

City of Burlington

Regular Meeting of Council No. 9-16

Minutes

Date of Meeting: July 4, 2016

Place of Meeting: Council Chambers, Level 2, City Hall at 6:30 p.m.

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

Staff Present: James Ridge, Angela Morgan, Roxanne Gosse and David Thompson

A Recorded Vote was requested by Councillor Sharman regarding all motions resulting in the following:

Motion to Confirm Council Meeting Minutes:

52. Moved by: Councillor Taylor
Secinded by: Councillor Lancaster

Confirm the minutes of the following meeting (s) of Council

Regular meeting of Council No. 8-16 held June 13, 2016

IN FAVOUR: Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring

MOTION CARRIED

Declarations of Interest:

The following member declared an interest and refrained for discussion and voting on the relevant items:

Councillor Dennison: regarding confidential legal department report L-10-16 item # 9, as it pertains to his personal property.

Consideration of Recommendations from Standing Committees:

Community & Corporate Services Committee meeting of June 20, 2016

AUTHORIZATION TO NEGOTIATE A NEW PRESTO OPERATING AGREEMENT

Authorize the City Manager to continue to work with the 905 Greater Toronto and Hamilton Area CAO's to negotiate a new PRESTO Operating Agreement for Council to consider that is fair and reasonable and respects the affordability of both transit users and taxpayers at large. (CM-08-16)

IN FAVOUR: Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring

MOTION CARRIED

APPROVAL OF INVESTMENT POLICY

Approve the updated Investment Policy as outlined in Appendix A to finance department report F-27-16. (F-27-16)

IN FAVOUR: Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring

MOTION CARRIED

APPROVAL OF NELSON POOL CAPITAL FUNDING AND FUNDRAISING PLAN

Approve the nelson pool revitalization capital funding of \$3.3 million from capital purposes reserve fund of \$1.65 million and park dedication reserve fund of \$1.65 million as highlighted in report PR-04-16; and

Approve the fundraising plan as summarized in PR-04-16 and outlined in Appendix A, with consideration of the legacy value that would be associated with the sponsorship opportunity. (PR-04-16)

IN FAVOUR: Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring

MOTION CARRIED

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APPROVAL OF BURLINGTON FIRE DEPARTMENT COMMUNITY RISK ASSESSMENT

Approve the revised performance measures for the provision of the fire protection services Appendix A; and

Direct the Fire Chief to investigate partnerships for the delivery of fire protection services. (reference CRA-SOC recommendations, Appendix B, page 94). (BFD-03-16)

IN FAVOUR: **Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring**

MOTION CARRIED

APPROVAL OF QUARTERLY LITIGATION UPDATE

Instruct the City Solicitor or her designate to proceed in accordance with the instructions sought in matter 13, and that the balance of legal department report L-10-16 be received and filed. (L-10-16)

IN FAVOUR: **Councillors Craven, Meed Ward, Taylor, Sharman, Lancaster, and Mayor Goldring**

ABSTAINED: **Councillor Dennison**

MOTION CARRIED

APPROVAL OF AWARD FOR THE DESIGN-BUILD AND LEASEBACK OF THE PROVINCIAL OFFENCES ACT (POA) COURTHOUSE

Instruct the City Solicitor or her designate to proceed in accordance with the instructions outlined in city manager's office report CM-09-16. (CM-09-16)

IN FAVOUR: **Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring**

MOTION CARRIED

Receive and file the following eight items, having been given due consideration by the Community and Corporate Services Committee:

- Report regarding insurance litigation update as of April 30, 2016. (F-17-16)

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- Report providing Burlington Mundialization Committee's 2015 annual report and 2016 work plan. (CL-11-16)
- Report providing Burlington Accessibility Advisory Committee's annual report and 2016 work plan. (CL-10-16)
- Report providing the 2015 Development Charges Reserve Fund Statement. (F-18-16)
- Report providing financial results for Burlington Hydro Electric Inc. (F-19-16)
- Confidential finance department report providing status of reserve contingencies as of April 30, 2016. (F-16-16)
- Confidential appendices A and B of finance department report F-17-16 regarding insurance litigation update as of April 30, 2016. (F-17-16)
- Staff presentation regarding the Burlington Fire Department Community Risk Assessment. (BFD-03-16)

