



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

### **Minutes**

Date: January 13, 2020

Time: 9:30 am

Location: Council Chambers Level 2, City Hall

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

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

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

None

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

The Environment, Infrastructure and Community Services Committee, in accordance with Section 34 of the Planning Act, as amended, held Public Meeting No. 1-20 on January 13, 2020 regarding the approval of the proposed residential plan of subdivision for 5219 Upper Middle Road, 2004 & 2005 Georgina Court and Blocks 262 & 263 of Plan 20M-824. Having considered the oral and written comments received from staff and delegations, the Environment, Infrastructure and Community Services Committee approved report PL-05-20.

- 2.1 Statutory Public Meeting and recommendation report for a plan of subdivision for 5219 Upper Middle Road and 2004-2005 Georgina Court (PL-05-20)

Moved by Councillor Nisan

Approve the application submitted by Bloomfield Developments to draft approve a residential plan of subdivision consisting of 4 lots, 3 blocks and a public road at 5219 Upper Middle Road, 2004 & 2005 Georgina Court

and Blocks 262 & 263 of Plan 20M-824, as shown in Appendix A of community planning department report PL-05-20, subject to the conditions contained in Appendix B of that report.

**CARRIED**

- a. Catherine Long expressed concerns with recommendation report for a plan of subdivision for 5219 Upper Middle Road and 2004-2005 Georgina Court (PL-05-20)
- b. Kevin Rutherford expressed concerns with recommendation report for a plan of subdivision for 5219 Upper Middle Road and 2004-2005 Georgina Court (PL-05-20)
- c. Martin Quarcoopome, Weston Consulting, spoke regarding recommendation report for a plan of subdivision for 5219 Upper Middle Road and 2004-2005 Georgina Court (PL-05-20)
- d. Ryan Brez expressed concerns with recommendation report for a plan of subdivision for 5219 Upper Middle Road and 2004-2005 Georgina Court (PL-05-20)
- e. Staff presentation regarding Statutory Public Meeting and recommendation report for a plan of subdivision for 5219 Upper Middle Road and 2004-2005 Georgina Court (PL-05-20)
- f. Presentation Kevin Rutherford regarding a plan for subdivision for 5219 Upper Middle Road and 2004-2005 Georgina Court (PL-05-20)
- g. Additional comments submitted to planning staff regarding recommendation report for a plan of subdivision for 5219 Upper Middle Road and 2004-2005 Georgina Court (PL-05-20)

**3. Delegation(s):**

- 3.1 Harold Dickert spoke regarding Climate Action Plan for Burlington (CW-20-19)
- 3.2 Vinco Fiorito spoke regarding Climate Action Plan for Burlington (CW-20-19)
- 3.3 Marianne Workman, Burlington Federal Green Party, spoke regarding Climate Action Plan for Burlington (CW-20-19)
- 3.4 Albert Faccenda spoke in support of Public Tree Removal- 310 Appleby Line (RPF-01-20)

- 3.5 Brian Krog was in support of Public Tree Removal- 297 Kent Cres. (RPF-04-20).
- 3.6 Vanessa Warren spoke regarding City-Wide Private Tree By-law implementation update (RPF-05-20)
- 3.7 Albert Faccenda spoke regarding City-Wide Private Tree By-law implementation update (RPF-05-20)
- 3.8 Norman Richardson, Burlington Agricultural and Rural Affairs Advisory Committee, spoke regarding City-Wide Private Tree By-law implementation update (RPF-05-20)
- 3.9 Barbara Burrows spoke regarding City-Wide Private Tree By-law implementation update (RPF-05-20)

**4. Consent Items:**

None.

**5. Regular Items:**

- 5.1 Climate Action Plan for Burlington (CW-20-19)

Moved by Councillor Sharman

Table the Climate Action Plan in Appendix A of capital works report CW-20-19 for public review; and

Direct the Executive Director of Environment, Infrastructure and Community Services to report back to the Environment, Infrastructure and Community Services meeting in March 2020 with a final Climate Action Plan.

**CARRIED**

- 5.2 Public Tree Removal - 310 Appleby Line (RPF-01-20)

Moved by Councillor Sharman

Approve the request by Coral Gable Custom Homes to remove one City-owned tree (8 cm Honey Locust) from the City's road allowance at 310 Appleby Line to allow driveway access as part of a development application as outlined in roads, parks and forestry department report RPF-01-20; and

Instruct Coral Gable Custom Homes to provide compensation for the tree removal by providing cash in lieu of replacement totaling \$800. The approved appraisal method is aggregate caliper; and

Direct that all associated costs with respect to the removal of the tree will be the responsibility of Coral Gable Custom Homes, and the contractor hired to remove the tree will be approved by the Manager of Urban Forestry of designate.

