



Regular Meeting of Council  
Agenda

**Date:** January 19, 2021  
**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. International Day of Zero Tolerance for Female Genital Mutilation:  
February 6, 2021
  - 4.2. Black History Month: February 2021
5. **Motion to Approve Council Minutes:**

Confirm the minutes of the following meeting of Council:

  - 5.1. Regular meeting of Council December 14, 2020
  - 5.2. Special meeting of Council January 11, 2021
6. **Recognitions and Achievements:**
7. **Presentations:**
8. **Declarations of Interest:**
9. **Delegations:**

In order to speak at a Council meeting, Individuals must register as a delegation no later than noon the day before the meeting. To register, complete the online application at [www.burlington.ca/delegation](http://www.burlington.ca/delegation) or by submitting a written request by email to the Office of the City Clerk at [clerks@burlington.ca](mailto:clerks@burlington.ca)

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) by noon the day before the meeting. 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. Council Workshop meeting of December 15, 2020

There were no recommendations from this meeting.

### 10.2. Corporate Services, Strategy, Risk & Accountability meeting of January 11, 2021

1 - 6

#### a. Mayor's virtual conferences for 2021 (MO-01-21)

Receive and file Mayor's office report MO-01-21 as information on the Mayor's planned conference attendance and potential travel in 2021 on behalf of the City of Burlington.

#### b. Update on accountability and transparency initiatives (CL-01-21)

Receive and file office of the city clerk report CL-01-21 providing an update on accountability and transparency initiatives.

#### c. Confidential legal update on a litigation matter (L-37-20)

Pursuant to Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Instruct the Executive Director of Legal Services or their designate to proceed in accordance with the instructions sought in confidential legal department report and supplemental memorandum L-37-21.

### 10.3. Environment, Infrastructure & Community Services meeting of January 12, 2021

7 - 9

- a. Approval of Cootes to Escarpment EcoPark System Lower Grindstone Heritage Lands Management Plan (ES-02-21)
 

Approve the Cootes to Escarpment EcoPark System Lower Grindstone Heritage Lands Management Plan, December 2019 prepared by North South Environmental Inc., attached as Appendix A to engineering services department report ES-02-01, as the guiding document regarding future management actions for these lands.
- b. Parks, recreation and cultural assets master plan update (ES-01-21)
 

Receive and file engineering services department report ES-01-21 parks, recreation and cultural assets master plan.
- c. Update on Skyway Community Centre (EICS-02-21) (SD-01-21)
 

Receive and file environment, infrastructure and community services report EICS-02-21 regarding an update on the Skyway Community Centre project; and

Direct the Executive Director of Environment, Infrastructure and Community Services and the Chief Financial Officer to report back to Council in Q3 of 2021 on funding options for the Skyway Community Centre project (SD-01-21); and

Direct the Mayor and City Manager to continue to pursue, and advocate for funding from the Federal and Provincial levels of Government.

10.4. Corporate Services, Strategy, Risk and Accountability - Budget meeting of January 12, 2021

10 - 13

- a. 2021 capital budget review and approval (F-42-20-1) (SD-02-21)
 

Approve the 2021 capital budget for the City of Burlington, with a gross amount of \$72,122,030 with a debenture requirement of \$7,800,000, and the 2022-2030 capital forecast with a gross amount of \$714,232,893 with a debenture requirement of \$45,325,000 as outlined in finance department report F-42-20 and as amended by the Corporate Services, Strategy, Risk & Accountability Committee; and

Administer the debenture in the amount of \$7,800,000 in 2021 as tax supported debt; and

Authorize staff to proceed with the 2021 capital projects representing not more than 50% of the 2021 capital from operating funding in advance of the 2021 operating budget approval; and

Declare that, in accordance with sis. 5(1)5 of the *Development Charges Act, 1997* and s. 5 of Ontario Regulation 82/98, it is Council's clear intention that the excess capacity provided by the above-referenced works will be paid for by future development charges; and

Direct the Director of Transportation to report back in Q1 2021 on electric vehicle charging stations in the downtown prior to proceeding with the 2021 capital project RD-PK-1795. (SD-02-21)

