



Regular Meeting of Council

Minutes

Date: June 18, 2018
Time: 6:30 pm
Location: Council Chambers Level 2, City Hall

Members Present: Mayor Rick Goldring, Rick Craven, Marianne Meed Ward, John Taylor, Jack Dennison, Paul Sharman, Blair Lancaster

Staff Present: James Ridge, Joan Ford, Nancy Shea-Nicol, David Thompson (Audio/Video Specialist), Debbie Hordyk, Angela Morgan (Clerk)

1. Call to Order:

2. National Anthem:

3. Regrets:

None

4. Proclamations:

4.1 National Indigenous Peoples Day - June 21, 2018

5. Motion to Approve Council Minutes:

Moved by: Councillor Meed Ward

Seconded by: Councillor Dennison

Confirm the minutes of the following meeting of Council:

CARRIED

5.1 Regular meeting of Council May 22, 2018

5.2 Special meeting of Council June 4, 2018

6. Declarations of Interest:

None

7. Delegations:

- 7.1 Bob Wercholz spoke regarding LaSalle Park Marina next steps report (CM-07-18)
- 7.2 Kimberly Stevens spoke regarding LaSalle Park Marina next steps report (CM-07-18)
- 7.3 James Thomson spoke regarding LaSalle Park Marina next steps report (CM-07-18)
- 7.4 John Birch spoke regarding LaSalle Park Marina next steps report (CM-07-18)

8. Recommendations from Standing Committees:

- 8.1 Committee of the Whole meeting of June 4, 2018

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

- a. Fire computer aided dispatch system replacement (BFD-01-18)

Authorize the Fire Chief to replace the City of Burlington's computer aided dispatch system using a one-time capital investment from the fire Vehicle Depreciation Reserve Fund; and

Authorize the Manager of Procurement Services to issue a purchase order and/or sign any associated agreements related to the system, subject to the satisfaction of the City Solicitor.

CARRIED

- b. Burlington Inclusivity Citizen Advisory Committee 2017 annual report and 2018 work plan (CL-08-18)

Receive and file the Burlington Inclusivity Advisory Committee's 2017 annual report and 2018 workplan attached as Appendix A to clerks department report CL-08-18.

CARRIED

- c. Burlington Accessibility Citizen Advisory Committee 2017 annual report and 2018 work plan (CL-11-18)

Receive and file clerks department report CL-11-18 providing Burlington Accessibility Advisory Committee's 2017 annual report and 2018 workplan as contained in Appendix A.

CARRIED

- d. Financial status report as at March 31, 2018 (F-25-18)

Receive and file finance department report F-25-18 providing the financial status as at March 31, 2018.

CARRIED

- e. Establish a Joint Election Compliance Audit Committee with Halton Regional Municipalities (CL-13-18)

Direct the City Clerk to coordinate with the Halton Area Clerks to create a Joint Compliance Audit Committee for the Region.

CARRIED

- f. Appointment of Integrity Commissioner (CL-14-18)

Direct the Mayor and City Clerk to enter into an agreement, to the satisfaction of the City Solicitor, with Principles *Integrity* for the provision of Integrity Commissioner services for a term of four (4) years; and

Direct the City Clerk to proceed with the preparation of the appointment by-law.

CARRIED

- g. Building a 21st century workforce (HR-03-18)

Receive and file human resources department report HR-03-18 summarizing the strategies and initiatives the city has undertaken to build a 21st century workforce.

CARRIED

- l. Update on Capital Initiatives Planning (F-24-18)

Receive and file finance department report F-24-18 regarding updates on capital initiatives planning.

CARRIED

- o. Contingency report - March 31, 2018 (F-26-18)

Receive and file confidential finance department report F-26-18 providing the contingency report as at March 31, 2018.

CARRIED

- p. Confidential litigation update (January 1 to April 30, 2018) (L-14-18)

Direct the City Solicitor or her designate to proceed in accordance with the instructions sought in matters 16 and 19 and receive and file the balance of legal department report L-14-18.

CARRIED

- q. Information report regarding 4103 Palladium Way (L-22-18)

Receive and file confidential legal department report L-22-18 providing an update on 4103 Palladium Way.

