



Community Planning, Regulation & Mobility Committee Meeting

Minutes

Date: September 13, 2022
Time: 9:30 am
Location: Hybrid meeting- virtual and Council Chambers, City Hall

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

Staff Present: Tim Commisso, Brynn Nheiley, Mark Simeoni, Craig Kummer, Catherine Baldelli, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Jo-Anne Rudy (Clerk)

1. **Declarations of Interest:**

None

2. **Statutory Public Meetings:**

2.1 Official Plan and Zoning By-law amendments for 4103 Palladium Way (PL-50-22)

The Community Planning, Regulation and Mobility Committee, in accordance with the Planning Act, held Public Meeting No. 11-22 on September 13, 2022, regarding Official Plan and Zoning By-law amendments for 4103 Palladium Way. Having considered the oral and written comments received from staff and delegations, the Community Planning, Regulation and Mobility Committee approved community planning department report PL-50-22.

Moved by Councillor Galbraith

Direct staff to continue to proceed with the processing of the submitted Official Plan amendment and Zoning By-law amendment application for 4103 Palladium Way, including evaluating and incorporating any/all

comments received by committee and the public at the statutory public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.

CARRIED

- a. TJ Cieciora and Kimberley Harrison-McMillan, representing Design Plan Services Inc, provided information on Official Plan and Zoning By-law amendments for 4103 Palladium Way (PL-50-22)
 - b. Delegation material from TJ Cieciora and Kimberley Harrison-McMillan, representing Design Plan Services Inc., regarding Official Plan and Zoning By-law amendments for 4103 Palladium Way (PL-50-22)
 - c. Staff presentation regarding Official Plan and Zoning By-law amendments for 4103 Palladium Way (PL-50-22)
- 2.2 Official Plan and Zoning By-law amendments for 3110 South Service Road (PL-62-22)

The Community Planning, Regulation and Mobility Committee, in accordance with the Planning Act, held Public Meeting No. 12-22 on September 13, 2022, regarding Official Plan and Zoning By-law amendments for 3110 South Service Road. Having considered the oral and written comments received from staff and delegations, the Community Planning, Regulation and Mobility Committee approved community planning department report PL-62-22.

Moved by Councillor Kearns

Direct staff to continue to proceed with the processing of the submitted Official Plan amendment and Zoning By-law amendment application for 3110 South Service Road, including evaluating and incorporating any/all comments received by committee and the public at the statutory public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.

CARRIED

- a. David Nelson and Bruce Campbell, representing P3 Veterinary Partners, provided information on Official Plan and Zoning By-law amendments for 3110 South Service Road (PL-62-22)

- b. Delegation material from David Nelson and Bruce Campbell, representing P3 Veterinary Partners, regarding Official Plan and Zoning By-law amendments for 3110 South Service Road (PL-62-22)
- c. Staff presentation regarding Official Plan and Zoning By-law amendments for 3110 South Service Road (PL-62-22)
- d. Correspondence from Kristina Didiano, regarding Official Plan and Zoning By-law amendments for 3110 South Service Road (PL-62-22)

2.3 Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)

The Community Planning, Regulation and Mobility Committee, in accordance with the Planning Act, held Public Meeting No. 13-22 on September 13, 2022, regarding Official Plan and Zoning By-law amendment applications for 1396 Guelph Line. Having considered the oral and written comments received from staff and delegations, the Community Planning, Regulation and Mobility Committee received community planning department report PL-65-22.

Moved by Councillor Nisan

Receive and file community planning department report PL-65-22 regarding Official Plan and Zoning By-law amendment applications for 1396 Guelph Line.

CARRIED

- a. Gary Scobie spoke in opposition to Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)
- b. Stephanie Bye spoke in opposition to Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)
- c. Julija P. spoke in opposition to Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)
- d. Cynthia Erochko spoke in opposition to Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)
- e. Delegation material from Gary Scobie regarding Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)

- f. Staff presentation regarding Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)
- 2.4 Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)

Moved by Councillor Sharman

Refer community planning department report PL-66-22 regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line to the Environment, Infrastructure and Community Services Committee meeting of September 15, 2022.