10.5. Community Planning, Regulation & Mobility meeting of January 14, 2021

14 - 19

- a. By-law amendments to extend expiry dates of COVID-19 related by-laws (BB-02-21)

Approve the amendment to By-law 62-2020, otherwise known as the "COVID-19 Mask By-law", to provide an expiry date of December 31, 2021, as attached as Appendix A to building and by-law department report BB-02-21, in a form satisfactory to the Executive Director of Legal Services; and

Approve the amendment to By-law 17-2020, otherwise known as the "COVID-19 Physical Distancing By-law", to provide an expiry date of December 31, 2021, as attached as Appendix B to building and by-law department report BB-02-21, in a form satisfactory to the Executive Director of Legal Services.

- b. Zoning by-law amendment for 961 & 970 Zelco Drive and 4425 South Service Road (PL-03-21)

Approve the application made by Urban Solutions Planning & Land Development Consultants (c/o Giampaolo Investments Ltd.), to permit a motor vehicle wrecking yard use on the lands known as 961 & 970 Zelco Drive and 4425 South Service Road; and

Approve the by-law to amend Zoning By-law 2020, rezoning the lands at 961 & 970 Zelco Drive and 4425 South Service Road from "GE1" to "GE1-507", substantially in accordance with the draft regulations contained in Appendix D of community

planning department report PL-03-21; and

Deem that the proposed by-law will conform to the Official Plan of the City of Burlington and that there are no applications to alter the Official Plan with respect to the subject lands.

- c. City of Burlington Housing Strategy – proposed Terms of Reference (PL-02-21, SD-04-21)

Endorse the proposed terms of reference for Phase 1 of the City's Housing Strategy attached as Appendix A to community planning department report PL-02-21; and

Authorize the Director of Community Planning to engage consultants through a request for proposal process to carry out the Phase 1 work, in accordance with the above noted proposed terms of reference; and

Direct the Director of Community Planning to develop and implement an engagement plan informed by feedback from the project steering committee, project working group and identified stakeholders; and

Direct the City Clerk to run an expression of interest with members of Council regarding serving on the Housing Strategy working group and report back at the appropriate time; and

Direct the Director of Community Planning to continue to refine the scope of work in regard to milestones and timelines for delivering concrete, actionable recommendations to Council that can be implemented within this term of Council as set out in Vision to Focus 2018-2022 and report back by early Q2 2021; and

Direct the Director of Community Planning to coordinate and implement an initial community engagement event intended to introduce the Housing Strategy initiative to residents and key stakeholders in the community in an effort to seek public input as to how the community would like to collaborate on the Housing Strategy, in keeping with Council's commitment to IAP2 and our Community Engagement Charter and report back by early Q2 2021; and

Direct the Director of Community Planning in developing the draft engagement plan for the Housing Strategy, to include collaboration with all levels of government with a role in housing.

- d. Site plan application at 2243, 2269 Fairview Street and 864 Drury Lane (PL-05-21)

Receive and file community planning department report PL-05-21 regarding a site plan application for 2243, 2269 Fairview Street and 864 Drury Lane.

- e. Motions regarding the use of tents by restaurants and bars in Burlington (CPRM-01-21, SD-03-21)

20 - 21

Direct the Director of Community Planning to bring a temporary use by-law forward that modifies the Zoning By-law to accommodate winter tents for outdoor patios and report back in February or sooner, as possible.

The following motion was referred to the Council meeting of January 19, 2021 to allow the Chief Financial Officer and Executive Director of Legal Services to provide information outlining the parameters of this program as it pertains to building applications and applications for alternative solutions for the installation of tents:

That Council strengthen its commitment to locally operated businesses and approve funding in the form of grants to be applied to building applications for such tents and alternative solutions relating to installation of tents from small businesses to facilitate the conducting of business.