CARRIED

- h. 2018 Capital Budget Variance and Project Closure (F-20-18)

Direct the Director of Finance to proceed with the closure of 62 capital projects identified as being completed in finance department report F-20-18.

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

- i. Correspondence from the Mayor's Office and Councillor Jack Dennison regarding renaming Nelson Baseball Park (COW-09-18)

Approve the renaming of the baseball diamond at Nelson Park to the Casey Cosgrove Baseball Field; and

Direct the Director of Parks and Recreation to work with Craig Gardner and take the appropriate steps to name and sign the baseball diamond at Nelson Park to Casey Cosgrove Basefield Field; and

Direct the Director of Parks and Recreation to work with Craig Gardner to determine interest in installing a memorial plaque to support the naming of Casey Cosgrove Baseball Field with funds to produce and install the plaque being provided by the community.
(SD-20-18)

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

- j. Request by Rotary Club of Burlington Lakeshore to extend park hours (PR-01-18)

That the Director of Parks and Recreation uphold Nuisance and Noise Control By-law 19-2003 and Parks By-law 35-1976 on August 30, 2018 at Spencer Smith Park.

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

- k. LaSalle Park Marina next steps (CM-07-18)

Direct the City Solicitor and Director of Finance to explore early termination of the joint venture agreement with the LaSalle Park Marina Association and report back to Council on the legal and financial implications of an early exit and a funding source(s) to fulfill the city's obligations; and

Direct the Director of Parks & Recreation to negotiate a revised relationship agreement with the La Salle Park Marina Association for managing/administering all boating activity at the marina as well as the maintenance and replacement of all structures behind the wave break including the docks, and any other ancillary equipment as soon as possible; and

Direct the Director of Parks & Recreation to initiate discussions with the Hamilton Port Authority, the LaSalle Park Marina Association

and the City of Hamilton regarding opportunities to secure moorage space at Hamilton Harbour for the members of LaSalle Park Marina Association if moorage space is required during the purchase and construction of the new wave break; and

Direct the Executive Director of Capital Works to initiate a request for proposal for the design/build of a floating wave break as soon as possible; and

Approve funding for design/build of a new floating wave break at LaSalle Park Marina to an upset limit of \$4,000,000 to be funded from the Hydro Reserve Fund, contingent upon the signing of a long term agreement with the LaSalle Park Marina Association; and

Direct the Director of Parks & Recreation to review the city's current agreements with other marina stakeholders with a view to identifying any changes that may be required as a result of this proposed course of action, and report back to Council; and

Establish a Stakeholder Advisory Committee and consider an ongoing monitoring and mitigating plan as outlined in the Minister's conditions."; and

That staff negotiate \$500,000 contribution for the LaSalle Park Marina to the wave break, electrification and/or fingers docks, as part of the negotiation on a renewed agreement.

IN FAVOUR: (5): Mayor Goldring, Councillor Craven, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

OPPOSED: (2): Councillor Meed Ward, and Councillor Taylor

CARRIED (5 to 2)

Moved by: Councillor Meed Ward

Seconded by: Councillor Taylor

That staff negotiate a \$500,000 contribution from the LaSalle Park Marina to the new floating wave break as part of the negotiations on a revised agreement.

IN FAVOUR: (2): Councillor Meed Ward, and Councillor Taylor

OPPOSED: (5): Mayor Goldring, Councillor Craven, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

LOST (2 to 5)

Moved by: Councillor Dennison
Seconded by: Councillor Sharman

That staff negotiate \$500,000 contribution for the LaSalle Park Marina to the wave break, electrification and/or fingers docks, as part of the negotiation on a renewed agreement.

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

m. Roseland pilot private tree by-law investigation report (RPF-03-18)

Approve Private Tree By-law 43-2018 attached as Appendix A, to be implemented on November 1, 2018 with a two-year pilot program for the Roseland community; and

Direct the Director of Roads, Parks and Forestry to inform the Roseland community prior to the implementation date; and

Direct the Director of Roads, Parks and Forestry to undertake full city-wide community consultation after the implementation date of November 1, 2018 and report back to Council in Q2 of 2019 on options, recommendations and financial impacts for the city-wide implementation of a private tree by-law.

