**

5.7 Supplementary information and directions regarding subdivision agreement extension for Garden Trails Subdivision (PL-48-20)

Moved by Mayor Meed Ward

Refer community planning department report PL-48-20 providing supplementary information and directions regarding subdivision agreement extension for Garden Trails Subdivision to the August 13, 2020 Corporate Services, Strategy, Risk and Accountability Committee meeting.

**CARRIED**

5.8 Petition from Appleby Village Homeowners Association (CPRM-08-20)

Moved by Councillor Sharman

Receive and file the petition submitted by the Appleby Village Homeowners Association regarding First Capital Appleby Corporation's development application.

**CARRIED**

**6. Confidential Items:**

6.1 Confidential update on a litigation matter (L-11-20)

Moved by Mayor Meed Ward

Refer legal department report L-11-20 regarding a confidential update on a litigation matter to the August 13, 2020 Corporate Services, Strategy, Risk and Accountability Committee meeting.

**CARRIED**

6.2 Confidential legal matter (L-19-20)

Moved by Councillor Sharman

Receive and file legal department report L-19-20 providing confidential legal advice on a legal matter.

**CARRIED**

6.3 Confidential legal advice on a planning matter (L-20-20)

Moved by Councillor Nisan

Receive and file legal department report L-20-20 providing confidential legal advice on a planning matter.

**CARRIED**

**7. Procedural Motions:**

7.1 Motion to suspend the rules

Moved by Mayor Meed Ward

Suspend the rules of procedure to allow a non-registered delegation to speak regarding community planning report PL-48-20, in accordance with procedure by-law 64-2016 s. 37.

**CARRIED**

7.2 Motion to move into closed session

Moved by Councillor Galbraith

Move into closed session in accordance with the following provisions under the Municipal Act, sections 239 (2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to legal department report L-20-20 regarding confidential legal advice on a planning matter and legal department report L-19-20 regarding a confidential legal matter.

**CARRIED**

**8. Information Items:**

Moved by Councillor Nisan

Receive and file the following 19 items, having been given due consideration by the Community Planning, Regulation and Mobility Committee.

**CARRIED**

8.1 Correspondence from Paul Kemper, President and CEO, Coletara Development regarding PL190378 LIV Communities - 1085 Clearview Limited Partnership, 1085 Clearview Ave and 1082, 1086, and 1090 St. Matthews Ave, revised submission (CPRM-07-20)

8.2 Public comments regarding correspondence from Coletara Development - PL190378 LIV Communities - 1085 Clearview Ave and 1082, 1086, and 1090 St. Matthews Ave, revised submission (CPRM-07-20)

- 8.3 Delegation material from Dina Knight regarding correspondence from Coletara Development - PL190378 LIV Communities - 1085 Clearview Limited Partnership, 1085 Clearview Ave and 1082, 1086 and 1090 St. Matthews Ave revised submission (CPRM-07-20)
- 8.4 Delegation material from Kamal Sharma regarding correspondence from Coletara Development - PL190378 LIV Communities - 1085 Clearview Limited Partnership, 1085 Clearview Ave and 1082, 1086 and 1090 St. Matthews Ave revised submission (CPRM-07-20)
- 8.5 Delegation material from Kathleen Day regarding correspondence from Coletara Development - PL190378 LIV Communities - 1085 Clearview Limited Partnership, 1085 Clearview Ave and 1082, 1086 and 1090 St. Matthews Ave revised submission (CPRM-07-20)
- 8.6 Delegation material from Roger MacDonald regarding correspondence from Coletara Development - PL190378 LIV Communities - 1085 Clearview Limited Partnership, 1085 Clearview Ave and 1082, 1086 and 1090 St. Matthews Ave revised submission (CPRM-07-20)
- 8.7 Regional Official Plan Review – Discussion Papers (CPRM-06-20)
- 8.8 Presentation by Curt Benson, Director, Planning Services and Chief Planning Official, Halton Region regarding the Regional Official Plan Review - Discussion Papers (CPRM-06-20)
- 8.9 Delegation material from Lawson Hunter regarding the Regional Official Plan Review - Discussion Papers (CPRM-06-20)
- 8.10 Presentation by Anita Cassidy, Executive Director Burlington Economic Development Corporation regarding Red Tape Red Carpet (RTRC) implementation update - Q2 2020 (BEDC-04-20)
- 8.11 Memo from Councillor Galbraith and Mayor Meed Ward regarding Red Tape Red Carpet (RTRC) implementation update - Q2 2020, specifically relating to the POST Promise initiative (BEDC-04-20)
- 8.12 Correspondence from John Henricks, President, NPG Community Development Planning regarding Downtown Urban Growth Centre (UGC) and Major Transit Station Areas (MTSA) Designations (PL-33-20)
- 8.13 Correspondence from Kristin Jensen, Manager of Planning & Government Relations, West End Home Builders regarding Downtown Urban Growth Centre (UGC) and Major Transit Station Areas (MTSA) Designations (PL-33-20)

