



Community Planning, Regulation & Mobility Committee Meeting

Minutes

Date: March 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, Angelo Bentivegna, Mayor Marianne Meed Ward

Staff Present: Tim Commisso, Brynn Nheiley, Nick Anastasopoulos, Craig Kummer, Joan Ford, Scott Hamilton, Emilie Cote, Karen Roche, Enrico Scalera, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Suzanne Gillies (Clerk)

1. Declarations of Interest:

None

2. Statutory Public Meetings:

None

3. Delegation(s):

- 3.1 Daintry Klein, representing Millcroft Greenspace Alliance, spoke regarding Park Provisioning Master Plan final report (ES-02-23)
- 3.2 Graham Line, representing Rotary Club of Burlington Central, spoke in support of motion memo - approval of Lakeside a la Carte expansion in 2023 (CPRM-05-23)
- 3.3 Ben Freeman, representing Canadian Food Truck Festivals, spoke in opposition of motion memo - relocating of 2023 Food Truck Festival (CPRM-06-23)

- 3.4 Chris Regan spoke regarding motion memo - development and implementation of a city-wide short-term accommodation (STA) compliance/licensing program (CPRM-03-23)

4. Consent Items:

- 4.1 Automatic Aid Agreement with the City of Hamilton (BFD-04-23)

Note: this item was withdrawn by staff

- 4.2 The Establishing and Regulating By-Law (BFD-02-23)

Note: this item was withdrawn by staff

- 4.3 Amendment to 2023 Rates and Fees – Fire (BFD-03-23)

Moved by Mayor Meed Ward

Approve By-law 19-2023 attached as Appendix A to Burlington fire department report BFD-03-22, to amend Rates and Fees By-law 83-2022 to update the Fire Prevention and Fire Emergency Response Rates and Fees to reflect the Ministry of Transportation's 2023 apparatus rate.

CARRIED

- 4.4 Delivery of support services for people with disabilities participating in recreation programs (RCC-05-23)

Note: this item was considered at the March 30, 2023 Council meeting

Moved by Mayor Meed Ward

Authorize the award of the contract for support services for people with disabilities, as a pilot program from May 1, 2023 to April 30, 2024, to Jodal Health Care Inc, 1315 Finch Avenue West, 300, Toronto, Ontario for \$125,314.18 inclusive of HST; and

Authorize the Manager of Procurement Services to issue a purchase order and/or sign any associated agreements pending the receipt of the required insurance from the bidder named above, subject to the approval of the Executive Director of Legal Services and Corporation Counsel, and approve the total cost of \$112,849.30 (net HST) to be funded as outlined in recreation, community and culture department report RCC-05-23; and

Authorize the Manager of Procurement Services to extend the contract for the term of the agreement subject to the conditions outlined in the RFP;

and

Direct the Director of Recreation, Community and Culture to evaluate the success of this pilot program, for potential consideration of ongoing resourcing of support services to people with disabilities through a service provider as part of the 2024 Budget.

CARRIED

5. Regular Items:

5.1 Parks, Recreation and Cultural Assets Master Plan (RCC-03-23)

Moved by Councillor Stolte

Receive and file recreation, community and culture department report RCC-03-23 providing information on the Parks, Recreation and Cultural Assets Master Plan update.

CARRIED

5.2 Emerald Ash Borer Management Plan update (RPF-03-23)

Moved by Councillor Nisan

Receive and file the roads, parks, and forestry department report RPF-03-23, providing an update to the emerald ash borer management plan.

CARRIED

5.3 2022 annual building permit revenues and expenses (BB-02-23)

Moved by Councillor Kearns

Receive and file building and by-law department report BB-02-23 providing related information for the 2022 annual building permit revenues and expenses.

CARRIED

5.4 City of Burlington update to Coyote Response Strategy (BB-03-23)

Moved by Councillor Stolte

Receive and file building and by-law department report BB-03-23 and endorse the actions taken by the Director of Building and By-law to date

related to the City's response to the implementation of a Coyote Action and Awareness Program; and

Direct the Director of By-law Compliance to report back as required with any further updates on the program as well as additional future staffing and other resource requirements to support the City's Coyote Management Strategy.

