



Community Planning, Regulation & Mobility Committee Meeting

Minutes

Date: February 28, 2023
Time: 9:30 am
Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Paul Sharman (Chair), Shawna Stolte, Rory Nisan, Kelvin Galbraith, Lisa Kearns (present from 2:58 p.m. to 3:35 p.m.), Angelo Bentivegna, Mayor Marianne Meed Ward

Staff Present: Tim Commisso, Brynn Nheiley, Nick Anastasopoulos, 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 Zoning By-law amendment for 3399 Appleby Line (PL-14-23)

The Community Planning, Regulation and Mobility Committee, in accordance with the Planning Act, held Public Meeting No. 2-23 on February 28, 2023, regarding Zoning By-law amendment for 3399 Appleby Line. 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-14-23.

Note: this item will be considered at the March 2, 2023 Council meeting.

Moved by Councillor Galbraith

Direct staff to continue to proceed with the processing of the submitted Zoning By-law amendment application for 3399 Appleby Line, 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. Staff presentation regarding Zoning By-law amendment for 3399 Appleby Line (PL-14-23)
- b. Katherine Rauscher, representing MHBC Planning, spoke to Zoning By-law amendment for 3399 Appleby Line (PL-14-23)
- c. Delegation material from Katherine Rauscher, representing MHBC Planning, regarding Zoning By-law amendment for 3399 Appleby Line (PL-14-23)

2.2 Official Plan and Zoning By-law amendment application for 1062-1074 Cooke Boulevard (PL-07-23)

The Community Planning, Regulation and Mobility Committee, in accordance with the Planning Act, held Public Meeting No. 3-23 on February 28, 2023, regarding Official Plan and Zoning By-law amendment application for 1062-1074 Cooke Boulevard. 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-07-23.

Note: this item will be considered at the March 2, 2023 Council meeting.

Moved by Councillor Galbraith

Direct staff to continue to proceed with the processing of the submitted applications for Official Plan and Zoning By-law amendments for 1062-1074 Cooke Boulevard, 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. Staff presentation regarding Official Plan and Zoning By-law amendment application for 1062-1074 Cooke Boulevard (PL-07-23)

- b. Tiffany Budler, representing Aldershot BIA, spoke to Official Plan and Zoning By-law amendment application for 1062-1074 Cooke Boulevard (PL-07-23)
- c. Brooke Lawrie spoke to Official Plan and Zoning By-law amendment application for 1062-1074 Cooke Boulevard (PL-07-23)
- d. Deborah Roberts spoke to Official Plan and Zoning By-law amendment application for 1062-1074 Cooke Boulevard (PL-07-23)
- e. Delegation material from Tiffany Budler, representing Aldershot BIA, regarding Official Plan and Zoning By-law amendment application for 1062-1074 Cooke Boulevard (PL-07-23)

3. Delegation(s):

- 3.1 Dana Anderson, representing MHBC Planning, spoke to Official Plan amendment and rezoning applications for 441 Maple Avenue (PL-12-23)
- 3.2 Serge Langevin spoke to Official Plan Amendment and Rezoning applications for 441 Maple Avenue (PL-12-23)
- 3.3 Sokol Meta, representing HCC141, spoke to 2222 Lakeshore Road Community Heritage Fund grant application (PL-17-23)
- 3.4 Geeta and Michael Sobhi spoke to the eligibility of 488 Locust Street for heritage designation (PL-23-23)
- 3.5 Karmel Sakran and Nisrat Naser, representing Green Germann Sakran, spoke to the objections to inclusion on the Burlington Municipal Heritage Register (PL-08-23)
- 3.6 William Thatcher, representing Thatcher and Laws Law Office, spoke to the objections to inclusion on the Burlington Municipal Heritage Register (PL-08-23)
- 3.7 David Coons did not speak. (PL-08-23)
- 3.8 Sharon Coons spoke to the objections to inclusion on the Burlington Municipal Heritage Register (PL-08-23)

4. Consent Items:

- 4.1 Indexation of building permit fees for 2023 (BB-01-23)

Note: this item will be considered at the March 2, 2023 Council meeting.

Moved by Mayor Meed Ward

Enact By-law 06-2023 as attached as appendix A to building and by-law department report BB-01-23 to amend By-law 66-2019, the Building Permit By-law, to adopt the annual indexation of building permit fees for 2023.

CARRIED

4.2 Eligibility of 977 Unsworth Avenue for heritage designation (PL-18-23)

Moved by Mayor Meed Ward

State an intention to designate the property at 977 Unsworth Avenue under Part IV, Section 29 of the Ontario Heritage Act in accordance with the statement of significance by Megan Hobson, dated November 10, 2022; and

Direct the Director of Community Planning to provide notice of Council's intention to designate 977 Unsworth Avenue, in accordance with section 29 (3) and 29 (4) of the Ontario Heritage Act; and

Direct the City Clerk to present the draft designation by-law to Council for approval within 120 days after the date of publication of the notice of intention to designate 977 Unsworth Avenue, 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 notice of intention to designate pursuant to Part IV of the Ontario Heritage Act, sections 29 (5) and 29 (6).