- 8.14 Correspondence from Mark Bales, Carriage Gate regarding Downtown Urban Growth Centre (UGC) and Major Transit Station Areas (MTSA) Designations (PL-33-20)
- 8.15 Staff presentation regarding Supplementary information and directions regarding subdivision agreement extension for Garden Trails Subdivision (PL-48-20)
- 8.16 Delegation material from Dana Anderson, MHBC Planning, regarding supplementary information and directions regarding subdivision agreement extension for Garden Trails Subdivision (PL-48-20)
- 8.17 Delegation material from Michael Shih, Garden Trail Developments Ltd., regarding supplementary information and directions regarding subdivision agreement extension for Garden Trails Subdivision (PL-48-20)
- 8.18 Updated petition from Appleby Village Homeowners Association submitted by Jeremy Skinner (CPRM-08-20)
- 8.19 Delegation material from Jeremy Skinner regarding petition from Appleby Village Homeowners Association (CPRM-08-20)

**9. Staff Remarks:**

**10. Committee Remarks:**

**11. Adjournment:**

12:35 (recessed), 1:45 p.m. (reconvened), 1:52 p.m. (closed), 3:50 p.m. (public), 3:53 p.m. (recessed), 4:00 p.m. (reconvened), 5:30 p.m. (recessed), 6:30 p.m. (reconvened), 8:04 p.m. (recessed), 8:14 p.m. (reconvened)

Chair adjourned the meeting at 10:00 p.m.



## **Corporate Services, Strategy, Risk and Accountability Committee Meeting**

### **Minutes**

Date: August 13, 2020  
Time: 9:30 am  
Location: Council Chambers - members participating remotely

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

Staff Present: Tim Commisso, Kevin Arjoon, Laura Boyd, Joan Ford, Chris Glenn, Sheila Jones, Heather MacDonald, Allan Magi, Jamie Tellier, Vito Tolone, David Thompson (Audio/Video Specialist), Suzanne Gillies (Clerk)

#### **1. Declarations of Interest:**

Councillor Galbraith declared an interest with:

- L-11-20 confidential update on a litigation matter; and

as his home residence is within 50 metres of the subject matter. Councillor Galbraith previously declared a conflict on this matter and as such, did not receive report L-11-20.

#### **2. Delegation(s):**

- 2.1 Roland Tanner spoke regarding voting options for 2022 and ranked ballots (CL-06-20)
- 2.2 David Jones spoke regarding service re-design interim modifications and resumptions (CM-20-20)
- 2.3 Anthony Miele and Ted Puccini, Wave Hockey, spoke regarding service re-design interim modifications and resumptions (CM-20-20)
- 2.4 Gareth Williams spoke regarding voting options for 2022 and ranked ballots (CL-06-20)



### **3. Consent Items:**

- 3.1 Investigation report from Burlington Ombudsman MUN-463-0719 (CL-15-20)

Moved by Councillor Sharman

Receive and file clerks department report CL-15-20 containing the investigation report regarding file MUN-463-0719 from ADR Chambers, Ombudsman for the City of Burlington.

**CARRIED**

- 3.2 Financial status report as at June 30, 2020 (F-29-20)

Moved by Councillor Sharman

Receive and file finance department report F-29-20 providing the financial status as at June 30, 2020.