CARRIED

Development and Infrastructure Committee meeting of June 21, 2016

APPROVAL OF A VARIANCE TO SIGN BY- LAW 34-2007, AS AMENDED, TO PERMIT AN INCREASE TO SIGN AREA AT 401 BRANT STREET

Approve a variance to Sign By-law 34-2007, as amended, at 401 Brant Street, having considered the application by Kelly Childs; and

Permit a sign with a maximum Total Sign Area of 27.7 sq metres instead of the maximum permitted 23.25 sq metres within the area zoned Downtown Core (DC), subject to the following condition:

1. The variance applies to the proposed signage only and is valid only for the duration of the existing use on site. (PB-55-16)

IN FAVOUR: **Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring**

MOTION CARRIED

APPROVAL OF THE FINANCIAL STATEMENT OF THE DISASTER RELIEF COMMITTEE

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Approve the financial statement of the Disaster Relief Committee.
(F-26-16)

IN FAVOUR: **Councillors Craven, Meed Ward, Taylor,
Dennison, Sharman, Lancaster, and
Mayor Goldring**

MOTION CARRIED

ENDORSE THE EXPLORATION OF A STRATEGIC PARTNERSHIP AND CLEAN
TECH OPPORTUNITIES WITH THE CITY OF VÄXJÖ, SWEDEN

Endorse the exploration of a strategic partnership and clean tech
opportunities with the City of Växjö, Sweden; and

Authorize a Burlington delegation to travel to Sweden in September, 2016 to
work with municipal and industry representatives in order to advance
discussion on a potential strategic partnership to exchange knowledge on
community energy, sustainable development and economic development
opportunities; and

Authorize the Mayor, Councillor Sharman as the Council representative on
the Sustainable Development Committee, the City Manager, the Executive
Director of Capital Works and the Executive Director of the Burlington
Economic Development Corporation to attend as representatives from the
City of Burlington; and

Authorize the cost of travel for the Executive Director of Capital Works and
Councillor Sharman to come from the respective operating budgets.
(CW-39-16)

IN FAVOUR: **Councillors Craven, Meed Ward, Taylor,
Dennison, Sharman, Lancaster, and
Mayor Goldring**

MOTION CARRIED

COMPLETION OF PARKING PILOT PROJECT ON FAIRVIEW STREET

Direct the Director of Transportation to remove the existing parking on the
south side curb lane on Fairview Street, between Garibaldi Common and
Iris Court, that was temporarily permitted on Fridays during the hours of
11:30 am and 4:00 pm. (TS-01-16)

IN FAVOUR: **Councillors Craven, Meed Ward, Taylor,**

**Dennison, Sharman, Lancaster, and
Mayor Goldring**

MOTION CARRIED

APPROVAL OF THE BUILDING PERMIT FEE REVIEW

Approve the proposed fee adjustments represented by Option 2 of the consultant's report included as Appendix A to report PB-26-16; and

Approve the text amendments to the Building Permit By-law recommended in the Planning and Building Department report PB-26-16; and

Enact the proposed By-law 36-2016, included as Appendix B in report PB-26-16.

