



## Committee of the Whole Meeting

### Minutes

Date: June 10, 2019  
Time: 1:00 pm  
Location: Council Chambers Level 2, City Hall

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

Staff Present: Tim Commisso, Joan Ford, Chris Glenn, Heather MacDonald, Allan Magi, Nancy Shea-Nicol, Mary Lou Tanner, Vito Tolone, David Thompson (Audio/Video Specialist), Lisa Palermo (Clerk)

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

None.

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

- 2.1 Craig Gardner, Chair of the Burlington Terry Fox Run Committee spoke regarding Burlington Terry Fox Run Committee request to waive fees. (COW-07-19)
- 2.2 Lawson Hunter spoke regarding Take Action Burlington - an update on our local environment. (CW-21-19)
- 2.3 Amy Schnurr, BurlingtonGreen Environmental Association spoke regarding Take Action Burlington - an update on our local environment. (CW-21-19)
- 2.4 Maureen Letang spoke regarding Burlington city wide parking study: recommended parking rates. (PB-43-19)
- 2.5 Joe Gaetan spoke regarding Burlington city wide parking study: recommended parking rates. (PB-43-19)
- 2.6 Jim Young, Burlington Seniors' Advisory Committee spoke regarding Burlington city wide parking study: recommended parking rates. (PB-43-19)

- 2.7 Chris Ariens spoke regarding Burlington city wide parking study: recommended parking rates. (PB-4.3-19)
- 2.8 Cindy Bond, Burlington Accessibility Advisory Committee spoke regarding Burlington city wide parking study: recommended parking rates. (PB-43-19)
- 2.9 Suzanne Mammel, Hamilton Halton Home Builders' Association spoke regarding Burlington city wide parking study: recommended parking rates. (PB-43-19)

**3. Consent Items:**

- 3.1 Drury Lane Theatre joint venture loan (PR-05-19)

Moved by Councillor Galbraith

Approve the Drury Lane Theatrical Productions Inc. request for Joint Venture Financing up to an amount of \$100,000 to support the theatre renovation project as specified in report PR-05-19 in accordance with the City of Burlington's Joint Venture Policy; and

Direct the City Clerk to prepare the necessary debenture by-law and obtain necessary approvals for a 10-year non-tax supported debenture to be fully repaid to the City of Burlington by Drury Lane Theatrical Productions Inc.; and

Authorize the Mayor and City Clerk to sign the necessary agreements prepared to the satisfaction of the City Solicitor, Director of Parks and Recreation and Director of Finance for the financing of the Drury Lane Theatre renovation.

**CARRIED**

- 3.2 Investment policy update (F-23-19)

Moved by Councillor Galbraith

Approve the updated Investment Policy as outlined in Appendix A of finance department report F-23-19.

**CARRIED**

- 3.3 International Association of Horticultural Producers (AIPH) Exposition in 2025 (COW-06-19)

Moved by Councillor Galbraith

Receive and file correspondence from Vic Djurdjevic, President of Nikola Tesla Educational Corporation regarding the International Association of Horticultural Producers (AIPH) Exposition 2025.

**CARRIED**

**4. Regular Items:**

- 4.1 Financial results of Burlington Hydro for December 31, 2018 (F-22-19)

Moved by Councillor Sharman

Receive and file finance department report F-22-19 providing information on financial results for Burlington Hydro Electric Inc.

**CARRIED**

- 4.2 Take Action Burlington - an update on our local environment (CW-07-19)

Moved by Councillor Sharman

Receive and file capital works department report CW-07-19 regarding the Take Action Burlington – An Update on Our Local Environment report.

**CARRIED**

- 4.3 Lease Agreement with Burlington Public Library for the use of space in city facilities (PR-06-19)

Moved by Mayor Meed Ward

Approve a Lease Agreement with the Burlington Public Library Board for the use of facility space at Brant Hills and Tansley Woods Community Centres as outlined in Report PR-06-19, Appendix A; and

Authorize the Director of Parks and Recreation to sign the Lease Agreement and any other documentation required, subject to the satisfaction of the City Solicitor; and

Delegate the authority to the Director of Parks and Recreation to authorize any changes to existing and future shared use Lease Agreements between the City of Burlington and the Burlington Public Library Board.

**CARRIED**

Moved by Councillor Bentivegna

Refer parks and recreation department report PR-06-19 to a future 2019 Committee of the Whole meeting.

**LOST**

4.4 Provincial audit and accountability fund (CM-14-19)

Moved by Mayor Meed Ward

Direct staff to submit an Expression of Interest to the Ministry of Municipal Affairs and Housing Central Region by June 14, 2019 deadline under the "review of service delivery and modernization opportunities"; and

Direct the Director of Finance to single source a third-party consultant to complete this review should the City of Burlington's request for funding be approved by the Ministry of Municipal Affairs and Housing.