CARRIED

- a. Dana Anderson, representing 1989 Appleby Latch GP Inc, provided information on Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- b. Doug Benton spoke in opposition to Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- c. Mathew Van Camp spoke in opposition to Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- d. Angela Molyneaux spoke in opposition to Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- e. Andrew Hall spoke to Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- f. Lara Henry spoke in opposition to Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- g. Luke Chiasson spoke in opposition to Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- h. Delegation material from Doug Benton regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- i. Delegation material from Dana Anderson, representing 1989 Appleby Latch GP Inc., regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- j. Staff presentation regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)

- k. Correspondence from Richard and Catherine Beriault, regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- l. Correspondence from Valerie Ferencich regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- m. Correspondence from Matt Ferencich regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)

3. Delegation(s):

- 3.1 Marwa Selim, representing BurlingtonGreen Environmental Association, spoke to CUTRIC/CUTZEB™ Joint Procurement Initiative (TR-04-22)
- 3.2 Anne and Dave Marsden spoke to Future of City of Burlington Outdoor Patio Program - update for Q3 2022 (PL-67-22)
- 3.3 Mary Alice St. James, representing A.C.T. (Active Community Teamwork) spoke to New Zoning By-law Review Project - Terms of Reference (PL-60-22)
- 3.4 Leslie Barbetta did not appear (PL-60-22)
- 3.5 Daintry Klein, representing Millcroft Greenspace Alliance, spoke to New Zoning By-law Review Project - Terms of Reference (PL-60-22)
- 3.6 Lisa La Civita and Daniel Belli, representing Armland Group, spoke to Draft Plan of Subdivision at 4375 Millcroft Park Drive (PL-64-22)
- 3.7 Tony Millington spoke to Zoning By-law amendment for 2154 Walker's Line (PL-63-22)
- 3.8 Blake Smith spoke to Zoning By-law amendment for 2154 Walker's Line (PL-63-22)
- 3.9 Brian Dean, Executive Director, Burlington Downtown Business Association, spoke to proposed inclusion of downtown properties on the City of Burlington Heritage Register (PL-59-22)

4. Consent Items:

- 4.1 PRESTO Contactless Payment (TR-02-22)
Moved by Mayor Meed Ward

Authorize the Mayor and City Clerk to sign the Amending Agreement for the 905 Agencies and Metrolinx related to Open Payment, referred to as the PRESTO Contactless Payment, with content satisfactory to the Director of Transit and in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Approve the recommended changes to the rates and fees for the Transit Department include PRESTO Contactless payment as a payment option for transit at the current cash rate of \$3.50; and

Enact the By-law to amend By-law 61-2021, to implement PRESTO Contactless payment options, attached as Appendix "A" to transit department report TR-02-22, which has been prepared in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

CARRIED

4.2 CUTRIC/CUTZEB™ Joint Procurement Initiative (TR-04-22)

Moved by Mayor Meed Ward

Receive transit department report TR-04-22 which outlines the key deliverables and planning activities to be developed by the Canadian Urban Transit Research & Innovation Consortiums (CUTRIC) Zero-Emissions Bus CUTZEB™ Joint Procurement Initiative to support the development of the Zero-Emission Bus Fleet Implementation and Rollout Plan, capital funding application(s) and joint procurement services for the supply of Zero Emission Buses (ZEBs), chargers, power supply services and infrastructure development services for Burlington Transit for the years 2023 to 2026; and

Direct the Director of Transit to confirm Burlington's participation in the CUTZEB™ joint procurement initiative at an estimated cost of \$92,500 plus HST, using existing funds received from the Provincial Gas Tax and authorize the Mayor and City Clerk to execute on behalf of the Corporation of the City of Burlington the necessary contracts with CUTZEB™, to the satisfaction of the Executive Director of Legal Services and the Director of Transit.

CARRIED

4.3 Request to amend Heritage Designation Bylaw for 38 Frontier Trail (formerly 398 Mountain Brow Road East) (PL-61-22)

Moved by Mayor Meed Ward

State an intention to amend By-law 44-2009 pursuant to Part IV of the Ontario Heritage Act, section 30.1 (1), as shown in the draft amending by-law and revised statement of significance attached as Appendix C to community planning department report PL-61-22; and

Direct the Director of Community Planning to provide notice of Council's intention to amend By-law 44-2009, in accordance with section 29 (3) and 29 (4) of the Ontario Heritage Act; and

Direct the City Clerk to present the draft amending by-law to Council for approval within 120 days after the date of publication of the notice of intention to amend By-law 44-2009, provided there is no objection or withdrawal; and

Direct the City Clerk to take the necessary actions in the event of any objection to the statement of intention to amend By-law 44-2009 pursuant to Part IV of the Ontario Heritage Act, sections 29 (5) and 29 (6); and

Direct the City Solicitor to take necessary steps to implement the following amendments to the existing Heritage Conservation Easement Agreement, registered on title for the heritage property at 398 Mountain Brow Road, Instrument No. HR1518674 (the "HEA"), dated April 29th, 2009:

- a. Replace the Statement of Significance attached to the HEA under Schedule "C" with the revised statement of significance attached as Appendix C to community planning department report PL-61-22
- b. Make any required amendments to the HEA to remove references to the demolished house and accurately reflect the existing condition of the property to the satisfaction of the Director of Community Planning
- c. Introduce any necessary bylaw in Council to amend the HEA.