## 11. Motion to Approve Standing Committee Minutes:

Approve the following minutes:

- 11.1. Council Workshop meeting minutes of December 15, 2020
- 11.2. Corporate Services, Strategy Risk and Accountability meeting minutes of January 11, 2021
- 11.3. Environment, Infrastructure and Community Services Committee meeting minutes of January 12, 2021
- 11.4. Corporate Services, Strategy, Risk and Accountability - Budget meeting minutes of January 12, 2021
- 11.5. Community Planning, Regulation and Mobility Committee meeting minutes of January 14, 2021

**12. Reports of Municipal Officers:**

**13. Notices of Motion:**

**14. Motions:**

**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 December 17, 2020

15.2. Council Information Package December 23, 2021

15.3. Council Information Package January 7, 2021

15.4. Council Information Package January 15, 2021

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

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

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

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

17.1. 2-2021: A by-law to assume parcels of land in the City of Burlington as Public Highway.

17.2. 3-2021: A by-law to authorize the execution of the transfer payment agreement for municipal transit enhanced cleaning learning.

17.3. 4-2021: A by-law to amend Building Permit By-law 66-2019.

17.4. 5-2021: A by-law to authorize the execution of the transfer payment agreement for municipal transit enhanced cleaning between the Province of Ontario and the Corporation of the City of Burlington.

17.5. 6-2021: A by-law to amend COVID-19 Mask By-law 62-2020.

17.6. 7-2021: A by-law to amend Physical Distancing By-law 17-2020.

17.7. 2020.424: A By-law to amend By-law 2020, as amended; 961 and 970 Zelco Drive and 4425 South Service Road.

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

Enact and pass By-law Number 08-2021, being a by-law to confirm the proceedings of Council at its meeting held Tuesday, January 19, 2021.

**19. Verbal update on COVID-19 from City Manager Tim Commisso and Mayor Marianne Meed Ward.**

**20. Statements by Members:**

**21. Motion to Adjourn:**

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





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

### Minutes

Date: January 11, 2021  
Time: 9:30 am  
Location: Council Chambers - members participating remotely

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

Staff Present: Tim Commisso, Kwab Ako-Adjei, Kevin Arjoon, Laura Boyd, Joan Ford, Chris Glenn, Sheila Jones, Heather MacDonald, Allan Magi, Karen Roche, Nancy Shea-Nicol, Enrico Scalera, Jamie Tellier, David Thompson (Audio/Video Specialist), Georgie Gartside (Clerk)

**1. Declarations of Interest:**

None.

**2. Delegation(s):**

None.

**3. Consent Items:**

3.1 Mayor's virtual conferences for 2021 (MO-01-21)

Moved by Councillor Bentivegna

Receive and file Mayor's office report MO-01-21 as information on the Mayor's planned conference attendance and potential travel in 2021 on behalf of the City of Burlington.

**CARRIED**

**4. Regular Items:**

4.1 COVID-19 emergency response verbal update (CSSRA-01-21)

**Note: this item was approved at the Special Council meeting of January 11, 2021.**

**Digital Main Street Program:**

Moved by Mayor Meed Ward

Whereas the Digital Main Street Program has been a critical support to local main street businesses during COVID-19; and

Whereas as part of the program Burlington has benefitted from hiring two Digital Service Squad members who have reached out to over 1000 businesses and supported over 130 businesses to date in growing their digital presence and tools. In addition, qualifying businesses have been able to access a \$2,500 Digital Transformation Grant to implement digital tools within their business; and

Whereas current funding for our Digital Service Squad members end in February 2021; and

Whereas when the province of Ontario went into lockdown on December 26th online and digital channels became the primary method for main street businesses to interact with customers and generate revenues; and

Whereas many businesses have reached out to Burlington's Digital Service Squad team for support in how to engage with customers, update their website and use social channels to promote curb side pickup and takeaway, in line with provincial lockdown restrictions placed on business; and

Whereas as of December 31st 2020 applications for both the \$2,500 Digital Transformation Grant and new applications for Digital Service Squad support have been closed to new applications awaiting renewal of funding.