**CARRIED**

- 3.3 Award of contract - job evaluation implementation (HR-01-20)

Moved by Councillor Sharman

Authorize the award of the contract for consulting services related to job evaluation implementation to Gallagher Benefits Services (Canada) Group Inc. ("Gallagher McDowall Associates"), 181 University Avenue, Suite 1200, Toronto, Ontario, M5H 3M7 for \$205,660 including HST; and

Authorize the Manager of Procurement Services to issue a purchase order and/or sign any associated agreements with the bidder named above, subject to the approval of the Executive Director of Legal Services and Corporation Counsel; and

Approve the total cost of \$185,203.20 (Net HST) to be charged to the Human Resources Operating Budget.

**CARRIED**

### **4. Regular Items:**

- 4.1 Establishment of a lobbyist registry (CSSRA-06-20) (SD-14-20)

Moved by Councillor Kearns

Direct the City Clerk to bring forward a staff report to implement a Lobbyist Registry for the City of Burlington, in accordance with the *Municipal Act* section 223.9.

**CARRIED**

4.2 COVID-19 emergency response verbal update (CSSRA-07-20) (SD-15-20)

Receive and file the August 13, 2020 presentation providing an update on the COVID-19 emergency response; **and**

**Direct the City Manager to report back to the September 17, 2020 Corporate Services, Strategy, Risk and Accountability Committee regarding the status of the state of emergency declaration due to COVID-19 including but not limited to the criteria adopted from the Province; and**

**Direct the Executive Director of Environment, Infrastructure and Community Services to report back to the August 24, 2020 Council meeting with costs and options to complete weed clearing in medians.**

**CARRIED**

**Amendment:**

Moved by Councillor Kearns

**Direct the City Manager to report back to the September 17, 2020 Corporate Services, Strategy, Risk and Accountability Committee regarding the status of the state of emergency declaration due to COVID-19 including but not limited to the criteria adopted from the Province.**

**CARRIED**

**Amendment:**

Moved by Mayor Meed Ward

**Direct the Executive Director of Environment, Infrastructure and Community Services to report back to the August 24, 2020 Council meeting with costs and options to complete weed clearing in medians.**

CARRIED

4.3 Service re-design interim modifications and resumptions (CM-20-20) (SD-16-20)

Direct the City Manager to proceed with implementing the interim service delivery program recommendations as outlined in Appendix A and B of city manager's office report CM-20-20 outlining recreation & community facilities and use of indoor pools – recreation services, respectively, **while considering potential partnerships with the private sector to provide potential cost savings**; and

Receive and file Appendix C of city manager's office report CM-20-20 providing an update to the interim service delivery modifications for Halton Court Services – legal services and City Hall/Sims Square public & staff re-entry; and

Receive and file Appendices D, E, F and G of city manager's office report CM-20-20 providing interim service delivery modifications for Tourism Burlington, the Museums of Burlington, the Art Gallery of Burlington and Burlington Public Library, respectively; and

Direct the Chief Financial Officer to track and monitor the financial implications of the above service delivery program changes in the ongoing COVID-19 financial impact reporting to Council; and

**Direct the Executive Director of Environment, Infrastructure and Community Services to provide a 25% reduction in fees for all city rental users, to include both for-profit and not-for-profit organizations, for the fall season with the opportunity for review and extension prior to the winter season as a COVID-19 emergency response; and**

**Direct the Executive Director of Environment, Infrastructure and Community Services to add \$25,000 to the fee assistance program for individuals, and report back prior to the winter season on the balance of the funding available.**

CARRIED

**Amendment:**

Moved by Councillor Sharman

**Direct the Executive Director of Environment, Infrastructure and Community Services to provide a 25% reduction in fees for all city rental users, to include both for-profit and not-for-profit organizations, for the fall season with the opportunity for review and extension prior to the winter season as a COVID-19 emergency response; and**

**Direct the Executive Director of Environment, Infrastructure and Community Services to add \$25,000 to the fee assistance program for individuals, and report back prior to the winter season on the balance of the funding available.**

**CARRIED**

**Amendment:**

Moved by Councillor Stolte

**Amend the first paragraph to include the following wording at the end 'while considering potential partnerships with the private sector to provide potential cost savings'**

**CARRIED**

**4.4 Voting options for 2022 and ranked ballots (CL-06-20)**

Moved by Councillor Stolte

Defer clerks department report CL-06-20 regarding voting options for 2022 and ranked ballots to the September 17, 2020 Corporate Services, Strategy, Risk and Accountability Committee meeting.