CARRIED

4.3 2411 Lakeshore Road Community Heritage Fund grant application (PL-16-23)

Moved by Mayor Meed Ward

Approve the grant application for restoration work to the front door at 2411 Lakeshore Road in the amount of \$350.00 to be funded by the Burlington Community Heritage Fund; and

Instruct the Legal Department to prepare the necessary Heritage Conservation Agreement (Letter of Understanding); and

Authorize the Mayor and Clerk to sign the Heritage Conservation Agreement (Letter of Understanding) in connection with this matter.

CARRIED

4.4 Update to the Streamlined Development Application Fund process improvements (PL-20-23)

Moved by Mayor Meed Ward

Receive and file community planning department report PL-20-23 which summarizes the effect of the Building Code Act and Ontario Building Code regarding applicable law on the process improvements that have been identified through the Streamline Development Approval Fund (SDAF) project.

CARRIED

5. Regular Items:

5.1 Burlington Housing Pledge (PL-24-23)

Moved by Councillor Stolte

Endorse the “City of Burlington 2031 Municipal Housing Target Pledge”, included as Appendix B to community planning department report PL-24-23, to support Council’s commitment to accelerating the supply of housing to meet the 2031 Municipal Housing Target of 29,000 new housing units, subject to the following conditions:

That the City not be penalized financially or otherwise, for failing to meet the identified housing target; and

That the housing target be recognized as an aspirational target and that the City be permitted to continue to utilize the applicable population and employment forecasts from the Growth Plan, 2020 and/or municipal growth allocations assigned to and/or developed by the City, for the purposes of creating development related studies, plans, and by-laws; and

That the Province continue to work with municipalities to provide new opportunities for municipalities to generate stable revenue and grant opportunities, such as the Streamline Development Approval Fund, to aid in the rapid delivery of the identified municipal initiatives and growth-related infrastructure; and

That the Province consult and engage with municipalities on recent and future legislative changes and initiatives to find mutually beneficial ways to streamline approvals and enable municipalities to collect growth-related charges to deliver infrastructure and community needs quickly.

CARRIED

5.2 Official Plan Amendment and rezoning applications for 441 Maple Avenue (PL-12-23)

Moved by Councillor Galbraith

Approve the applications for Official Plan Amendment and Zoning By-law Amendment for the property located at 441 Maple Avenue for the development of an 11-storey, 140-unit residential building; and

Approve Official Plan Amendment No. 129 to the City of Burlington Official Plan, as contained in Appendix D of community planning department report PL-12-23, to add a site specific policy to the *Downtown Residential – Medium and/or High Density Precinct* designation for the lands located at 441 Maple Avenue; and

Deem that Section 17(21) of The Planning Act has been met; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 129, as contained in Appendix D of community planning department report PL-12-23; and

Approve Zoning By-law 2020.452 attached as Appendix E to community planning department report PL-12-23, to add a site specific exception to the *Downtown Residential High-Density (DRH) Zone* for the lands located at 441 Maple Avenue; and

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 129 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 129 is adopted.

CARRIED

5.3 2222 Lakeshore Road Community Heritage Fund grant application (PL-17-23)

Moved by Mayor Meed Ward

Approve Halton Condominium Corporation 141's Community Heritage Fund grant application for a \$15,000 grant to subsidize the replacement of all windows at 2222 Lakeshore Road with modern vinyl windows.

CARRIED

Amendment:

Moved by Councillor Nisan

Defer the consideration of the community heritage fund grant application for 2222 Lakeshore Road until Q1 2024 to allow staff to review the community heritage fund grant program criteria.

LOST

Amendment:

Moved by Mayor Meed Ward

Replace the word "Decline" with "Approve" and remove the following words from the end of the recommendation "due to non-compliance with Community Heritage Fund criteria".

CARRIED

5.4 Eligibility of 488 Locust Street for heritage designation (PL-23-23)

Moved by Mayor Meed Ward

State an intention to designate the property at 488 Locust Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Heritage Evaluation of 488 Locust Street prepared by ARA Associates Inc., dated February 6, 2023; and

Direct the Director of Community Planning to provide notice of Council's intention to designate 488 Locust Street, in accordance with section 29 (3) and 29 (4) of the Ontario Heritage Act; and

Direct the City Clerk to present the draft designation by-law to Council for approval within 120 days after the date of publication of the notice of intention to designate 488 Locust Street, 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 notice of intention to designate pursuant to Part IV of the Ontario Heritage Act, sections 29 (5) and 29 (6).

CARRIED

5.5 Objections to inclusion on the Burlington Municipal Heritage Register (PL-08-23)

Moved by Mayor Meed Ward

Defer a decision to remove any of the following properties from the City of Burlington Municipal Register of Cultural Heritage Resources until the conclusion of the Downtown Heritage Study; and

Direct the Director of Community Planning to report back to Council in Q4 of 2023 with recommendations regarding their continued inclusion or removal based on information from the study:

372-374 Brant Street;
380 Brant Street;
574 Brant Street;
620 Brant Street;
426 Burlington Avenue;
437 Elizabeth Street;
441 Elizabeth Street;
468 Elizabeth Street;
458 Locust Street;
524 Locust Street; and
2010 Maria Street.