Therefore be it resolved that:

City Council, in partnership with the Burlington Economic Recovery Network (BERN) and Team Burlington, call on the provincial and federal governments to:

- renew and expand funding to the Digital Main Street program as soon as possible to help our businesses to survive the provincial lockdown and reopening of the economy in the future;

- renew the \$2,500 Digital Transformation Grant and Digital Service Squad support;
- expand the Digital Main Street Transformation Grant to be available to main street businesses that are located outside of BIAs as the initial program restricted applicants to BIA member businesses only; and
- commit to a minimum 2-year funding extension to the Digital Main Street program;

Further be it resolved that:

The Mayor and Council representative on the BERN be directed to write a letter, jointly with BERN and Team Burlington members, advocating the extension and expansion of the Digital Main Street Program and Digital Transformation Grant to the Provincial Minister of Municipal Affairs and Housing, Minister Economic Development, Job Creation & Trade and Minister of Small Business and Red Tape Reduction, and the Federal Minister of Economic Development and Official Languages and Minister of Small Business, Export Promotion and International Trade; and

The City Clerk be directed to send a copy of the letter and resolution, once approved, to:

- Burlington Ministers of Parliament including Minister Karina Gould, MP Pam Damoff and MP Adam Van Koeverden;
- Burlington Members of Provincial Parliament including MPP Jane McKenna, MPP Effie Triantafilopoulos and MPP Parm Gill;
- Halton Regional Council;
- Members of the Towns of Milton, Halton Hills and Oakville Councils;
- Federation of Canadian Municipalities (FCM);
- Association of Municipalities of Ontario (AMO);
- Ontario Big City Mayor's Caucus (OBCM);
- Mayors and Regional Chairs of Ontario (MARCO);
- GTHA Mayors and Chairs;
- Ontario Business Improvement Area Association (OBIAA);
- Toronto Association of Business Improvement Areas (TABIA);
- Tourism Industry Association of Ontario (TIAO);
- Ontario Restaurant, Hotel and Motel Association (ORHMA);
- Ontario Chamber of Commerce (OCC);
- Milton Chamber of Commerce;
- Halton Hills Chamber of Commerce;
- Oakville Chamber of Commerce;

- Team Burlington (Burlington Economic Development, Burlington Chamber of Commerce, Tourism Burlington, Burlington Downtown Business Association and Aldershot Village BIA); and
- Burlington Economic Recovery Network (BERN).

**CARRIED**

**Synthetic Ice Rinks:**

Moved by Councillor Sharman

Direct the Director of Recreation, Community and Culture to implement the appropriate COVID measures for the safe operations of the new synthetic ice rinks for the winter season with an expense of \$60,000 to be included in the 2021 variance reporting.

**CARRIED**

4.2 Update on accountability and transparency initiatives (CL-01-21)

Moved by Councillor Stolte

Receive and file office of the city clerk report CL-01-21 providing an update on accountability and transparency initiatives.

**CARRIED**

**5. Confidential Items:**

5.1 COVID-19 emergency response verbal update

This item was not required.

5.2 Confidential legal update on a litigation matter (L-37-20)

Moved by Councillor Galbraith

Instruct the Executive Director of Legal Services or their designate to proceed in accordance with the instructions sought in confidential legal department report and supplemental memorandum L-37-21.

**CARRIED**

- 5.3 Confidential legal update on a litigation matter (L-05-21)

**Note: this item was approved at the Special Council meeting of January 11, 2021.**

Moved by Councillor Bentivegna

Instruct the Executive Director of Legal Services or their designate to proceed in accordance with the instructions sought in confidential legal department memorandum (L-05-21).

**CARRIED**

**6. Procedural Motions:**

- 6.1 Motion to proceed into closed session

Moved by Councillor Nisan

Move into closed session in accordance with the following provisions under the Municipal Act:

Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding Items 5.2 and 5.3, Confidential legal update on litigation matters (L-37-20) and (L-05-21).

**CARRIED**

**7. Information Items:**

Moved by Mayor Meed Ward

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

**CARRIED**

- 7.1 Staff presentation regarding COVID-19 emergency response verbal update (CSSRA-01-21)
- 7.2 Resolution to extend Digital Main Street program funding regarding COVID-19 emergency response verbal update (CSSRA-01-21)

**8. Staff Remarks:**

**9. Committee Remarks:**

**10. Adjournment:**

11:31 a.m. (recessed), 11:40 a.m. (reconvened), 11:42 a.m. (closed), 12:39 p.m. (public)

Chair adjourned the meeting at 1:04 p.m.