**CARRIED**

**4.5 Bill 197 and electronic meetings occurring past a declared emergency (CL-16-20)**

Moved by Mayor Meed Ward

Approve the amendment to Procedure By-law 04-2020, as amended, outlined in Appendix A, to allow for electronic meetings to occur without a declaration of an emergency.

**CARRIED**

- 4.6 Supplementary information and directions regarding subdivision agreement extension for Garden Trails Subdivision (PL-48-20)

Moved by Mayor Meed Ward

Receive community planning department report PL-48-20 regarding supplementary information with respect to a proposed extension of subdivision approval for the Garden Trails Subdivision located at 550 Genista Drive; and

Refuse the request to extend Draft Plan Approval for the Garden Trails subdivision (24T099005/B) at 550 Genista Drive, as recommended in community planning department report PL-31-20.

**CARRIED**

**Motion:**

Moved by Councillor Galbraith

**Approve the request to extend Draft Plan Approval for the Garden Trails subdivision (24T099005/B) at 550 Genista Drive to December 31, 2020.**

**LOST**

**5. Confidential Items:**

- 5.1 Confidential legal update on a litigation matter (L-12-20)

Moved by Councillor Stolte

Authorize the Executive Director of Legal Services or their designate to proceed in accordance with the instructions given in confidential legal department report L-12-20.

**CARRIED**

- 5.2 Confidential legal matter (L-19-20)

This item was discussed at the Community Planning, Regulation and Mobility Committee meeting on August 11, 2020.

- 5.3 Confidential update on a litigation matter (L-11-20)

Moved by Mayor Meed Ward

Defer confidential legal department report L-11-20 regarding a confidential update on a litigation matter to the September 17, 2020 Corporate Services, Strategy, Risk and Accountability Committee meeting.

**CARRIED**

**6. Procedural Motions:**

Moved by Councillor Bentivegna

Move into closed session in accordance with the following provisions under the Municipal Act, sections 239 (2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, with respect to legal department report L-12-20 regarding a confidential legal update on a litigation matter.

**7. Information Items:**

Moved by Councillor Sharman

Receive and file the following five items, having been given due consideration by the Corporate Services, Strategy, Risk, and Accountability Committee.

- 7.1 Correspondence from Roland Tanner regarding establishment of a lobbyist registry (CSSRA-06-20)
- 7.2 Staff presentation regarding COVID-19 emergency response verbal update (CSSRA-07-20)
- 7.3 Correspondence from Peter Hodgson regarding voting options for 2022 and ranked ballots (CL-06-20)
- 7.4 Correspondence from Andrew Dummond regarding voting options for 2022 and ranked ballots (CL-06-20)
- 7.5 Correspondence from Roland Tanner regarding voting options for 2022 and ranked ballots (CL-06-20)

**8. Staff Remarks:**

**9. Committee Remarks:**

**10. Adjournment:**

11:22 a.m. (recessed), 11:29 a.m. (reconvened), 12:00 p.m. (recessed), 1:00 p.m. (reconvened), 3:30 p.m. (recessed), 3:38 p.m. (reconvened), 7:58 p.m.

(recessed), 8:05 p.m. (reconvened), 8:10 p.m. (closed session), 8:51 p.m. (public session)

Chair adjourned the meeting at 8:58 p.m.



**SUBJECT: Appointments to Heritage Burlington Advisory Committee and Burlington Accessibility Advisory Committee**

**TO: Mayor and Members of Council**

**FROM: Clerks Department**

Report Number: CL-14-20

Wards Affected: n/a

File Numbers: 130-01

Date to Committee: August 24, 2020

Date to Council: August 24, 2020

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**Recommendation:**

Approve appointments to the Heritage Burlington Advisory Committee and Burlington Accessibility Advisory Committee (BAAC) as outlined in Confidential Appendix B of clerk's department report CL-14-20 and following approval from Council, make the recommended names for appointments public.

**PURPOSE:**

**Vision to Focus Alignment:**

- Building more citizen engagement, community health and culture

The recommendation in this report aligns with the strategic direction for An Engaging City as identified in the City's Plan: From Vision to Focus. The city is forging strong community relationships with open dialogue and citizen involvement in municipal issues through its advisory committees and provides Burlington residents the opportunity to give advice and recommendations to Council on various matters and/or organize activities that strengthen the community's connection to the municipality.