CARRIED

5.6 Motion memorandum regarding processing of Committee of Adjustment applications (CPRM-01-23, SD-13-23, SD-14-23)

Note: this item will be considered at the March 2, 2023 Council meeting.

Moved by Mayor Meed Ward

Direct the Executive Director of Community Planning, Regulation and Mobility to implement measures to clear the Committee of Adjustment

(CofA) backlog within the next 4 months, including those efforts which have already been implemented to date (SD-13-23); and

Direct the Executive Director of Community Planning, Regulation and Mobility to submit a progress report to Council, by way of **a memo in the Council Information Package**, on a monthly basis beginning March 15, 2023, until the CofA backlog has been cleared (SD-13-23); and

Direct the Executive Director of Community Planning, Regulation and Mobility to target that applicants be placed on a hearing agenda within 3 months from the date of a complete application, and to report back to Council by end of Q2 with status and challenges of CofA application in process (SD-13-23); and

Direct the Executive Director of Community Planning, Regulation and Mobility to implement, by Q2, a CofA Terms Of Reference that aligns the procedures of CofA meetings with those of Council. Include results of this implementation in the Q2 report back to Council (SD-13-23); and

Direct the City Manager and Chief Financial Officer, in conjunction with the establishment of the governance structure of the new Innovation and Digital Transformation Reserve Fund, to **consider** as a 2023 workplan priority, the allocation of dedicated project funds towards advancing process change and technology improvement related to the CofA. (SD-14-23)

CARRIED

Amendment:

Moved by Mayor Meed Ward

Remove the word "email" in the second paragraph and replace it with "a memo in the Council Information Package"

CARRIED

Amendment:

Moved by Councillor Sharman

Replace the word "identify" in the fifth paragraph with the word "consider"

CARRIED

- 5.7 ROPA 48, 49 and Bill 23 - Approach to achieve conformity and compliance (PL-05-23)

Moved by Mayor Meed Ward

Receive and file community planning department report PL-05-23 regarding ROPA 48, 49 and Bill 23 – Approach to achieve conformity and compliance.

CARRIED

6. Confidential Items and Closed Session:

None

7. Rise and Report from Closed Session:

None

8. Procedural Motions:

- 8.1 Motion to waive the rules

Moved by Mayor Meed Ward

Waive section 36.2 of Procedure By-law 31-2021, as amended, to allow discussion of item #5.6 - motion memorandum regarding processing of Committee of Adjustment applications (CPRM-01-23), as it was not received by the required agenda deadline.

CARRIED

9. Information Items:

Moved by Councillor Stolte

Receive and file the following 11 items, having been given due consideration by the Community Planning, Regulation and Mobility Committee.

CARRIED

- 9.1 Staff presentation regarding Official Plan Amendment and rezoning applications for 441 Maple Avenue (PL-12-23)

- 9.2 Delegation material from Dana Anderson, MHBC Planning, regarding Official Plan amendment and rezoning application for 441 Maple Avenue (PL-12-23)

- 9.3 Delegation material from Serge Langevin regarding Official Plan amendment and rezoning applications for 441 Maple Avenue (PL-12-23)
- 9.4 Staff presentation regarding 2222 Lakeshore Road Community Heritage Fund grant application (PL-17-23)
- 9.5 Delegation material from Sokol Meta, representing HCC141, regarding 2222 Lakeshore Road Community Heritage Fund grant application (PL-17-23)
- 9.6 Staff presentation regarding eligibility of 488 Locust Street for heritage designation (PL-23-23)
- 9.7 Delegation material from Geeta and Michael Sobhi regarding eligibility of 488 Locust Street for heritage designation (PL-23-23)
- 9.8 Staff presentation regarding objections to inclusion on the Burlington Municipal Heritage Register (PL-08-23)
- 9.9 Correspondence from Victoria Mortelliti, Building Industry and Land Development Association (BILD), regarding processing of Committee of Adjustment applications (CPRM-01-23)
- 9.10 Correspondence from Lindsay Gordon regarding processing of Committee of Adjustment applications (CPRM-01-23)
- 9.11 Correspondence from Michelle Diplock, West End Home Builders' Association, regarding processing of Committee of Adjustment applications (CPRM-01-23)

10. Staff Remarks:

11. Committee Remarks:

12. Adjournment:

9:57 a.m. (recessed), 10:10 a.m. (reconvened), 11:24 a.m. (recessed), 11:32 a.m. (reconvened), 12:20 p.m. (recessed), 1:30 p.m. (reconvened), 3:05 p.m. (recessed), 3:13 p.m. (reconvened), 4:30 p.m. (recessed), 6:30 p.m. (reconvened), 7:10 p.m. (recessed), 7:20 p.m. (reconvened)

Councillor Nisan was absent from 10:30 a.m. until 1:30 p.m.

Councillor Kearns was present from 2:58 p.m. until 3:35 p.m.

Chair adjourned the meeting at 7:48 p.m.