## Environment, Infrastructure & Community Services Committee Meeting

### Minutes

Date: January 12, 2021  
Time: 9:30 am  
Location: Council Chambers - members participating remotely

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

Staff Present: Tim Commisso, Joan Ford, Karen Roche, Chris Glenn, Allan Magi, Enrico Scalera, David Thompson (Audio/Video Specialist), Suzanne Gillies

**1. Declarations of Interest:**

None.

**2. Delegation(s):**

None.

**3. Consent Items:**

3.1 Approval of Cootes to Escarpment EcoPark System Lower Grindstone Heritage Lands Management Plan (ES-02-21)

Moved by Councillor Galbraith

Approve the Cootes to Escarpment EcoPark System Lower Grindstone Heritage Lands Management Plan, December 2019 prepared by North South Environmental Inc., attached as Appendix A to engineering services department report ES-02-01, as the guiding document regarding future management actions for these lands.

**CARRIED**

**4. Regular Items:**

4.1 Parks, recreation and cultural assets master plan update (ES-01-21)

Moved by Councillor Kearns

Receive and file engineering services department report ES-01-21 parks, recreation and cultural assets master plan.

**CARRIED**

4.2 Update on Skyway Community Centre (EICS-02-21) (SD-01-21)

Moved by Mayor Meed Ward

Receive and file environment, infrastructure and community services report EICS-02-21 regarding an update on the Skyway Community Centre project.

**CARRIED**

Moved by Mayor Meed Ward

**Direct the Executive Director of Environment, Infrastructure and Community Services and the Chief Financial Officer to report back to Council in Q3 of 2021 on funding options for the Skyway Community Centre project (SD-01-21); and**

**Direct the Mayor and City Manager to continue to pursue, and advocate for funding from the Federal and Provincial levels of Government.**

**CARRIED**

**5. Confidential Items:**

None.

**6. Procedural Motions:**

Moved by Mayor Meed Ward

Move into closed session in accordance with the following provisions under the Municipal Act, sections 239 (2)(a) the security of the property of the municipality or local board, with respect to environment, infrastructure and community services report EICS-02-01 regarding Skyway Community Centre update specifically relating to funding.



**7. Information Items:**

Receive and file the following 2 items, having been given due consideration by the Environment, Infrastructure and Community Services Committee.

7.1 Staff presentation regarding Parks, recreation and cultural assets master plan update (ES-01-21)

7.2 Correspondence from the West End Home Builders' Association regarding City of Burlington Parkland and Housing Strategy (ES-01-21)

**8. Staff Remarks:**

**9. Committee Remarks:**

**10. Adjournment:**

10:27 a.m. (closed), 10:54 a.m. (public)

Chair adjourned the meeting at 11:55 a.m.



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

### Minutes

Date: January 12, 2021  
Time: 1:00 pm  
Location: Council Chambers - members participating remotely

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

Staff Present: Tim Commisso, Kwab Ako-Adjei, Nick Anastasopoulos, Sue Connor, Joan Ford, Chris Glenn, Scott Hamilton, Heather MacDonald, Allan Magi, Angela Morgan, Nancy Shea-Nicol, Christine Swenor, Enrico Scalera, Vito Tolone, David Thompson (Audio/Video Specialist), Georgie Gartside (Clerk)

**1. Declarations of Interest:**

None.

**2. Delegation(s):**

None.

**3. Consent Items:**

None.

**4. Regular Items:**

4.1 2021 capital budget review and approval (F-42-20-1) (SD-02-21)

Moved by Councillor Sharman

Approve the 2021 capital budget for the City of Burlington, with a gross amount of \$72,122,030 with a debenture requirement of \$7,800,000, and the 2022-2030 capital forecast with a gross amount of \$714,232,893 with a debenture requirement of \$45,325,000 as outlined in finance department

report F-42-20 and as amended by the Corporate Services, Strategy, Risk & Accountability Committee; and

Administer the debenture in the amount of \$7,800,000 in 2021 as tax supported debt; and

Authorize staff to proceed with the 2021 capital projects representing not more than 50% of the 2021 capital from operating funding in advance of the 2021 operating budget approval; and