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## **Background and Discussion:**

The Clerks Department conducted a recruitment process in February 2020 for the City's two legislated advisory committees, the Heritage Burlington Advisory Committee and Burlington Accessibility Advisory Committee (BAAC), due to vacancies that occurred over the past year. Recruitment opportunities were advertised on the City website, through social media as well as in the Burlington Post.

Due to the COVID-19 virus and resulting closure of city facilities, including City Hall in mid-March, applicants were advised that recruitment would be postponed, and we would be in contact with them when City Hall re-opened to the public. With the closure going beyond what was originally anticipated, the Clerks Department decided to move ahead with interviews for Heritage Burlington and BAAC because of their statutory requirement and the possible need for the committees to meet virtually in order to provide their comments.

Clerks Department staff reached out to the Chair, Vice Chair and applicants for both committees to get a sense of their comfort level in participating in a virtual interview via Zoom. All participants advised that they were pleased to proceed in this manner.

The interviews for these committees were held throughout June and July 2020. The interview teams were comprised as follows:

<b>Committee</b>	<b>Interview Team</b>
Heritage Burlington Advisory Committee	Howard Bohan (Chair), Michele Camacho (Vice Chair), Danika Guppy (Heritage Planner) and Councillor Rory Nisan
Accessibility Advisory Committee	Tricia Pokorny (Chair), Judi Lytle (Accessibility Coordinator) and Councillor Bentivegna

Clerk's Department staff also assisted with the interview process.

The interview teams made their selection recommendations based on each committee's respective needs as well as the applicant's knowledge of the role, relevant skills and experience, expressed dedication/commitment, time availability, and communication skills. The names of the recommended appointees are included within confidential appendix B. The scoring matrix used in the interviews is included within appendix A. The Terms of Reference for each committee specify the duration of the appointments and provide for staggered terms to ensure continuity in the operation of the committees.

In addition to appointing full voting members to the committees, additional volunteers have been recruited to participate in committee activities as designated 'Alternates'.

Once a vacancy arises on the committee, an Alternate that is already appointed by Council can immediately fill the vacancy and become a full voting member. The Alternate position allows for the efficient replacement of a knowledgeable committee member by reducing interruptions to committee decision-making and providing more opportunities for quorum to be maintained when vacancies occur.

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### **Financial Matters:**

Not applicable

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### **Climate Implications**

Not applicable

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### **Engagement Matters:**

Following Council approval of the recommendations, the Clerk's Department will formally advise all applicants of Council's decision and provide a virtual orientation session for the new advisory committee members, prior to the next committee meeting. Appointees will receive a copy of the Terms of Reference for their respective committee and will undergo any further required training. New members will participate in future advisory committee meetings as voting members.

Individuals who are not appointed at this time will be contacted individually and advised of other City of Burlington volunteer opportunities and applications will be held for any vacancies that should occur on boards and committees throughout the year.

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### **Conclusion:**

As a member of one of the City's advisory committees, residents can actively participate in local government, which contributes to the high quality of life that Burlington residents enjoy.

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Respectfully submitted,

Jo-Anne Rudy  
Committee Clerk  
905-335-7600, ext. 7413

Suzanne Gilles  
Committee Clerk  
905-335-7600, ext. 7862

**Appendices:**

- A. Appendix A – interview scoring matrix
- B. Confidential Appendix B – recommended appointments to Heritage Burlington and BAAC

**Report Approval:**

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council.