**CARRIED**

4.5 Proposed governance changes to Burlington Hydro (CM-10-19)

Moved by Councillor Bentivegna

Approve the filing of articles of amendment by Burlington Hydro Electric Inc to change its name to Burlington Enterprise Corporation as per attached Appendix A; and

Approve Burlington Enterprises Corporation modifying the size of its board as per attached Appendix B; and

Approve Burlington Hydro Inc. modifying the size of its board as per attached Appendix C; and

Authorize the General By-Law of Burlington Hydro Inc. to be presented to Council on June 17, 2019; and

Authorize the General By-Law of Burlington Enterprises Corporation to be presented to Council on June 17, 2019; and

Approve the Shareholder Direction as per attached Appendix F; and

Direct staff to bring forward the reserve fund bylaw to reflect the name change to Burlington Enterprise Corporation.

**CARRIED**

4.6 Civic Square renewal and Brant Street improvements (CW-39-19)

Moved by Councillor Sharman

Refer capital works department report CW-39-19 regarding Civic Square renewal and Brant Street improvements to the June 11, 2019 Planning and Development Committee meeting.

**CARRIED**

4.7 Climate action update report for Burlington (CW-21-19)

Moved by Councillor Nisan

Approve funding request in capital works department report CW-21-19 of \$80,000 from the Strategic Plan Reserve Fund to retain consultants for the purpose of completing Burlington's Climate Action Plan; and

Approve the single source procurement for LURA Consulting (Land Use Research Associates Inc.) to undertake community engagement and SSG (Sustainability Solutions Workers Group Cooperative) to complete the Climate Action Plan, given their experience with the Bay Area Climate Change Office engagement process and the Low Carbon Pathway report for Hamilton and Burlington; and

Direct the Executive Director of Capital Works to implement option 1 to engage the community and stakeholders; **including adding two community engagement workshops to the critical path, to be held September 2019**, to develop the Climate Action Plan and report back by December 2019; and

Approve funding request in capital works department report CW-21-19 of \$20,000 from Strategic Plan Reserve Fund to support Burlington's commitment in 2019 to participate in the Bay Area Climate Change Office and Council, **subject to and pending a financial contribution from the City of Hamilton in 2019**.

**CARRIED**

4.8 Amendment to Procedure By-law to adjust standing committee times (MO-03-19)

Moved by Mayor Meed Ward

Direct the City Clerk to bring forward an amendment to the procedure by-law to change the start time for the daytime portion of the Committee of

the Whole and the Planning and Development Committee meetings to 9:30 a.m. beginning with the September 2019 cycle of meetings; **and**

**Direct the City Clerk, in the event that the Committee of the Whole meeting goes beyond the hour of 10:00 p.m., to indicate a start time of 10:00 a.m. on the meeting agenda for the Planning and Development Committee meeting.**

**CARRIED**

4.9 Process for expedited community events (PR-01-19)

Moved by Mayor Meed Ward

Approve the process, **as amended**, outlined in parks and recreation department report PR-01-19 to approve community events that require an expedited process due to unanticipated circumstances; **and**

**Amend the process outlined at the bottom of page 3 of report PB-01-19 as follows:**

To manage unanticipated events that require and expedited process in order to proceed, staff are recommending the following process:

- **Where possible**, a special council meeting is held **if** the regular committee and council meeting cycle will not accommodate the event timing.
- **Where possible** a community organization **will be sought to** lead the event delivery. **In the alternative, parks and recreation department staff will deliver the event.**
- **Where timing does not accommodate a regular or special council meeting, decision-making is delegated to the Mayor and City Manager up to a maximum expenditure of \$50,000 and an indication of support will be obtained via electronic poll of council.**
- Event is open to the public at no cost.
- All permit and due diligence will be fast tracked and fully completed as required.
- Community organization pays for all permits, as per regular process.
- Council can choose to waive some fees or provide additional financial support as they deem appropriate.

- **After the event at the earliest possible opportunity, a report will be provided to committee and council and the public detailing; how decision was made; cost; public participation; business, sponsor, community group, agency or other participation; impact of event; other details as needed.**

**CARRIED**

- 4.10 Burlington city wide parking study: recommended parking rates (PB-43-19)

Moved by Mayor Meed Ward

Direct the Director of City Building to report back to council Q3 of 2019 with Zoning By-law amendments to implement the recommended parking rates set out in Appendix 1 and Appendix 2 of planning and building department report PB-43-19.