**CARRIED**

5.3 Public Tree Removal - 2123 Kevin Cres. (RPF-03-20)

Moved by Mayor Meed Ward

Deny the request to remove a public tree at 2123 Kevin Crescent as outlined in roads, parks and forestry department report RPF-03-20.

**CARRIED**

Moved by Councillor Bentivegna

Refer roads, parks and forestry report RPF-03-20 regarding public tree removal - 2123 Kevin Crescent to the 6:30 p.m. portion of the Environment, Infrastructure and Community Services Committee meeting on January 13, 2020.

**LOST**

5.4 Public Tree Removal - 297 Kent Cres. (RPF-04-20)

Moved by Councillor Sharman

Approve the request by the homeowner at 297 Kent Crescent to remove the small city tree to widen the property driveway as outlined in roads, parks, and forestry department report RPF-04-20; and

Instruct the homeowner, Brian Krog, to provide compensation for the tree removal by providing cash in lieu of replacement totaling \$1400. The funds will provide for a new tree to be planted in front of the house and provide care and maintenance for the first two years; and

Direct that all associated costs with respect to the removal of the tree (including stump removal) will be the responsibility of the homeowner, and

the contractor hired to remove the tree will require approval by the Manager of Urban Forestry or designate; and

Restrict the width of the new driveway to an additional 2m to allow for an enlarged tree protection zone for the tree in front of 299 Kent Crescent.

**CARRIED**

5.5 City-Wide Private Tree By-Law implementation update (RPF-05-20)

Moved by Mayor Meed Ward

Approve the Urban Private Tree Bylaw 02-2020, Appendix 'A' to roads, parks and forestry department report RPF-05-20 and repeal existing Bylaw 43-2018 Pilot Private Tree Bylaw, effective January 27, 2020; and

Amend Rates and Fees By-law 52-2019 by replacing page 38 of Appendix A to reflect the amended fees; and

Approve Option 3 - apply the Private Tree By-law to the extent of the Urban Boundary currently and continue consultation with rural landowners, and

Approve Option 3 - cash in Lieu of replacement of **\$400.00** per replacement tree considered a 30 mm deciduous tree and 125 cm conifer.  
**Number of trees to be calculated as one 30 mm caliper replacement tree for every 10 cm tree cut down.**

**CARRIED**

Amendment

Moved by Councillor Nisan

Amend option 3 - approve the Private Tree Bylaw to the extent of the Urban Boundary currently and continue consultation with rural landowners by removing the words '**for implementation fall 2020**'.

**CARRIED**

Amendment

Moved by Councillor Sharman

Amend Option 3 Cash in Lieu of replacement of **\$400** per replacement tree considered a 30mm caliper deciduous tree and 125 cm high

conifer, **Number of trees to be calculated as 1 30mm caliper replacement tree for every 10 cm tree cut down.**

**CARRIED**

Amendment

Moved by Councillor Stolte

Amend the number of trees to be calculated as one 30 mm caliper replacement tree from "10 cm" tree cut down to every **"5 cm"** tree cut down.

**LOST**

Amendment

Moved by Councillor Nisan

Amend the cash in lieu of replacement of \$400 per replacement tree to **\$450** per replacement tree.

**LOST**

**6. Confidential Items:**

6.1 Confidential legal department update regarding a litigation matter (L-01-20)

Moved by Councillor Stolte

Receive and file legal department report L-01-20 regarding a litigation update.

**CARRIED**

**7. Procedural Motions:**

Moved by Councillor Nisan

Move into closed session in accordance with the following provisions under the Municipal Act, sections 239 (e) litigation or potential litigation affecting the municipality or local board, including matters before administrative tribunals, with respect to legal department report L-01-20 regarding a litigation matter; and

Section 239(2)f advise that is subject to solicitor-client privilege, including communications necessary for that purpose.

**CARRIED**

**8. Information Items:**

Moved by Mayor Meed Ward

Receive and file the following 4 items, having been given due consideration by the Environment, Infrastructure and Community Services Committee.

**CARRIED**

- 8.1 Correspondence from Burlington For Accessible Sustainable Transit (BFAST) regarding Climate Action Plan for Burlington (CW-20-19)
- 8.2 Correspondence from staff regarding Climate Action Plan for Burlington (CW-20-19)
- 8.3 Presentation from Harold Dickert regarding Climate Action Plan for Burlington (CW-20-19)
- 8.4 Presentation from Vince Fioritio regarding Climate Action Plan for Burlington (CW-20-19)

**9. Staff Remarks:**

None.

**10. Committee Remarks:**

None.

**11. Adjournment:**

10:40 a.m. (recessed), 10:50 a.m. (reconvened), 10:51 a.m. (closed), 12:00 p.m. (public), 12:01 p.m. (recessed), 1:00 p.m. (reconvened), 2:25 p.m. (recessed), 6:30 p.m. (reconvened), 9:30 p.m. (recessed), 9:35 p.m.(reconvened)

Chair adjourned the meeting at 9:42 p.m.