**IN FAVOUR: Councillors Craven, Meed Ward, Taylor,
Dennison, Sharman, Lancaster, and
Mayor Goldring**

MOTION CARRIED

**APPROVAL OF PROPOSED ZONING BY-LAW AMENDMENT FOR 3508
COMMERCE COURT**

Approve the application, to amend the zoning bylaw, submitted by James Lethbridge Planning Inc 2030 Bristol Circle, Suite 201 Oakville, Ontario, L6H 0H2 to permit an addition to an existing school at 3508 Commerce Court; and

Enact and pass Zoning Bylaw 2020.364 as attached as Appendix V of Planning and Building Department report PB-45-16 to amend the zoning for lands at 3508 Commerce Court; and

Deem that Bylaw 2020.364 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. (PB-45-16)

**IN FAVOUR: Councillors Craven, Meed Ward, Taylor,
Dennison, Sharman, Lancaster, and
Mayor Goldring**

MOTION CARRIED

Receive and file the following four items, having been given due consideration by the Development and Infrastructure Committee:

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- Report providing Heritage Burlington Citizen Advisory Committee annual report. (CL-08-16)
- Delegation presentation from Heritage Burlington regarding Heritage Burlington Citizen Advisory Committee annual report. (CL-08-16)
- Staff presentation regarding update to parking pilot project on Fairview Street opposite Darlene Court. (TS-1-16)
- Presentation from Watson and Associates Economists Ltd. regarding building permit fee review. (PB-26-16)

CARRIED

Audit Committee meeting of June 22, 2016

APPROVAL OF THE 2015 CONSOLIDATED FINANCIAL STATEMENTS AS AUDITED BY DELOITTE LLP

Approve the 2015 Consolidated Financial Statements for the City of Burlington and the Local Boards, as audited by Deloitte LLP; and

Approve the 2015 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. (F-23-16)

IN FAVOUR: **Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring**

MOTION CARRIED

APPROVAL OF AMENDMENTS TO THE AUDIT COMMITTEE TERMS OF REFERENCE

Approve amendments to the Audit Committee Terms of Reference as outlined in Appendix A of Clerks Department report. (CL-13-16)

IN FAVOUR: **Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring**

MOTION CARRIED

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Receive and file the following eight items, having been given due consideration by the Audit Committee:

- Report providing information on financial highlights for the period ended March 31, 2016. (F-24-16)
- Report providing summary of outstanding Audit issues as of May 20, 2016. (CA-06-16)
- Report providing status of Audit work plan, budget and performance metrics. (CA-07-16)
- Report providing information on the external Audit results for the City of Burlington. (F-20-16)
- Presentation from Deloitte LLP, regarding report F-20-16 providing information on the external Audit results for the City of Burlington. (F-20-16)
- Report providing information on financial policies. (F-22-16)
- Presentation from finance staff regarding 2015 consolidated financial statements as audited by Deloitte LLP. (F-23-16)
- Memorandum from Director of Transit regarding audit recommendations for PRESTO Entity Controls. (A-2-16)

CARRIED

Motion to Adopt Recommendations from Standing Committees:

53. Moved by: Councillor Taylor
 Seconded by: Councillor Lancaster

Adopt the following reports:

Community and Corporate Services meeting of June 20, 2016	Report 7-16 As presented
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Development and Infrastructure meeting of June 21, 2016	Report 6-16 As presented
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Audit Committee Meeting of June 22, 2016	Report 2-16 As presented
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IN FAVOUR: **Councillors Craven, Meed Ward, Taylor,
Dennison, Sharman, Lancaster, and
Mayor Goldring**

MOTION CARRIED

Reports of Municipal Officers:

54. Moved by: Councillor Lancaster
Seconded by: Councillor Sharman

**GOVERNANCE STRUCTURE FOR COMMUNITY CLIMATE CHANGE ACTION
PLAN**

Whereas, the Government of Canada’s intent is to protect communities and grow our economy by making significant new investments in green infrastructure and clean technologies as well as to endow a \$2 billion Low Carbon Economy Trust to fund projects that reduce carbon that will “support projects in clean energy that can be commercialized, scaled up, and exported”;

Whereas, the Province of Ontario has a Five-Year Climate Change Strategy and has introduced legislation, which aims to formalize a cap-and-trade system and invest those funds into green projects to reduce the amount of greenhouse gas pollution;

Whereas, the Province of Ontario has already announced in 2015, the Green Investment Fund that commits \$325 million to projects that will fight climate change;