CARRIED

5.5 Appointment of Hearing Officers (TS-10-23)

Moved by Councillor Galbraith

Approve By-law No. 20-2023, being the Screening and Hearing Officer By-law, substantially in the form attached as Appendix A to transportation services department report TS-10-23, in the form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Approve Hearing Officer remuneration at the rate of \$500 per diem; and

Authorize the Director of Transportation Services to execute service agreements/ contracts with each of the appointed Hearing Officers, and any extension thereto, with content satisfactory to the Director of Transportation Services and form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

CARRIED

5.6 Park Provisioning Master Plan final report (ES-02-23)(SD-18-23)

Moved by Mayor Meed Ward

Receive and file the Park Provisioning Master Plan, listed as Appendix A in engineering services report ES-02-23, as the framework to guide the planning of future parks in the City of Burlington and satisfy Provincial legislative requirements (as amended by Bill 23) to have a park plan in place prior to passing an update to the Parkland Dedication Bylaw; and

Approve the updated park classification system and authorize the Director of Engineering to report back to Council with an updated inventory of existing parks recategorized within the new classification system; and

Approve the future parkland target service levels identified in Section 2.5

of the Parks Provisioning Master Plan, listed as Appendix A in engineering services report ES-02-23; and

Approve the parkland criteria, listed as Appendix B in engineering services report ES-02-23, as a support document to help guide the development community and staff in deciding which lands to obtain through parkland dedication; and

Direct the Executive Director of Legal Services and Corporation Counsel or designate to develop a proactive strategy to acquire park lands based on service levels set forth in the Park Provisioning Master Plan; and

Approve monitoring the City's parkland service levels and acquisition priorities as part of Multi-Year Community Investment Plan reporting and updates to the Vision to Focus; and

Direct the Director of Community Planning to conduct an exploration of a Community Planning Permit System as a tool to aid in the acquisition of infrastructure, parkland or monetary contribution, in exchange for offering a more streamline and transparent approval process within the Major Transit Station Area (MTSA) specific planning process; and

Direct the Director of Community Planning to begin work with land owners in the MTSA's or any area of the City subject to an area-specific planning process to guide future development and to identify specific City infrastructure needs; **and**

Direct the Director of Engineering Services in consultation with the Director of Community Planning to bring updates throughout the year as well as annually to incorporate new information. (SD-18-23)

CARRIED

Amendment:

Moved by Mayor Meed Ward

Direct the Director of Engineering Services in consultation with the Director of Community Planning to bring updates throughout the year as well as annually to incorporate new information.

CARRIED

- 5.7 Cootes to Escarpment EcoPark System Pilot Ecological Corridor Program update (ES-06-23)

Moved by Councillor Nisan

Receive and file engineering services department report ES-06-23, Cootes to Escarpment EcoPark System Pilot Ecological Corridor Program update; and

Authorize the Executive Director of Environment, Infrastructure & Community Services to execute an agreement with Royal Botanical Gardens to recover funds for City projects under the Parks Canada EcoPark System Pilot Ecological Corridor Program, to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

CARRIED

- 5.8 Motion memo - options for enhanced windrow clearing (CPRM-04-23)(SD-19-23)

Moved by Mayor Meed Ward

Direct the Director of Roads, Parks and Forestry to explore costs and options for enhanced city wide windrow removal program, including:

- Revised cost and criteria in the existing Windrow Clearing Program
- Increase the program from the current maximum of 200 homes to minimum 500
- Other relevant options; and

Report to Environment Infrastructure & Community Services Committee with costs, options (including those ruled out) and any recommendations by Q3 2023 in advance of 2024 budget deliberations.(SD-19-23)

CARRIED

- 5.9 Motion memo - development and implementation of a city-wide short-term accommodation (STA) compliance/licensing program (CPRM-03-23)(SD-20-23)(SD-21-23)(SD-22-23)(SD-23-23)(SD-24-23)

Moved by Councillor Stolte

Direct the Executive Director of Community Planning Regulation and Mobility and the Director of By-Law Compliance to work with departmental and legal services staff to undertake a review by Q4 2023 of the

framework/policy of zoning, business licensing and resourcing requirements for the development and implementation of a City-wide Short-Term Accommodation (STA) compliance/licensing program (SD-20-23); and

Direct the City Manager and Chief Financial Officer to work with departmental and legal services staff to fund additional research on municipal leading practices and other supports as may be identified (SD-21-23); and

Direct the Executive Director of Community Planning Regulation and Mobility and the Director of By-Law Compliance in the undertaking of the development of the STA by-law program, include the following elements:

- Research on leading GTHA and other municipal practices related to STA by-laws, regulations, compliance and licensing regimes;
- Establish a Community Task Force to assist in the development of options and recommendations for a ‘Made in Burlington’ STA by-law, compliance and licensing regime;
- Identify potential zoning requirements through Comprehensive Zoning By-law Review; and
- Identify any ongoing resource requirements in the multiyear 2024-2028 budget forecast (SD-22-23); 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 identify as a 2023 workplan priority, the allocation of dedicated project funds towards advancing process change and technology improvement related to the STA regulation, compliance and licensing regime with any additional impacts to AMANDA and the administrative penalty system (APS) (SD-23-23); and

Subject to Council consideration and approval of the above, direct the Director of the By-law Compliance to integrate the above work into the 2023/24 workplan of the department based on a target date for implementation of Q3 2024 for the STA framework, and report back to Council with a prioritized list of Staff Directions that have been directed toward the department through the 2024 budget process (SD-24-23).

