



Committee of the Whole Meeting

Minutes

Date: February 1, 2023
Time: 9:30 am
Location: Hybrid meeting- virtual and Council Chambers, 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, Scott Hamilton, Sheila Jones, Brynn Nheiley, Allan Magi, Nancy Shea-Nicol, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Suzanne Gillies, Lisa Palermo (Clerk)

1. **Declarations of Interest:**

None

2. **Delegation(s):**

- 2.1 Richard Burgess and Megan Madill, representing Burlington Holiday Market, spoke regarding the Burlington Holiday Market
- 2.2 Kim Harrison-McMillan representing Better Life Development, spoke regarding the direction to expedite file for Better Life Retirement Residence – 4103 Palladium Way
- 2.3 Ed Fothergill, representing Fothergill Planning & Development Inc., spoke regarding the development application files located at Brant Street and Ghent Avenue

3. **Consent Items:**

- 3.1 Vision to Focus (V2F) integrated reporting update as of December 31, 2022 (CS-06-23)

Moved by Councillor Sharman

Receive and file Vision to Focus (V2F) integrated reporting update as of December 31, 2022, as contained in appendix A of corporate strategy report CS-06-23.

CARRIED

3.2 Privacy and Protection of Personal Information Policy (CL-01-23)

Moved by Councillor Sharman

Repeal the Protection of Privacy and Confidentiality of Information Policy attached as appendix A to Office of the City Clerk report CL-01-23; and

Approve the Privacy and Protection of Personal Information Policy attached as appendix B to Office of the City Clerk report CL-01-23;

CARRIED

3.3 Hydro Business Plan (F-04-23)

Moved by Councillor Sharman

Receive and file finance department report F-04-23 regarding the Hydro 2023 business plan.

CARRIED

4. Regular Items:

4.1 Burlington Holiday Market (RCC-02-23)

Moved by Councillor Kearns

Direct the Director of Recreation, Community and Culture to approve the continuation of the Burlington Holiday Market contingent on the alignment with the annual Santa Claus Parade and address concerns expressed around the areas that are prone to high winds creating a wind tunnel within the event footprint.

CARRIED

Moved by Councillor Kearns

Direct the Deputy Mayor of Engagement and Partnerships to work in collaboration with the City Manager or delegate to explore and report back on partnership opportunities for the Burlington Holiday Market.

CARRIED

- 4.2 Staff direction to expedite file for Better Life Retirement Residence – 4103 Palladium Way (COW-02-23)(SD-02-23)

Moved by Mayor Meed Ward

Direct the Director of Community Planning, Regulations & Mobility and all applicable development review staff to prioritize the Better Life Retirement Residence – 4103 Palladium Way file in order to meet provincial funding deadlines and ensure viability of the project. (SD-02-23)

CARRIED

- 4.3 Staff direction to consult Heritage Burlington Advisory Committee and evaluate eligibility of 496 Walker's Line for Heritage Designation (COW-01-23) (SD-03-23)

Moved by Mayor Meed Ward

Direct the Director of Community Planning, Regulations & Mobility to:

Review the current condition of 496 Walker's Line, assess its continued eligibility for designation under Part IV, Section 29 of the Ontario Heritage Act and update the statement of significance for the property to reflect current property conditions and legislative requirements; and

Consult the Heritage Burlington Advisory Committee to obtain their recommendations concerning the eligibility of 496 Walker's Line for inclusion on the Heritage Register under Part IV, Section 27(3) of the Ontario Heritage Act and for heritage designation under Part IV, Section 29 of the Ontario Heritage Act; and

Report back to City Council in Q2 2023 with the Heritage Burlington Advisory Committee recommendations and the updated statement of significance for the property. (SD-03-23)

CARRIED

- 4.4 Motion memorandum regarding development application files located at Brant Street and Ghent Avenue (COW-03-23)

Moved by Councillor Kearns

Refer motion memorandum regarding development application files located at Brant Street and Ghent Avenue (COW-03-23) to the February 14, 2023 Council meeting, taking into consideration the comments and considerations expressed at the Corporate Services, Strategy, Risk and Accountability Committee on February 1, 2023.

CARRIED

5. Confidential Items and Closed Session:

Moved by Councillor Stolte

Proceed into closed session at 1:01 p.m. in accordance with the following provision under the Municipal Act:

Pursuant to Section 239(2)(e) of the Municipal Act, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, for items 5.2, 5.3, 5.4 and 5.5.

CARRIED

- 5.1 Confidential legal department update on a litigation matter regarding appeals of the Parkland Dedication By-law 62-2022 (L-03-23)

Moved by Councillor Bentivegna

Receive and file confidential legal services department report L-03-23 regarding appeals of the Parkland Dedication By-law 62-2002.

CARRIED

- 5.2 Confidential legal department update on a litigation matter regarding Nelson Aggregates (L-07-22)

- 5.3 Confidential legal department update on a litigation matter regarding 3503 New Street (L-08-23)

- 5.4 Confidential legal department update on a litigation matter regarding 374-380 Martha Street (L-09-23)

- 5.5 Confidential legal department update on a litigation matter regarding 3500 Ketelbey Court (L-11-23)

6. Rise and Report:

The committee provided instructions to legal department staff in closed session for the following 3 items:

- Confidential legal department update on a litigation matter regarding 3503 New Street (L-08-23)
- Confidential legal department update on a litigation matter regarding 374-380 Martha Street (L-09-23)
- Confidential legal department update on a litigation matter regarding 3500 Ketelbey Court (L-11-23)

Moved by Councillor Nisan

Receive and file confidential legal services department report L-07-23 providing an update on a litigation matter regarding Nelson Aggregates.

CARRIED

7. Procedural Motions:

7.1 Motion to waive the rules

Moved by Councillor Kearns

Waive section 36,2 of Procedure By-law 31-2021, as amended, to add item 4.4 regarding development application files located at Brant Street and Ghent Avenue (COW-02-23) to the agenda.

CARRIED

8. Information Items:

Moved by Councillor Bentivegna

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

CARRIED

8.1 Correspondence from Conservation Halton, regarding development application files located at Brant Street and Ghent Avenue

9. Staff Remarks:

None

10. Committee Remarks:

None

11. Adjournment:

10:48 a.m. (recessed), 11:02 a.m. (reconvened), 11:57 a.m. (recessed), 1:00 p.m. (reconvened), 1:01 p.m. (closed), 2:48 p.m. (public)

Chair adjourned the meeting at 2:51 p.m.