- 4.11 Terry Fox Run Committee request to waive city fees (COW-07-19)

Moved by Councillor Bentivegna

Direct the Director of Parks and Recreation to waive all city fees related to the execution of the Burlington Terry Fox Run in 2019 and future years due to the unique governance structure of the Terry Fox Run Foundation that operates under the following rules:

- no corporate sponsorship, no entry fee, no minimum donation, not a timed run, family event, all funds raised must be forwarded to the foundation, any goods or services required to hold a Terry Fox Run must be donated or be covered by specific donations from third parties (e.g. food, service, or security requirements), locally everyone involved with the run is a volunteer, no paid staff.

**CARRIED**

- 4.12 Direction to add "Environmental Impact" heading to staff reports (SD-18-19)

Moved by Councillor Stolte

Direct the City Clerk to immediately add 'Environmental Impact' as a standard heading to the staff report template.

**CARRIED**

4.13 Direction to examine accessible parking (SD-20-19)

Moved by Councillor Bentivegna

Direct the Director of Transportation to examine accessible parking (number of spaces, stall dimensions, signage and pavement markings) in consultation with the Burlington Accessibility Coordinator, Burlington Accessibility Advisory Committee, Burlington Seniors' Advisory Committee and Integrated Transportation Advisory Committee and report back to Committee of the Whole in Q4 2019.

**CARRIED**

4.14 Direction regarding the expansion of the Private Tree By-law pilot project (SD-19-19)

Moved by Councillor Stolte

Direct the Director of Roads, Parks and Forestry to report back to the Committee of the Whole in October 2019 regarding the resources and logistics necessary to expand the Private Tree Bylaw Pilot to encompass all of ward 4, and city wide.

**CARRIED**

**5. Confidential Items:**

5.1 Confidential finance department report regarding reserve for contingencies - March 31, 2019 (F-31-19)

Moved by Mayor Meed Ward

Receive and file finance department report F-31-19 regarding reserve for contingencies - March 31, 2019.

**CARRIED**

5.2 Confidential legal department report regarding litigation update (L-14-19)

Moved by Mayor Meed Ward

Direct the city solicitor or her designate to proceed in accordance with instructions sought in matters 11, 12, 22 and 29 and that the balance of legal department report L-14-19 be received and filed.



**CARRIED**

- 5.3 Confidential city manager's office report regarding a letter of understanding (CM-12-19)

Moved by Mayor Meed Ward

Receive and file city manger's office report CM-12-19 regarding a letter of understanding.

**CARRIED**

**6. Procedural Motions:**

- 6.1 Motion to reconsider

Moved by Mayor Meed Ward

Motion to reconsider city manager's office report CM-14-19 regarding provincial audit and accountability fund.

**CARRIED**

- 6.2 Suspend the rules to allow unregistered delegate to speak

Moved by Councillor Galbraith

Suspend the rules of procedure to allow a non-registered delegation to speak to planning and building department report PB-43-19 regarding city-wide parking study; recommended parking rates, in accordance with procedure by-law 64-2016 s. 37.

**CARRIED**

**7. Information Items:**

Moved by Councillor Stolte

Receive and file the following 10 items, having been given due consideration by the Committee of the Whole:

**CARRIED**

- 7.1 Correspondence from Craig Gardner regarding Burlington Terry Fox Run request to waive fees (COW-07-19)

- 7.2 Correspondence from Richard Koroscil, Bay Area Climate Change Council regarding Climate action update report for Burlington (CW-21-19)
- 7.3 Correspondence from Lisa Kohler, Halton Environmental Network regarding Climate action update report for Burlington (CW-21-19)
- 7.4 Delegation notes from Lawson Hunter regarding Climate action update report for Burlington (CW-21-19)
- 7.5 Delegation notes from Amy Schnurr, BurlingtonGreen Environmental Association regarding Climate action update report for Burlington (CW-21-19)
- 7.6 Correspondence from Burlington Integrated Transportation Advisory Committee regarding Burlington city wide parking study: recommended parking rates (PB-43-19)
- 7.7 Delegation notes from Cindy Bond, Burlington Accessibility Advisory Committee regarding Burlington city wide parking study: recommended parking rates (PB-43-19)
- 7.8 Presentation from Joe Gaetan regarding Burlington city wide parking study: recommended parking rates (PB-43-19)
- 7.9 Presentation from Chris Ariens regarding Burlington city wide parking study: recommended parking rates (PB-43-19)
- 7.10 Delegation notes from Jim Young, Burlington Seniors' Advisory Committee regarding Burlington city wide parking study: recommended parking rates (PB-43-19)

**8. Staff Remarks:**

None.

**9. Committee Remarks:**

None.

**10. Adjournment:**

2:39 p.m. (recessed), 2:48 p.m. (reconvened), 4:56 p.m. (closed), 5:47 p.m. (public), 5:52 p.m. (recessed), 6:34 p.m. (reconvened).

Chair adjourned the meeting at 9:24 p.m.