Whereas, the City of Burlington has a new Strategic Plan which recognizes that climate change is a significant issue and is working with the community and all levels of government towards the goal of making the community net carbon-neutral;

Whereas, the City of Burlington is working with community stakeholders to implement a Community Energy Plan to achieve a community that is more energy efficient and secure, resulting in reduced greenhouse gas emissions;

Whereas, taking action on climate change will be beneficial to the Hamilton Harbour / Burlington Bay area and will complement the work on greenhouse gas reduction by the City of Burlington;

Whereas, in order to successfully implement Hamilton’s Community

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Climate Change Action Plan and Burlington's Community Energy Plan, a formalized governance structure is necessary; and,

Whereas The City of Burlington already supports the internationally recognized participatory governance structure known as the Bay Area Restoration Council (BARC) and the Bay Area Implementation Team (BAIT);

THEREFORE BE IT RESOLVED THAT COUNCIL OF THE CITY OF BURLINGTON:

- a) Direct staff to work with the City of Hamilton to develop a governance model similar to the Bay Area Restoration Council and the Bay Area Implementation Team, in collaboration with staff from the Federal and Provincial offices of the Ministries of Environment and Climate Change, and report back to the Development and Infrastructure Committee;
- b) Correspond with The Honourable Catherine McKenna, Minister of Environment and Climate Change, and The Honourable Glen Murray, Minister of the Environment and Climate Change, to support the City of Hamilton's request that the Federal and Provincial Ministries assist with the establishment of the Community Climate Change Action Plan Implementation Team in identifying the appropriate Federal and Provincial government staff, private sector and community representatives to provide expert advice and financial resources toward the action on climate change, within the funding guidelines for the Low Carbon Economy Trust; and, the Five-Year Climate Change Strategy;
- c) Form a partnership with the City of Hamilton to coordinate efforts, with respect to the implementation of the plans; once the governance structure for the Community Climate Change Action Implementation Team has been formed.
- d) Direct the Executive Director of Capital Works to report to the Development and Infrastructure Committee annually, respecting the progress of implementing Hamilton's Community Climate Change Action Plan and Burlington's Community Energy Plan.

IN FAVOUR:

**Councillors Craven, Meed Ward, Taylor,
Dennison, Sharman, Lancaster, and
Mayor Goldring**

MOTION CARRIED

Motion to Receive and File Council Information Packages:

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55. Moved by: Councillor Lancaster
Seconded by: Councillor Taylor

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

June 17 and 24, 2016

IN FAVOUR: Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring

MOTION CARRIED

Consideration of By-laws:

56. Moved by: Councillor Sharman
Seconded by: Councillor Dennison

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

By- Law: Title:

34-2016	A by-law to appoint certain Municipal Law Enforcement Officers for the City of Burlington.
35-2016	A by-law to appoint a Chief Building Official and Inspectors for the Corporation of the City of Burlington and to repeal By-laws 52-2014 and 29-2015.
36-2016	A by-law under the <i>Building Code Act</i> respecting construction, demolition, change of use, occupancy, transfer of permits and inspections.
2020.364	A by-law to amend By-law 2020, as amended; for lands known as 3508 Commerce Crt, for the purpose facilitating and addition to the existing school relaxing landscaping requirements for accessible parking space.

IN FAVOUR: Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring

MOTION CARRIED

Motion to confirm the proceedings of the Council meeting:

57. Moved by: Councillor Craven
Seconded by: Councillor Sharman

Enact and pass By-law Number 37-2016 being a by-law to confirm the proceedings of Council at its meeting held Monday, July 4, 2016 being read a first, second and third time.

IN FAVOUR: Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring

MOTION CARRIED

Motion to Adjourn

58. Moved by: Councillor Craven
Seconded by: Councillor Lancaster

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

Time: 6:58 p.m.

IN FAVOUR: Councillors Craven, Meed Ward, Taylor, Dennison, Sharman, Lancaster, and Mayor Goldring

MOTION CARRIED

Angela Morgan
City Clerk

Rick Goldring
Mayor