CARRIED

- 5.10 Motion memo - approval of Lakeside a la Carte expansion in 2023 (CPRM-05-23)(SD-25-23)

Moved by Councillor Kearns

Direct the Director of Recreation, Community and Culture to amend the Events Listing for 2023 and approve the expansion to the annual Lakeside a la Carte Festival event (SD-25-23).

CARRIED

- 5.11 Motion memo - relocating of 2023 Food Truck Festival (CPRM-06-23) (SD-26-23)

Moved by Councillor Kearns

Direct the Director of Recreation, Community and Culture to work with the event organizer **to explore alternative options for the location and configuration for the food truck festival outside of the downtown and report back to council in Q3 2023** to provide improved event geographic representation for the 2024 event season (SD-26-23).

CARRIED

Amendment:

Moved by Mayor Meed Ward

Replace the words “to find a suitable location for the food truck festival outside of the downtown” with **“to explore alternative options for the location and configuration for the food truck festival outside of the downtown and report back to council in Q3 2023”**

CARRIED

- 5.12 Motion memo - kennel/pet boarding compliance & licensing regime (CPRM-02-23)(SD-27-23)

Moved by Councillor Nisan

Direct the Director of By-law Compliance to create a regulatory and licensing regime for kennel/pet-boarding facilities and integrate the work into the 2023/24 workplan of the department to present necessary by-law amendments or a new by-law to Council in Q1 2024 (SD-27-23).

CARRIED

6. Confidential Items and Closed Session:

None

7. Rise and Report from Closed Session:

8. Procedural Motions:

8.1 Motion to waive the rules

Moved by Councillor Kearns

Waive rule 36.2 of the Procedure By-law to allow discussion of item 5.8 motion memo regarding relocation of the 2023 Food Truck Festival (CPRM-06-23).

CARRIED

8.2 Motion to waive the rules

Moved by Councillor Nisan

Waive rule 36.2 of the Procedure By-law to allow discussion of item 5.9 motion memo regarding kennel/pet boarding compliance & licensing regime (CPRM-02-23).

CARRIED

8.3 Motion to waive the rules

Moved by Mayor Meed Ward

Waive section 14.1(a) of the Procedure By-law to allow discussion of the following six items that would normally be reported to the Environment, Infrastructure and Community Services Committee:

Item 4.1 Parks, Recreation and Culture Assets Master Plan (RCC-03-23)

Item 4.2 Emerald Ash Borer Management Plan update (RPF-03-23)

Item 4.5 Amendment to 2023 Rates and Fees - Fire (BFD-03-23)

Item 4.7 Delivery of support services for people with disabilities participating in recreation programs (RCC-05-23)

Item 5.3 Parks Provisioning Master Plan final report (ES-02-23)

Item 5.4 Cootes to Escarpment EcoPark System Pilot Ecological Corridor
Program update (ES-06-23)

CARRIED

8.4 Motion to waive the rules

Moved by Councillor Galbraith

Waive rule 46.1 of the Procedure By-law to allow a delegation to speak
having missed the registration deadline.

CARRIED

9. Information Items:

Moved by Councillor Stolte

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

CARRIED

- 9.1 Staff presentation regarding Park Provisioning Master Plan final report
(ES-02-23)
- 9.2 Correspondence from Building Industry and Land Development
Association (BILD), regarding Park Provisioning Master Plan final report
(ES-02-23)
- 9.3 Correspondence from West End Home Builders' Association (WE HBA),
regarding Park Provisioning Master Plan final report (ES-02-23)
- 9.4 Delegation material from Daintry Klein, representing Millcroft Greenspace
Alliance, regarding Park Provisioning Master Plan final report (ES-02-23)
- 9.5 Correspondence from Leslie Barbetta regarding motion memo -
development and implementation of a city-wide short-term
accommodation (STA) compliance/licensing program (CPRM-03-23)
- 9.6 Correspondence from Mary Alice St. James regarding motion memo -
development and implementation of a city-wide short-term
accommodation (STA) compliance/licensing program (CPRM-03-23)

- 9.7 Delegation material from Graham Line, representing Rotary Club of Burlington Central, regarding motion memo - approval of Lakeside a la Carte expansion in 2023 (CPRM-05-23)
- 9.8 Delegation material from Ben Freeman, representing Canadian Food Truck Festivals, regarding motion memo - relocating of 2023 Food Truck Festival (CPRM-06-23)
- 9.9 Correspondence from Brian Dean and Craig Kowalchuk, representing Burlington Downtown Business Association and Burlington Restaurant Association, regarding motion memo - relocating of 2023 Food Truck Festival (CPRM-06-23)

10. Staff Remarks:

11. Committee Remarks:

12. Adjournment:

10:41 a.m. (recessed), 10:50 a.m. (reconvened), 11:59 a.m. (recessed), 1:00 p.m. (reconvened), 2:45 p.m. (recessed), 2:57 p.m. (reconvened)

Chair adjourned the meeting at 4:17 p.m.