



## **Regular Meeting of Council Agenda**

**Date:** April 23, 2019  
**Time:** 5:30 pm  
**Location:** Council Chambers Level 2, City Hall

NOTE: The first hour of this meeting will be in closed session to discuss confidential legal department report regarding litigation update (L-10-19)

Pages

1. **Call to Order:**
2. **National Anthem:**
3. **Regrets:**
4. **Proclamations:**
  - 4.1 Parental Alienation Awareness Day - April 25, 2019
  - 4.2 Burlington Gymnastics Club Day - May 3, 2019
  - 4.3 Canada Netherlands Friendship Day - May 5, 2019
  - 4.4 Time of Remembrance and Reconciliation for those who lost their lives during the second world war - May 8 and 9, 2019
  - 4.5 Be Kind to One Another Days - May 17 and 18, 2019
  - 4.6 National Youth Week - May 1-7, 2019
  - 4.7 Polish Days Week - May 1-7, 2019
  - 4.8 Navy Week - May 3-10, 2019
  - 4.9 Mental Health Week - May 6-12, 2019
  - 4.10 National Public Works Week - May 19-25, 2019
  - 4.11 Tourism Week in Canada - May 26 - June 2, 2019

4.12 International Building Safety Awareness Month - May 2019

4.13 Foot Health Awareness Month - May 2019

4.14 Apeldoorn Month - May 2019

4.15 Bladder Cancer Month - May 2019

**5. Motion to Approve Council Minutes:**

5.1 Regular Minutes of Council March 25, 2019

**6. Recognitions and Achievements:**

**7. Presentations:**

**8. Declarations of Interest:**

**9. Delegations:**

In order to speak at a Council meeting, individuals must register as a delegation no later than 12:00 noon on the day of the meeting. To register, complete the online application at [www.burlington.ca/delegation](http://www.burlington.ca/delegation), email [cityclerks@burlington.ca](mailto:cityclerks@burlington.ca) or phone 905-335-7600 ext. 7805.

9.1 Don Matthews will speak regarding Strathcona Drive and area proposed sidewalks (TS-05-19)

9.2 John Weller will speak regarding Strathcona Drive and area proposed sidewalks (TS-05-19)

9.3 Jim Ruta will speak regarding Strathcona Drive and area proposed sidewalks (TS-05-19)

9.4 Andrew Diveky will speak regarding Strathcona Drive and area proposed sidewalks (TS-05-19)

9.5 Samer El-Fashny representing Better Life Retirement Residence Inc. will speak regarding proposed exemptions to Interim Control By-law 10-2019 (PB-40-19)

9.6 Cindy Prince will speak regarding proposed exemptions to Interim Control By-law 10-2019 (PB-40-19)

9.7 Lisa Kohler representing Halton Climate Collective will speak regarding the City of Burlington Climate Emergency Declaration (ADM-3-19)

- 9.8 Kim Barrett representing Conservation Halton will speak regarding the City of Burlington Climate Emergency Declaration (ADM-3-19)
- 9.9 Janelle Weppler representing Conservation Halton will speak regarding the City of Burlington Climate Emergency Declaration (ADM-3-19)
- 9.10 Gabriella Kalapos will speak regarding the City of Burlington Climate Emergency Declaration. (ADM-3-19)

**10. Recommendations from Standing Committees:**

10.1 Committee of the Whole meeting of April 1, 2019

1 - 8

- a. Official delegation to Itabashi, Japan (CL-06-19)
- b. 2019 POA business plan and budget (CM-02-19)
- c. Tender award for Rexway Drive area minor reconstruction (CW-03-19)
- d. 2019 proposed budget and tax levy for the Burlington Downtown Business Improvement Area (F-10-19)
- e. 2019 proposed budget and tax levy for the Aldershot Village Business Improvement Area (F-11-19)
- f. By-Law to exempt the Halton Naval Veterans Association and The Navy League of Canada from municipal taxes (F-17-19)
- g. Operating budget performance report as at December 31, 2018 (F-27-19)
- h. Enterprise Resource Planning (ERP) update (IT-01-19)
- i. Transit rates and fees update (TR-01-19)
- j. Mayor's 2019 travel (M-02-19)
- k. Federal budget 2019 gas tax one-time funding (CM-07-19)
- l. Strathcona Drive area proposed sidewalks (TS-05-19)
- m. Confidential update on a litigation matter (L-10-19)
- n. Confidential update on a litigation matter (L-11-19)