## Heritage Burlington Advisory Committee

### Interview Scoring Matrix

<b>1</b>	<b>TEAMWORK</b> <ul style="list-style-type: none"> <li>Experiences working in a team?</li> <li>Personal attributes: Personable? Easy to talk/work with?</li> <li>Will carry own share of the work?</li> </ul>	<b>1</b>	<b>3</b>	<b>6</b>	<b>8</b>	<b>10</b>
<b>2</b>	<b>ACCESSIBILITY KNOWLEDGE/EXPERIENCE</b> <ul style="list-style-type: none"> <li>Aware of purpose/role of committee?</li> <li>Knowledge of past work/activities of HB?</li> <li>Understands advisory committee roles?</li> <li>Knowledge of the Heritage Act?</li> </ul>	<b>1</b>	<b>3</b>	<b>6</b>	<b>8</b>	<b>10</b>
<b>3</b>	<b>EFFECTIVE COMMUNICATION/REPRESENTATION</b> <ul style="list-style-type: none"> <li>Good contacts that will be helpful to the committee?</li> <li>Clear, concise, constructive communicator?</li> <li>Strategic thinking, balanced with realistic expectations?</li> <li>Fresh view of accessibility opportunities/challenges?</li> </ul>	<b>1</b>	<b>3</b>	<b>6</b>	<b>8</b>	<b>10</b>
<b>4</b>	<b>FIT WITH COMMITTEE NEEDS</b> <ul style="list-style-type: none"> <li>Previous background/research experience/abilities?</li> <li>Understands operation of municipality?</li> <li>Computer skills-for agendas, e-mail and research purposes?</li> <li>Commitment: time available, enjoys committee work</li> </ul>	<b>1</b>	<b>3</b>	<b>6</b>	<b>8</b>	<b>10</b>

**Score:           /40**

## Burlington Accessibility Advisory Committee

### Interview Scoring Matrix

<b>1</b>	<b>TEAMWORK</b> <ul style="list-style-type: none"> <li>Experiences working in a team?</li> <li>Personal attributes: Personable? Easy to talk/work with?</li> <li>Will carry own share of the work?</li> </ul>	<b>1</b>	<b>3</b>	<b>6</b>	<b>8</b>	<b>10</b>
<b>2</b>	<b>ACCESSIBILITY KNOWLEDGE/EXPERIENCE</b> <ul style="list-style-type: none"> <li>Knowledge of past work/activities of BAAC?</li> <li>Understands advisory committee roles?</li> <li>Knowledge of the AODA?</li> <li>Can read architectural plans?</li> </ul>	<b>1</b>	<b>3</b>	<b>6</b>	<b>8</b>	<b>10</b>
<b>3</b>	<b>EFFECTIVE COMMUNICATION/REPRESENTATION</b> <ul style="list-style-type: none"> <li>Clear, concise, constructive communicator?</li> <li>Strategic thinking, balanced with realistic expectations?</li> <li>Fresh view of accessibility opportunities/challenges?</li> </ul>	<b>1</b>	<b>3</b>	<b>6</b>	<b>8</b>	<b>10</b>
<b>4</b>	<b>FIT WITH COMMITTEE NEEDS</b> <ul style="list-style-type: none"> <li>Previous background/research experience/abilities?</li> <li>Commitment: time available, enjoys committee work</li> <li>A person living with a disability</li> </ul>	<b>1</b>	<b>3</b>	<b>6</b>	<b>8</b>	<b>10</b>

**Score:        /40**



# . . . Memo

**To: Mayor and Members of Council**

**From: Councillor Lisa Kearns**

**Cc: Chris Glenn, Director of Recreation Services**

**Date: August 5, 2020**

**Re: Protecting Amateur Sport Organizations and Municipalities from Liability Related to COVID-19**

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Dear colleagues,

WHEREAS the Province of Ontario has enacted numerous legislative and regulatory measures to ensure the health and safety of Ontarians through, and respond to the implications of, the COVID-19 global pandemic;

AND WHEREAS the Province has enacted legislation and regulatory measures related to the sports and fitness sector, including regulations pertaining to facilities for both indoor and outdoor sports and recreational fitness activities as set out in O. Reg. 263/20: Order Under Subsection 7.0.2 (4) of the Act – Stage 2 Closures;

AND WHEREAS on July 13, 2020 the Province announced plans to have several regions progress to Stage 3 of Phase 2: Restart within *A Framework for Reopening our Province* which will permit increased gathering limits and the reopening of more businesses and public spaces;

AND WHEREAS it is important to have the eventual and safe return of amateur organized sport activities, which play an important role in the physical, psychological and emotional well-being of people of all ages in the City of Burlington and communities across Ontario, while adhering to all applicable public health guidance and protecting the health, safety and welfare of all participants;

AND WHEREAS it is in the public interest to ensure that Ontario-based amateur sport organizations are protected from liability for damages relating, directly or indirectly, to COVID-19, where those sport organizations are operating or providing sport activities in full accordance with all applicable Provincial emergency legislation and public health guidance;