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

n. Compensation for heritage properties (SD-18-18)

Direct the Director of Finance, City Solicitor and Director of City Building to work with the Heritage Burlington Advisory Committee to investigate:

- compensation for properties that are forcibly designated under the Ontario Heritage Act (SD-23-15); and
- whether the city should purchase heritage properties in situations where the owner is interested in demolishing or removing character-defining attributes of the property and report back with

tools available to the city, including designating and reselling the properties or reselling the properties with conditions to ensure rebuilds preserve the heritage character of neighbourhoods, and other options.

IN FAVOUR: (6): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

OPPOSED: (1): Councillor Taylor

CARRIED (6 to 1)

8.2 Planning and Development meeting of June 5, 2018

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

- c. Integrated Transportation Advisory Committee 2017 annual report and 2018 workplan (CL-06-18)

Receive and file clerks department report CL-06-18 providing the Burlington Integrated Transportation Advisory Committee's 2017 annual report and 2018 workplan.

CARRIED

- d. Traffic By-Law 86-2007 amendment (TS-02-18)

Approve the amendment to Traffic By-Law 86-2007, as indicated in Appendix "A" to this report to prohibit vehicles blocking intersections within the City of Burlington; and

Direct the City Solicitor to submit an application to the Regional Senior Justice for approval of the set fine of \$100 for a violation of the amendment to Traffic By-Law 86-2007.

CARRIED

- e. Licensing of food trucks (PB-27-18)

Refer department of city building report PB-27-18 regarding the licensing of food trucks back to staff.

CARRIED

- a. Proposed zoning by-law amendment for 4880 Valera Road (PB-51-18)

Receive and file department of city building report PB-51-18 regarding a rezoning application for 4880 Valera Road.

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

- b. Proposed plan of subdivision and zoning by-law amendment for 5209 Stonehaven Drive (PB-44-18)

Approve the application submitted by Mantella Corporation to amend the zoning by-law to permit a development consisting of ten single detached and eight townhouse units; and

Approve the application submitted by IBI Group on behalf of Mantella Corporation, to give draft approval for a residential plan of subdivision consisting of ten single detached lots, one townhouse block and the extension of Bird Boulevard at 5209 Stonehaven Drive, as shown in Appendix A of department of city building report PB-44-18, and subject to the conditions contained in Appendix C of this report; and

Enact the draft amending Zoning By-law 2020.396, contained in Appendix B of department of city building report PB-44-18, to rezone lands at 5209 Stonehaven Drive from “Development (D)” and “Residential – Orchard Community (RO3)” to “Residential – Orchard Community with site specific exception (RO3-482)”; and

Deem that Zoning By-law 2020.396 conforms to the Official Plan of the City of Burlington; and

Council Approval is required for the removal of the six city trees. Removals shall not take place until approval is granted by Council. Compensation will be in the form of replanting and/or cash in lieu, with a total value of \$4600.

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

f. Waterfront Hotel Planning Study update (PB-23-18)

Endorse the key policy directions outlined but not limited to those in Section 3.0 of this report for consideration as part of the study process; and

Amend key policy direction 8) by adding the following to the end "and define and consider a building setback from the thin red line and maximize the new and enhanced publicly accessible green/open space."; and

Direct staff to develop a revised work plan for the Waterfront Hotel Planning Study and report back to Council in Q1 2019 to outline the overall time, resources, communication and public engagement approaches required to address any changes to the study's overall scope of work.

IN FAVOUR: (6): Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

OPPOSED: (1): Mayor Goldring

CARRIED (6 to 1)

g. Proposed zoning by-law amendment for 2477 Queensway Drive (PB-53-18)

Modified approval of the application submitted by Riepma Consultants, on behalf of 1937570 Ontario Inc., to amend the Zoning By-law for the lands known as 2477 Queensway Drive, as outlined in department of city building report PB-53-18; and

Approve Zoning By-law 2020.397, rezoning the lands at 2477 Queensway Drive, from "BC1-266" to "BC1-485" attached as Appendix "B" to department of city building report PB-53-18 including the modification to reflect a minimum of 33 required parking spaces; and

Instruct Planning staff to finalize the by-law to amend Zoning By-law 2020, as amended, rezoning the lands at 2477 Queensway

Drive from “BC1-266” to “BC1-485” in accordance with the draft Zoning By-law contained in Appendix “B” to department of city building report PB-53-18; and

Deem that the proposed 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.