CARRIED

5. Regular Items:

5.1 Future of City of Burlington Outdoor Patio Program - update for Q3 2022 (PL-67-22, SD-22-22)

Moved by Councillor Kearns

Receive and file community planning department report PL-67-22 regarding the future of the City of Burlington Outdoor Patio Program update for Q3 2022; **and**

Direct the Director of Community Planning to deliver an interim report to the Community Planning, Regulation & Mobility Committee meeting of December 6, 2022, regarding the future of outdoor patios outlining progress to date and draft policy directions for the 2023 patio season.

CARRIED

Amendment:

Moved by Councillor Kearns

Direct the Director of Community Planning to deliver an interim report to the Community Planning, Regulation & Mobility Committee meeting of December 6, 2022, regarding the future of outdoor patios outlining progress to date and draft policy directions for the 2023 patio season. (SD-22-22)

CARRIED

5.2 New Zoning By-law Review Project - Terms of Reference (PL-60-22, SD-23-22)

Moved by Councillor Sharman

Endorse the proposed Terms of Reference for the City's New Zoning By-law Project attached as Appendix A to community planning department report PL-60-22; **and**

Authorize the Director of Community Planning to engage consultants through a Request for Proposal process to carry out the work, in accordance with the above noted proposed Terms of Reference; **and**

Direct the Director of Community Planning to finalize the Engagement Plan based on the draft Engagement Plan attached as Appendix C to community planning department report PL-60-22; **and**

Direct the Director of Community Planning to provide quarterly update reports on the New Zoning By-law Project including community engagement, budget and other matters. (SD-23-22)

CARRIED

Amendment:

Moved by Councillor Sharman

Direct the Director of Community Planning to provide quarterly update reports on the New Zoning By-law Project including community engagement, budget and other matters. (SD-23-22)

CARRIED

5.3 Draft Plan of Subdivision at 4375 Millcroft Park Drive (PL-64-22)

Moved by Councillor Kearns

Approve the application submitted by Salotto Building Group Inc. to draft approve a residential plan of subdivision consisting of 30 lots and a public road at 4375 Millcroft Park Drive, Block 133 of Plan 20M-811, as shown in Appendix A of community planning department report PL-64-22, subject to the conditions contained in Appendix B of that report.

CARRIED

5.4 Zoning By-law amendment for 2154 Walker's Line (PL-63-22)

Moved by Councillor Bentivegna

Approve the Zoning By-law amendment application for the property located at 2154 Walker's Line to permit nine (9) townhouse units of two (2) storeys in height to be developed on a private road; and

Approve Zoning By-law 2020.445, attached as Appendix D of community planning report PL-63-22, which rezones the lands at 2154 Walker's Line from 'R3.2' zone to 'RM2-517'; and

Deem that the amending zoning 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

- 5.5 Proposed inclusion of downtown properties on the City of Burlington Heritage Register (PL-59-22)

Moved by Councillor Kearns

Refer community planning department report PL-59-22 regarding proposed inclusion of downtown properties on the City of Burlington Heritage Register to the Environment, Infrastructure and Community Services Committee meeting of September 15, 2022.

CARRIED

6. Confidential Items:

None

7. Procedural Motions:

None

8. Information Items:

Moved by Councillor Galbraith

Receive and file the following 6 items, having been given due consideration by the Community Planning, Regulation and Mobility Committee.

CARRIED

- 8.1 Staff presentation regarding New Zoning By-law Review Project - Terms of Reference (PL-60-22)

- 8.2 Staff presentation regarding Draft Plan of Subdivision at 4375 Millcroft Park Drive (PL-64-22)

- 8.3 Staff presentation regarding Zoning By-law amendment for 2154 Walker's Line (PL-63-22)

- 8.4 Staff presentation regarding proposed inclusion of downtown properties on the City of Burlington Heritage Register (PL-59-22)

- 8.5 Delegation material from Mary Alice St. James regarding New Zoning By-law Review Project - Terms of Reference (PL-60-22)

8.6 Delegation material from Tony Millington regarding Zoning By-law amendment for 2154 Walker's Line (PL-63-22)

9. Staff Remarks:

9.1 Tim Commisso, City Manager, provided a verbal update regarding a day of mourning on September 19, 2022, for Queen Elizabeth II.

10. Committee Remarks:

11. Adjournment:

9:57 a.m. (recessed), 10:07 a.m. (reconvened), 10:36 a.m. (recessed), 10:46 a.m. (reconvened), 12:04 p.m. (recessed), 1:05 p.m. (reconvened), 2:40 (recessed), 2:47 p.m. (reconvened), 4:56 p.m. (recessed), 6:30 p.m. (reconvened), 7:29 p.m. (recessed), 7:40 p.m. (reconvened), 8:13 p.m. (recessed), 8:20 p.m. (reconvened), 9:59 p.m. (recessed), 10:04 p.m. (reconvened)

Chair adjourned the meeting at 10:06 p.m.