AND WHEREAS many organized sport activities and broader community activities are undertaken, administered or provided in indoor or outdoor City of Burlington municipal facilities, and it is important to ensure that the City of Burlington are protected from liability for damages relating, directly or indirectly, to COVID-19, where said Municipalities are operating, providing or permitting such sport and community activities to take place in full accordance with all applicable Provincial emergency legislation and public health guidance;

AND WHEREAS many municipal services and programs are undertaken, administered or provided in Burlington Municipal facilities or in other settings which may involve in-person interaction, and it is important to ensure that the City of Burlington is protected from liability for damages relating, directly or indirectly, to COVID-19, where said Municipality is operating and providing municipal services and programs in accordance with all applicable Provincial emergency legislation and public health guidance;

NOW THEREFORE BE IT RESOLVED:

THAT Burlington Council request that the Province of Ontario enact the necessary legislation to:

- a) Protect Ontario-based amateur sport organizations, including those operated and administered by community non-profit organizations, municipalities and school boards and their directors, officers, employees and volunteers that organize, administer, facilitate or provide such organized sport activities, from liability for damages relating, directly or indirectly, to COVID-19, where those sport organizations and individuals operate or provide those activities in full accordance with all applicable Provincial emergency legislation and public health guidance;
- b) Protect the City of Burlington from liability for damages relating, directly or indirectly, to COVID-19, where said Municipalities are operating, providing or permitting sport and community activities to take place in indoor or outdoor Municipal facilities in full accordance with all applicable Provincial emergency legislation and public health guidance;
- c) Protect the City of Burlington from liability for damages relating, directly or indirectly, to COVID-19, where said Municipalities are undertaking, administering or providing municipal services and programs within City of Burlington facilities or in other settings in full accordance with all applicable Provincial emergency legislation and public health guidance;

AND THAT the Mayor of Burlington write a letter to the Honourable Doug Ford, Premier of Ontario, advising of Regional Council's resolution, and that a copy of the letter be forwarded to Burlington's Local Municipalities, the Association of Municipalities of Ontario, The Honourable Lisa MacLeod, Minister of Heritage, Sport, Tourism and Culture Industries and Burlington's Members of Provincial Parliament (MPPs) for their information.

Respectfully,

Councillor Lisa Kearns



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Respectfully,

Councillor Lisa Kearns

**TO: Members of Council**

**FROM: Mary Battaglia - Director of Roads, Parks & Forestry**

**CC: Tim Commisso, Allan Magi, Sheila Jones**

**DATE: August 20, 2020**

**SUBJECT: Weeds in Medians – Information/Costing for Essential Service Delivery**

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At the CSSRA Committee meeting of August 13, 2020 council approved the following staff direction:

**Direct the Executive Director of Environment, Infrastructure and Community Services to report back to the August 24, 2020 Council meeting with costs and options to complete weed clearing in medians.**

In response to the direction to return to the Council Meeting of August 24, 2020 with the associated costs and options, I offer the following information:

1. The nature of the work in the roadway requires traffic control plans be established and that there is full compliance with the Ministry of Transportation's Book 7 guidelines.
2. Options for Review

Option 1 - Consideration for the use of a contracted service was reviewed. The necessity of the specialized training for traffic control plans would require two contractors to be hired; one for traffic control set up and another for the weed control. This would also require a dedicated supervisor to ensure full compliance with Health and Safety requirements, traffic control plans, quality control and follow up of any damage reports/resident complaints. For these reasons, this option is not recommended.

Option 2 – Assign department staff to complete the work. There are 410 mapped locations for weed control that will be undertaken by staff. This work can begin the week of August 24th and would continue throughout September. A combination of overtime and regular work hours would be utilized to complete the work with 2 crews. It is anticipated it will take until the end of September to complete all sites. Other department work (e.g. clean up and mulching of shrub beds, weed trimming in parks) will be delayed to complete the weed control. Estimated cost to complete this work is \$40,000.

Option 3 – No work this season, review staffing needs and implement for early spring start to program.