10.2	Planning and Development meeting of April 2, 2019	9 - 16
	<ul style="list-style-type: none"> <li>a. Information report for proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086, and 1090 St. Matthew's Avenue (PB-28-19)</li> <li>b. Information report for proposed plan of subdivision, official plan and zoning by-law amendments for Surrey Lane, Warwick Drive and Georgian Court (PB-33-19)</li> <li>c. 2018 annual building permit revenues and expenses (PB-20-19)</li> <li>d. 2019 City of Burlington development charges process (F-12-19)</li> <li>e. Proposed zoning by-law amendment for 3267 Mainway (PB-12-19)</li> <li>f. Alternative procurement process for scoped re-examination of the adopted Official Plan (PB-42-19)</li> <li>g. Proposed exemptions to Interim Control By-law 10-2019 (PB-40-19)</li> <li>h. Undelegation of site plan approval for 2254 Orchard Road (PD-02-19)</li> </ul>	
10.3	Audit Committee meeting of April 3, 2019	17 - 20
	<ul style="list-style-type: none"> <li>a. Report providing status of 2018 audit work plan, budget and performance metrics (CA-02-19)</li> <li>b. Report providing summary of in-progress management action plans (CA-03-19)</li> <li>c. Financial highlights for period ending December 31, 2018 (F-20-19)</li> <li>d. Financial policies (F-21-19)</li> <li>e. Details of the 2019 audit work plan (CA-01-19)</li> <li>f. Summary of audit results - health, safety &amp; wellness (CA-04-19)</li> </ul>	
10.4	Committee of the Whole Workshop meeting of April 4, 2019	21 - 24
	There were no recommendations for this meeting.	



- 10.5 Planning and Development Public meeting of April 9, 2019 25 - 29
- a. Information report for proposed official plan and zoning by-law amendments for 5353 Lakeshore Road (PB-09-19)

- 10.6 Committee of the Whole Workshop meeting of April 11, 2019 30 - 31
- There were no recommendations for this meeting.

**11. Motion to Approve Standing Committee Minutes:**

- 11.1 Committee of the Whole meeting of April 1, 2019
- 11.2 Planning and Development meeting of April 2, 2019
- 11.3 Audit Committee meeting of April 3, 2019
- 11.4 Committee of the Whole Workshop meeting of April 4, 2019
- 11.5 Planning and Development Public meeting of April 9, 2019
- 11.6 Committee of the Whole Workshop meeting of April 11, 2019

**12. Reports of Municipal Officers:**

- 12.1 Proposed official plan and zoning by-law amendments for 1335-1355 Plains Road East (PB-15-19) 32 - 74
- 12.2 2019 Tax Levy by-law report (F-18-19) 75 - 88

**13. Notices of Motion:**

**14. Motions:**

- 14.1 Development Charges

Whereas the Provincial Government has established increasing housing supply as a priority and is currently reviewing the impact of municipal development charges on housing supply; and

Whereas development charges are the primary municipal revenue source for the financing of municipal infrastructure required to increase housing supply; and

Whereas development charges only account for approximately 5-7% of

new single family home prices in the GTA, and that housing prices are driven by the market; and

Whereas a reduction in development charges will reduce a municipality's ability to finance essential infrastructure needed for growth, reduce the supply of serviced land and will unfairly impact existing homeowners; and

Whereas current development charges legislation, through the Development Charges Act, 1997 S.O. 1997 c.27 as amended does not allow municipalities to recover the full cost of growth which is not consistent with the principle that growth pays for growth; and

Whereas Halton has an estimated annual funding gap of \$87.7 million (including Region, Local, and School Boards) as a result of the inability to collect the full cost recovery under the current legislation; and

Whereas the current development charges legislation provides the ability to collect development charges prior to building permit/subdivision (Section 27), which is critical in Halton for the delivery of infrastructure to support additional new housing; and

Whereas any reduction to the flexibility to finance growth through development charges will have a direct impact on Halton's ability to increase housing supply;

Now therefore be it resolved:

That the Provincial Government be called upon to not reduce the use of development charges or make changes to section 27 of the DCA; and

That the Provincial Government be called upon to improve the DCA, to ensure that all growth related costs of municipal infrastructure and services are recovered through development charges ensuring growth pays for growth; and

That the Regional Chair write a letter to the Premier, the Minister of Municipal Affairs and Housing expressing Regional Council's concerns regarding changes to section 27 of the Development Charges Act or a reduction in the use of development charges, and that Halton would welcome the opportunity to work with the Provincial Government to find creative solutions to increase the stock of affordable housing, while ensuring that growth pays for growth; and

That a copy of the letter be sent to the Association of Municipalities of

Ontario, Halton's Members of Provincial Parliament, and the Local Municipalities.

## 14.2 City of Burlington Climate Emergency Declaration

Whereas, the Intergovernmental Panel on Climate Change (IPCC) has determined the need for a significant and structural reduction in carbon emissions in the next 11 years to avoid further economic, ecological, and societal loss; and

Whereas, Canada is, according to the Government of Canada's April 2019 Changing Climate Report, experiencing warming at twice the rate of the rest of the world, with Northern Canada heating up at almost three times the global average; and

Whereas, infrastructure failures linked to climate change could cost Canada \$300 billion over the next decade unless we change the way we build; and

Whereas, local governments are at the frontline of taking actions to manage the worst impacts of climate change, creating low carbon communities and calling on senior levels of government for a more urgent response; and

Whereas, the City of Burlington has already experienced consequences attributed to climate change such as the ice storm of December 2013, the flood of 2014, winter storm volatility in 2019, and the effects of invasive species; and

Whereas, climate change is currently ranked as the number three risk on the City of Burlington's Enterprise Risk Register; and

Whereas, the City of Burlington understands that climate action and the low carbon transition also represents an opportunity for economic stimulation and job development opportunities in a new low-carbon economy; and

Whereas, the City of Burlington recognizes many local community groups and organizations are already taking collective action on climate change; and

Whereas, the City of Burlington recognizes that climate change is a significant issue with a goal for city operations to be net carbon neutral by 2040 and working towards the community becoming net carbon

neutral by working collectively with community stakeholders and senior levels of government, and that more action is necessary.