Declare that, in accordance with sis. 5(1)5 of the *Development Charges Act, 1997* and s. 5 of Ontario Regulation 82/98, it is Council's clear intention that the excess capacity provided by the above-referenced works will be paid for by future development charges; and

**Direct the Director of Transportation to report back in Q1 2021 on electric vehicle charging stations in the downtown prior to proceeding with the 2021 capital project RD-PK-1795. (SD-02-21)**

**CARRIED**

Moved by Mayor Meed Ward

Direct the Director of Transportation to report back in Q1 2021 on electric vehicle charging stations in the downtown prior to proceeding with the 2021 capital project RD-PK-1795. (SD-02-21)

**CARRIED**

Moved by Councillor Bentivegna

Defer capital project FB-BD-1387 regarding city hall facility revitalization to 2022 and retain the funding in capital reserves.

**LOST**

Moved by Councillor Stolte

Reduce the funding of capital project FB-BD-1387 regarding city hall facility revitalization to \$465,000 for 2021 and transfer the remaining capital funding of \$2,000,000 to the Green Reserve Fund.

**LOST**

Moved by Councillor Bentivegna

Defer capital project FB-BD-1912 regarding orchard new community hub to 2022 and retain the funding in capital reserves.

**LOST**

Moved by Councillor Bentivegna

Defer capital project IT-CA-1990 regarding customer relationship management to 2022 and retain the funding in capital reserves.

**LOST**

Moved by Councillor Bentivegna

Defer capital project PO-PD-1460 regarding Beachway master plan to 2022 and retain the funding in capital reserves.

**LOST**

Moved by Councillor Bentivegna

Defer capital project PO-PD-1887 regarding Tansley Woods Park splash pad to 2022 and retain the funding in capital reserves.

**LOST**

Moved by Councillor Bentivegna

Defer capital project RD-RA-1749 regarding Plains Road West renewal to 2022 and retain the funding in capital reserves.

**LOST**

**5. Confidential Items:**

None.

**6. Procedural Motions:**

None.

**7. Information Items:**

Moved by Councillor Galbraith

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

**CARRIED**

7.1 Staff correspondence regarding the customer relationship management project in the 2021 capital budget (F-42-20-1)

**8. Staff Remarks:**

**9. Committee Remarks:**

**10. Adjournment:**

3:07 p.m. (recessed), 3:14 p.m. (reconvened)

Chair adjourned the meeting at 5:37 p.m.



## Community Planning, Regulation & Mobility Committee Meeting

### Minutes

Date: January 14, 2021

Time: 9:30 am

Location: Council Chambers - members participating remotely

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

Staff Present: Tim Commisso, Heather MacDonald, Nancy Shea-Nicol, Kwab Ako-Adjei, Nick Anastasopoulos, Enrico Scalera, Jamie Tellier, David Thompson (Audio/Video Specialist), Jo-Anne Rudy (Clerk)

**1. Declarations of Interest:**

None

**2. Statutory Public Meetings:**

None

**3. Delegation(s):**

3.1 Matt Johnston, Urban Solutions Planning & Land Development and Mark De Souza, Giampaeolo Investments Limited (Triple M Metal) provided information on the zoning by-law amendment for 961, 970 Zelco Drive and 4425 South Service Road. (PL-03-21)

**4. Consent Items:**

4.1 By-law amendments to extend expiry dates of COVID-19 related by-laws (BB-02-21)

Moved by Councillor Stolte

Approve the amendment to By-law 62-2020, otherwise known as the "COVID-19 Mask By-law", to provide an expiry date of December 31,

2021, as attached as Appendix A to building and by-law department report BB-02-21, in a form satisfactory to the Executive Director of Legal Services; and

Approve the amendment to By-law 17-2020, otherwise known as the “COVID-19 Physical Distancing By-law”, to provide an expiry date of December 31, 2021, as attached as Appendix B to building and by-law department report BB-02-21, in a form satisfactory to the Executive Director of Legal Services.