3. Work that is proceeding - The median flower beds that have not been planted this year, have been weeded every 4-6 weeks this summer (with the exception of Maple Avenue). Later this fall the median flower beds will have the weeds removed and soil amended in preparation for spring planting. On Maple Avenue, the road construction contractor is expected to return next week to remove the weeds and soil from the median flower beds and replace with clean soil.

I trust this information is helpful.

A handwritten signature in black ink that reads "Mary Battaglia". The script is cursive and fluid.

Mary Battaglia

August 20, 2020

**Members of Council and City Planning Staff:**

**Subject:** Downtown Urban Growth Centre (UGC) and Major Transit Station Areas (MTSA) Designations (PL-33-20)

At the August 11, 2020 Community Planning, Regulations & Mobility Committee meeting a report containing recommendations from Director of Community Planning, Heather MacDonald, was unanimously approved.

Committee's recommendation is being considered for ratification by City Council at their August 24, 2020 meeting.

If the recommendations from Director MacDonald are ratified by council, the decision will be made in the absence of public engagement or even an opportunity for any members of the public or stakeholders to know what the recommendations consider to propose or how it would affect the residents of Burlington and its long-term future.

This report and the contained recommendations, as approved by Committee, lacks sufficient information to allow residents to visualize, understand or comment on how an unspecified UGC adjustment affects them, their neighborhood, or their city. Debating or even commenting on the merits of an unknown adjustment to the UGC is simply not possible prior to being informed of the details and potential implications.

In the absence of the details or fully vetting such changes and the long-term impacts with the residents of Burlington, it is astonishing Mayor Meed Ward and all six members of our elected council would even consider approving any recommendations that involves an unknown adjustment to one of the fundamental and most significant city-defining elements. Even more astonishing is the fact that these recommendations were presented and unanimously approved by the Community Planning, Regulations and Mobility Committee totally void of public consultation.

These recommendations did not happen in a vacuum. Director MacDonald was directed by Council to provide this report however, council failed to ensure a robust conversation about this matter. Without public engagement being undertaken prior to her recommendations, Director MacDonald did not have the benefit of resident's thoughts and opinions. As a result, what committee has approved, and council is considering for ratification is being rushed. If approved in the absence of any details and public engagement, the decision can only be considered as a political response to complex matters that must be thoroughly reviewed, analyzed and be the result of public scrutiny. We have endured years of downtown planning initiatives, always with opportunities for public input. This mayor and council would choose to deny residents that opportunity, the public and stakeholders deserve much better.

It was somewhat encouraging that the Committee did endorse a direction for Director MacDonald to report back on September 15 with an engagement plan. After reviewing the video of the committee meeting, it became clear this was to be an engagement plan determined by the Region (not the city) with input from Director MacDonald.

While establishing an engagement plan at the Region is encouraging, establishing it some three weeks after Council has decided on these recommendations lacks transparency and challenges our local democratic process. In fact, during the committee meeting it was clear Director MacDonald and Regional Staff have already been working on this request for an UGC adjustment prior to the finalization and consideration of the Directors report, its recommendations, or Council's approval.

As a result, residents are now left with limited information regarding a major factor in how the city will grow and unable to provide an informed opinion or comment regarding an undefined UGC adjustment and how that might affect the Region's Official Plan review.

Approving any recommendations that have significant and potentially dramatic and detrimental impacts on the City's future without any opportunities for public engagement and the checks and balances that go with it, would be a complete failure of this council's commitment to transparency and public engagement

I am requesting that this matter be deferred, details of this adjustment provided, and the implications analyzed and reviewed with the public prior to any further consideration or recommendation to the region or province for approval. Engage Burlington residents and stakeholders and inform all interested of any proposed changes and consider their comments and suggestions. This enables an informed discussion regarding the extent and merits of any adjustment to the Downtown UGC boundary.

By approving this report and its recommendations as written and with the knowledge there was no public engagement, this council is choosing to shut out and ignore their constituents, the very people that voted them into office. That raises serious questions regarding the transparency, accountability and even the credibility of this Council's decision-making process.

When considering these recommendations, ask yourselves this, Do I know the details of the proposed adjustment to the UGC? Has council provided an opportunity for residents and stakeholders to review those details and provide their input and express their thought and concerns?

This is a defining moment for our City and the residents of Burlington, it deserves a level of consideration that is commensurate with its significance.

Regards

John Was