



## Regular Meeting of Council

### Minutes

Date: January 19, 2021  
Time: 1:00 pm  
Location: Council Chambers - members participating remotely

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

Staff Present: Tim Commisso, David Thompson (Audio/Video Specialist), Roxanne Gosse, Amanda Fusco (Deputy City Clerk)

Note: Due to COVID-19 and public health concerns public attendance was not permitted at this meeting. The Mayor was present in Council Chambers while Councillors participated remotely.

**1. Call to Order:**

**2. National Anthem:**

**3. Regrets:**

None.

**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:**

Moved by: Councillor Galbraith

Seconded by: Councillor Kearns

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:**

None.

**7. Presentations:**

None.

**8. Declarations of Interest:**

None.

**9. Delegations:**

None.

**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

Items a, b and c were voted upon by way of one consent vote.

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

**CARRIED (7 to 0)**

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)

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

Items a, b and c were voted upon by way of one consent vote.

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

**CARRIED (7 to 0)**

- 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

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)

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

OPPOSED: (1): Councillor Bentivegna

**CARRIED (6 to 1)**

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

Items a, b, c and d were voted upon by way of one consent vote.

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

**CARRIED (7 to 0)**

- 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.

**CARRIED**

- 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.

**CARRIED**

- 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 (SD-04-21); 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 (SD-04-21); 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. (SD-04-21)

**CARRIED**

- 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.

**CARRIED**

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

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. (SD-03-21); and

That Council strengthen its commitment to locally operated businesses and approve funding in the form of grants, **by increasing the amount from \$5,000 to a total of \$10,000**, 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.

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

**CARRIED (7 to 0)**

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. (SD-03-21)

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

**CARRIED (7 to 0)**

Moved by: Councillor Sharman  
Seconded by: Councillor Kearns

**Amend the motion referred from the Community Planning, Regulation and Mobility Committee meeting: Motions regarding the use of tents by restaurants and bars in Burlington (CPRM-01-21, SD-03-21), by adding the following wording to the motion: by increasing the amount from \$5,000 to a total of \$10,000, after the word grants.**

That Council strengthen its commitment to locally operated businesses and approve funding in the form of grants, **by increasing the amount from \$5,000 to a total of \$10,000**, 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.

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

**CARRIED (7 to 0)**

**11. Motion to Approve Standing Committee Minutes:**

Moved by: Councillor Nisan

Seconded by: Councillor Stolte

Approve the following minutes:

**CARRIED**

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:**

None.



**13. Notices of Motion:**

None.

**14. Motions:**

None.

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

Moved by: Councillor Bentivegna

Seconded by: Councillor Sharman

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

**CARRIED**

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:**

Moved by: Councillor Kearns

Seconded by: Councillor Stolte

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

**CARRIED**

16.1 Memo from Nick Anastasopoulos, Chief Building Official and Director of Building & By-law Department regarding motions regarding the use of tents by restaurants and bars in Burlington (CPRM-01-21, SD-03-21)

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

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

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

**CARRIED (7 to 0)**

- 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 amend Building Permit By-law 66-2019.
- 17.3 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.
- 17.4 6-2021: A by-law to amend COVID-19 Mask By-law 62-2020.
- 17.5 7-2021: A by-law to amend Physical Distancing By-law 17-2020.
- 17.6 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:**

Moved by: Councillor Nisan  
Seconded by: Councillor Stolte

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.

**CARRIED**

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

**20. Statements by Members:**

**21. Motion to Adjourn:**

Moved by: Councillor Nisan  
Seconded by: Councillor Stolte

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

1:55 pm

**CARRIED**

Amanda Fusco  
Deputy City Clerk

Marianne Meed Ward  
Mayor