**CARRIED**

**5. Regular Items:**

- 5.1 Zoning by-law amendment for 961 & 970 Zelco Drive and 4425 South Service Road (PL-03-21)

Moved by Councillor Nisan

Approve the application made by Urban Solutions Planning & Land Development Consultants (c/o Giampaolo Investments Ltd.), to permit a motor vehicle wrecking yard use on the lands known as 961 & 970 Zelco Drive and 4425 South Service Road; and

Approve the by-law to amend Zoning By-law 2020, rezoning the lands at 961 & 970 Zelco Drive and 4425 South Service Road from “GE1” to “GE1-507”, substantially in accordance with the draft regulations contained in Appendix D of community planning department report PL-03-21; and

Deem that the proposed by-law will conform to the Official Plan of the City of Burlington and that there are no applications to alter the Official Plan with respect to the subject lands.

**CARRIED**

- 5.2 City of Burlington Housing Strategy – proposed Terms of Reference (PL-02-21, SD-04-21)

Moved by Councillor Nisan

Endorse the proposed terms of reference for Phase 1 of the City’s Housing Strategy attached as Appendix A to community planning department report PL-02-21; and

Authorize the Director of Community Planning to engage consultants through a request for proposal process to carry out the Phase 1 work, in accordance with the above noted proposed terms of reference; and

Direct the Director of Community Planning to develop and implement an engagement plan informed by feedback from the project steering committee, project working group and identified stakeholders; and

Direct the City Clerk to run an expression of interest with members of Council regarding serving on the Housing Strategy working group and report back at the appropriate time; and

**Direct the Director of Community Planning to continue to refine the scope of work in regard to milestones and timelines for delivering concrete, actionable recommendations to Council that can be implemented within this term of Council as set out in Vision to Focus 2018-2022 and report back by early Q2 2021; and**

**Direct the Director of Community Planning to coordinate and implement an initial community engagement event intended to introduce the Housing Strategy initiative to residents and key stakeholders in the community in an effort to seek public input as to how the community would like to collaborate on the Housing Strategy, in keeping with Council's commitment to IAP2 and our Community Engagement Charter and report back by early Q2 2021; and**

**Direct the Director of Community Planning in developing the draft engagement plan for the Housing Strategy, to include collaboration with all levels of government with a role in housing.**

**CARRIED**

**Amendment:**

Moved by Councillor Stolte

Direct the Director of Community Planning to continue to refine the scope of work in regard to milestones and timelines for delivering presenting concrete, actionable recommendations to Council that can be implemented within this term of Council as set out in Vision to Focus 2018-2022 and report back by early Q2 2021; and

Direct the Director of Community Planning to coordinate and implement an initial community engagement event intended to introduce the Housing Strategy Initiative to residents and key stakeholders in the community in



an effort to seek public input as to how the community would like to collaborate on the Housing Strategy, in keeping with Council's commitment to IAP2 and our Community Engagement Charter and report back by early Q2 2021.

**CARRIED**

**Amendment:**

Moved by Councillor Sharman

Direct the Director of Community Planning in developing the draft engagement plan for the Housing Strategy, to include collaboration with all levels of government with a role in housing.

**CARRIED**

- 5.3 Site plan application at 2243, 2269 Fairview Street and 864 Drury Lane (PL-05-21)

Moved by Councillor Kearns

Receive and file community planning department report PL-05-21 regarding a site plan application for 2243, 2269 Fairview Street and 864 Drury Lane.

**CARRIED**

- 5.4 Motions regarding the use of tents by restaurants and bars in Burlington (CPRM-01-21, SD-03-21)

Moved by Councillor Sharman

Direct the Director of Community Planning to bring a temporary use by-law forward that modifies the Zoning By-law to accommodate winter tents for outdoor patios and report back in February or sooner, as possible; and

**Refer the following motion to the Council meeting of January 19, 2021 to allow the Chief Financial Officer and Executive Director of Legal Services to provide information outlining the parameters of this program as it pertains to building applications and applications for alternative solutions for the installation of tents:**

**That Council strengthen its commitment to locally operated businesses and approve funding in the form of grants to be applied to building applications for such tents and alternative solutions**

**relating to installation of tents from small businesses to facilitate the conducting of business.**

**CARRIED**

**6. Confidential Items:**

None

**7. Procedural Motions:**

None

**8. Information Items:**

Moved by Councillor Bentivegna

Receive and file the following 7 items, having been given due consideration by the Community Planning, Regulation and Mobility Committee.