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

- h. Memorandum from Councillor Dennison regarding a speed limit review for New Street. (PD-03-18)

Direct the Director of Transportation Services to review and consider reducing the speed limit on New Street from Burloak Drive to Guelph Line to 50 km/hr. (SD-19-18)

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

8.3 Planning and Development Public meeting of June 11, 2018

- a. Proposed official plan amendment and rezoning applications for 53-71 Plains Road East and 1025 Cooke Boulevard (PB-54-18)

Receive and file department of city building report PB-54-18 regarding proposed official plan amendment and rezoning application for 53-71 Plains Road East and 1025 Cooke Boulevard.

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

8.4 Audit Committee meeting of June 14, 2018

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

- a. Financial results for Burlington Hydro Electric Inc for 2017 (F-28-18)
Refer finance department report (F-28-18) regarding financial results for Burlington Hydro Electric Inc for 2017 to the Committee of the Whole meeting of July 9, 2018.

CARRIED

- b. Summary of 2017 audit results (CA-08-18)
Receive and file City Auditor's report CA-08-18 providing summary of 2017 audit results.

CARRIED

- c. Summary of in progress management action plans (CA-09-18)
Receive and file City Auditor's Office report CA-09-18 providing a summary of the management action plans in progress to address high- and medium-risk issues as of April 30, 2018 as detailed in Appendix A.

CARRIED

- d. Status of audit work plan, budget and performance metrics (CA-12-18)
Receive and file City Auditor's Office report CA-12-18 providing the status of the 2017 audit work plan (Appendix A), status of the 2018 audit work plan (Appendix B), budget, and performance metrics (Appendix C) as of April 18, 2018.

CARRIED

- e. Financial Highlights to March 31, 2018 (F-27-18)
Receive and file finance department report F-27-18 providing financial highlights for the period ending March 31, 2018

CARRIED

- f. External audit results for 2017 (F-29-18)

Receive and file finance department report F-29-18 presenting information on the external audit results for 2017.

CARRIED

- g. 2017 Consolidated Financial Statements as audited by Deloitte LLP (F-30-18)

Approve the 2017 Consolidated Financial Statements for the City of Burlington and the Local Boards, as audited by Deloitte LLP; and

Approve the 2017 Financial Statements for the Trust Funds of the City of Burlington as audited by Deloitte LLP; and

Authorize the Director of Finance to publish the statements on the City's website; and

Direct the Director of Finance to review the need to include local boards financial statements along with the City's consolidated financial statements in the annual report brought to the audit committee and report back at the September 20, 2018 committee. (SD-22-18)

CARRIED

- h. Summary of audit results – Parking By-Law Enforcement (CA-07-18)

Defer City Auditor's report (CA-07-18) regarding summary of audit results - Parking By-Law Enforcement to the Audit Committee on September 20, 2018

CARRIED

- i. Annual Information Technology Services update (IT-03-18)

Receive and file information technology services report IT-03-18 providing an annual information technology assurance update.

CARRIED

9. Motion to Approve Standing Committee Minutes:

Moved by: Councillor Meed Ward

Seconded by: Councillor Dennison

Approve the following minutes:

CARRIED

9.1 Committee of the Whole meeting of June 4, 2018

9.2 Planning and Development meeting of June 5, 2018

9.3 Planning and Development Public meeting of June 11, 2018

9.4 Audit Committee meeting of June 14, 2018

10. Reports of Municipal Officers:

None

11. Notices of Motion:

None

12. Motions:

None

13. Motion to Receive and File Council Information Packages:

Moved by: Councillor Dennison

Seconded by: Councillor Meed Ward

Receive and file the following Information Packages, having been prepared and distributed to Council:

