

Office of the Mayor

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March 16, 2020

The Honourable Doug Ford, Premier of Ontario
Premier's Office
Room 281, Legislative Building
Queen's Park, Ontario
M7A 1A1

The Honourable Steve Clark, Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, Ontario
M5G 2E5

Dear Premier Ford and Minister Clark,

The City of Burlington, like municipalities across the country is working diligently to ensure that public health and safety, and the safety of our staff who engage with the public is maintained during this current health crisis. While we have not yet declared an official emergency, Burlington's Crisis Management Team (CMT) has now fully activated the *City of Burlington Emergency Response Plan* at a Level 2. However, our emergency planning is reviewed regularly in response to this rapidly evolving situation, and our emergency response level may change depending on circumstances.

To help minimize the spread of the COVID-19 virus, we have closed all City facilities including City Hall to the public and cancelled all programming, effective Monday, March 16 to Sunday, April 5. We are looking at options to ensure residents can still be served without physical attendance at City Hall.

As you are aware, subsections 17(15), 22(1)(b), 34(12) and 51(20) of the Planning Act require municipalities to hold statutory public meetings prior to municipal councils making decisions on applications to amend Official Plans and Zoning By-laws, and applications for plan of subdivision approval. The Act also requires that decisions on Official Plan and Zoning By-law amendment applications be made within 120 and 90 days, respectively, and plans of subdivision within 120 days, after which applicants may appeal a lack of decision to the Local Planning Appeal Tribunal.

With the current outbreak of COVID-19 the City of Burlington is requesting Provincial relief from the timelines established in the Planning Act, to hold statutory meetings and council meetings to obtain decisions on development applications. We ask the Province "stop the clock" on the processing of development

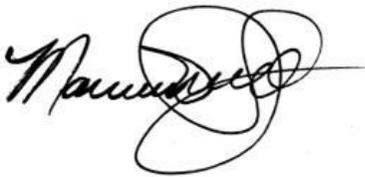
applications by municipalities for an indefinite period, as we cope with this health emergency. With the closure of City Hall and our efforts to maintain social distancing, public meetings of any kind are challenging.

Alternatively, while the Act and its associated regulations require municipalities to hold a statutory public meeting, there is no definition of what a “public meeting” is or must be. As such, we are asking the Province to confirm that the Act and associated regulations may be interpreted flexibly to use digital and virtual meeting capabilities to meet the requirement of a “public” meeting, for as long as large public gatherings are not permitted.

We are also looking for assistance to allow standing committee and council meetings to proceed by virtual voting, so that urgent business of the city can continue. Specifically, we are asking you to make an immediate legislative amendment, in this situation, to subsection 238(3.1) of the Municipal Act, 2001 to remove the proviso that members participating electronically not be counted in determining whether or not a quorum of members is present

The overriding goal for myself and Burlington City Council is to keep the public and our staff safe and minimize the spread of the COVID-19 virus. Your approval of our requests would greatly assist us in achieving this goal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marianne Meed Ward', with a large, stylized flourish at the end.

Mayor Marianne Meed Ward
City of Burlington

Cc:

MPP Jane McKenna

MPP Parm Gill

MPP Effie Triantafilopoulos