**CARRIED**

- 8.1 Staff presentation regarding zoning by-law amendment for 961 & 970 Zelco Drive and 4425 South Service Road (PL-03-21)
- 8.2 Staff presentation regarding City of Burlington Housing Strategy - proposed Terms of Reference (PL-02-21)
- 8.3 Correspondence from Bianca Bruzzese, President, West End Home Builders Association regarding City of Burlington Housing Strategy - proposed Terms of Reference (PL-02-21)
- 8.4 Correspondence from Ryan Small regarding City of Burlington Housing Strategy - proposed Terms of Reference (PL-02-21)
- 8.5 Memo from Councillor Sharman regarding City of Burlington Housing Strategy - proposed Terms of Reference (PL-02-21)
- 8.6 Staff presentation regarding site plan application at 2243, 2269 Fairview Street and 864 Drury Lane (PL-05-21)
- 8.7 Correspondence from the Ministry of Municipal Affairs and Housing regarding the use of tents by restaurants and bars in Burlington (CPRM-01-21)

**9. Staff Remarks:**

**10. Committee Remarks:**

**11. Adjournment:**

11:03 a.m. (recess), 11:08 a.m. (reconvened), 12:14 p.m. (recessed), 1:17 p.m. (reconvened)

Chair adjourned the meeting at 3:16 p.m.



# . . . *Memo*

**To: Members of the Community Planning, Regulation and Mobility Committee**

**From: Councillor Paul Sharman and Councillor Lisa Kearns**

**Cc: Tim Commisso, Heather MacDonald, Nancy Shea-Nichol, Nick Anastasopoulos, Jamie Tellier, Joan Ford**

**Date: January 8, 2021**

**Re: Use of Tents by Restaurants and Bars in Burlington: Motions**

As Council is aware, relief is being sought in the context of COVID-19 recovery for affected restaurants and bars and the use of tents where it may be possible to consider alternate solutions that enable extended opportunities to serve customers.

The Ontario Restaurant, Hotel & Motel Association (ORHMA) cites that “Hospitality businesses were the first to experience the negative impact of the COVID-19 outbreak and will be the last to recover. The public health measures that are included in Ontario’s COVID-19 Response Framework single out the restaurant industry and repercussions will occur unless additional funding relief is presented or modifications to the framework are introduced immediately.”

Mitigation measures to permit the use of tents have been considered in other municipalities that are focused on the objective of solutioning deficiencies within interpretations of the Ontario Building Code. Should these establishments remain unable to serve customers or conduct business, many will face insolvency without considering said mitigation measures.

Mounting evidence supports the considerable hardship faced by small businesses during these very difficult times of COVID-19. Burlington should be taking a position of leadership and support consistent with the collaborative approach explored in other local business communities across Ontario. To insulate against reputational risk for the City, Members of Council and to lessen the financial burden on affected business owners, the City of Burlington has an opportunity to endorse the following:

**Motions:**

1. That the Chief Building Officer and legal staff be directed to assess and report in detail on liability risk with respect to the use and location of tents, their materiality and Council’s legal ability to approve variances or consideration of alternate solutions within the Ontario Building Code. Report back in February or sooner, as possible.
2. That Council strengthen its commitment to locally operated businesses and approve funding in the form of grants or rebates to be applied to:
  - a) building applications for such tents and;
  - b) alternative solutions relating to installation of tents from small businesses to facilitate the conducting of business.
3. That staff expend every effort to expedite processing of building applications and alternative solutions for such tents.

4. That staff deliver an information report reviewing practices across Ontario municipalities where the Ontario Building Code and/or Chief Building Official has supported alternate solutions for such tents.
5. Direct the Director of Community Planning to bring a temporary use by-law forward that modifies the Zoning By-law to accommodate winter tents for outdoor patios. Report back in February or sooner, as possible.
6. That staff prepare, in consultation with industry experts and operators, a Guiding Principles document that outlines and facilitates potential permit approvals for tents prior to the submission of a formal permit application.

**Moved jointly by: Clr. Paul Sharman and Clr. Lisa Kearns**