CARRIED

13.1 Council Information Package May 25, 2018

13.2 Council Information Package June 1, 2018

13.3 Council Information Package June 8, 2018

13.4 Council Information Package June 15, 2018

14. Motion to Receive and File Information Items:

Moved by: Councillor Meed Ward

Seconded by: Councillor Dennison

Receive and file the following seven items, having been considered by Council:

CARRIED

- 14.1 Correspondence from Joan Ford, Director of Finance regarding LaSalle Park Marina Next Steps (CM-07-18) follow-up.
- 14.2 Correspondence from Bob Wercholz regarding his delegation to the LaSalle Park Marina Next Steps report (CM-07-18)
- 14.3 Correspondence from James Thomson regarding his delegation to the LaSalle Park Marina Next Steps report (CM-07-18)
- 14.4 Correspondence from John Birch regarding his delegation to the LaSalle Park Marina Next Steps report (CM-07-18)
- 14.5 Correspondence from Tom Muir regarding the proposed official plan amendment and rezoning applications for 53-71 Plains Road East and 1025 Cooke Boulevard (PB-54-18)
- 14.6 Correspondence from Susan Goyer regarding LaSalle Park Marina Next Steps (CM-07-18)
- 14.7 Delegation notes from Bob Wercholz regarding LaSalle Park Marina Next Steps report (CM-07-18)

15. Motion to Consider Confidential Items:

None

16. Motion to Approve By-Laws:

Moved by: Councillor Lancaster

Seconded by: Councillor Taylor

Enact and pass the following by-laws which are now introduced, entitled and numbered as indicated below:

IN FAVOUR: (7): Mayor Goldring, Councillor Craven, Councillor Meed Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, and Councillor Lancaster

CARRIED (7 to 0)

Moved by: Councillor Meed Ward

Seconded by: Councillor Dennison

17.3. 41-2018: A by-law to adopt Official Plan Amendment No. 110 to redesignate the lands at 607 Dynes Road to permit a medium density development consisting of 20 townhouse units.

17.8. 2020.388: A By-law to amend By-law 2020, as amended; 607 Dynes Road.

IN FAVOUR: (5): Mayor Goldring, Councillor Craven, Councillor Taylor, Councillor Sharman, and Councillor Lancaster

OPPOSED: (2): Councillor Meed Ward, and Councillor Dennison

CARRIED (5 to 2)

- 16.1 39-2018: A by-law to authorize a request for the issuing of debentures by the Regional Municipality of Halton for Sherwood Forest Park Phase 2.
- 16.2 40-2018: A by-law to establish the positions of screening officer and hearing officer and to appoint persons as screening officers and hearing officers.
- 16.3 42-2018: A by-law to authorize a request for the issuing of debentures by the Regional Municipality of Halton for Tuck Creek Flood Mitigation – Phase 1, Regal Road Channel Works.
- 16.4 43-2018: A by-law to authorize a Pilot Private Tree By-law in a designated community in the City of Burlington for a two (2) year period, commencing November 1, 2018.
- 16.5 44-2018: A by-law to amend the Traffic By-law 86-2007.
- 16.6 45-2018: A by-law to appoint an Integrity Commissioner for the City of Burlington.
- 16.7 2020.388: A By-law to amend By-law 2020, as amended; 607 Dynes Road.
- 16.8 2020.396: A by-law to amend By-law 2020, as amended; 5209 Stonehaven Drive.
- 16.9 2020.397: A By-law to amend By-law 2020, as amended; 2477 Queensway Drive.

17. Motion to Confirm Proceedings of the Council Meeting:

Moved by: Councillor Lancaster

Seconded by: Councillor Taylor

Enact and pass By-law Number 46-2018, being a by-law to confirm the proceedings of Council at its meeting held Monday, June 18, 2018, being read a first, second and third time.

18. Statements by Members:

19. Motion to Adjourn:

Moved by: Councillor Taylor

Seconded by: Councillor Lancaster

Adjourn this Council now to meet again at the call of the Mayor.

9:52 p.m.

CARRIED

Angela Morgan

City Clerk

Rick Goldring

Mayor