Now therefore be it resolved:

That the City of Burlington declare a climate emergency for the purposes of deepening our commitment to protecting our economy, environment and community from climate change; and

That Council and staff immediately increase the priority of the fight against climate change and apply a climate lens to the plans and actions of the City of Burlington including the Council strategic workplan and future budgets; and

That staff are directed to bring a report to the June 3, 2019 Committee of the Whole meeting that outlines actions taken to date and includes a critical path for the development of the first City of Burlington Climate Action Plan that will:

a. address the operations of the corporation of the municipality as well as the functioning of the entire community; and

b. include a plan for a thorough and complete consultation with stakeholders and the community; and

c. increase action and ambition for the City's climate change-related activities; and

That staff are directed to bring the Burlington Climate Action Plan to Council no later than December 2019 for approval.

#### 14.3 Paris Galt Moraine Conservation Act, 2019

Whereas the Paris and Galt moraines cut across several municipalities: Peel Region, Wellington County, the City of Guelph, Region of Waterloo, Norfolk County, Brant County and Halton Region; and three Conservation Authorities: Grand River Conservation Authority, Credit Valley Conservation Authority and Conservation Halton; and

Whereas Municipalities within the Grand River watershed are dependent on groundwater as the source of municipal drinking water and are designated as urban growth centres in the Province's Growth Plan for the Greater Golden Horseshoe, 2017, namely Guelph, Cambridge, Kitchener and Waterloo; and

Whereas critical primary recharge areas in the moraines require protection in order to protect the future drinking water supplies in the area; and

Whereas a conservation plan for the Paris and Galt moraines would provide an important policy framework to protect the critical ecological and hydrological integrity of the area; and

Whereas the inter-jurisdictional complexity of the Paris and Galt moraines warrants the assistance of provincial leadership in the development of policy for its protection; and

Now therefore be it resolved:

That The City of Burlington Council supports and endorses the passage of Bill 71, the *Paris Galt Moraine Conservation Act, 2019*; and

That a copy of this resolution be forwarded to the Ministry of Municipal Affairs and Housing, Halton's MPP's, MPP Mike Schreiner, Conservation Halton, Credit Valley Conservation Authority, Grand River Conservation Authority, the Regional Municipality of Peel, the Regional Municipality of Waterloo, the City of Guelph, Wellington County, Norfolk County, Brant County and the Local Municipalities for their endorsement.

14.4 Recommendation of Appointment to the Halton Solid Waste Management Site Advisory Committee.

Approve the appointment of Councillor Lisa Kearns to the Halton Solid Waste Management Committee to the end of the Council term in 2022.

14.5 Municipal Assets Initiative Project – Grindstone Creek

Whereas there is an opportunity for the City of Burlington in partnership with Conservation Halton, Royal Botanical Gardens and the City of Hamilton on a Municipal Natural Assets Initiative (MNAI) to protect our natural assets in the Grindstone Creek area of our Greenbelt; and

Whereas the project would support and guide municipalities in identifying, valuing and accounting for natural assets in their financial planning and asset management programs and developing leading-edge, sustainable, cost-effective and climate resilient infrastructure. The program will assist participating organizations to better manage our infrastructure and natural assets in the face of climate change, development pressures, and increasing challenges associated with asset management. It also presents an opportunity to leverage financial contributions as the Friends of the Greenbelt Foundation is also

contributing funds; and

Whereas MNAI recently partnered with the Friends of the Greenbelt Foundation and is soliciting expressions of interest for up to 7 smaller/rural local governments (as attached) to host a pilot project located in a watershed area within or originating within Ontario's Greenbelt. Through this project, MNAI offers guidance and support through scientific, financial and municipal services management expertise. Partners are expected to commit to the approach, provide in-kind multi-disciplinary staff support, provide data, designate a project/partner lead, commit a total of \$105, 000 (split among the partners), and participate in evaluation interviews/follow up exercises for 3 years after the close of the project; and

Whereas Conservation Halton has reviewed the Expression Of Interest (EOI) and is interested in partnering on a pilot project for either the Grindstone Creek (preferred) or Bronte Creek, both of which originate in the Greenbelt and flow through rural portions of Burlington and Hamilton. Grindstone Creek is preferred as this includes Hamilton, downstream lands in Burlington and the RBG; and

Whereas; Conservation Halton would be the lead and costs would be shared. Further information about the initiative is in the attached letter from Conservation Halton (Appendix A); and

Whereas total funding from City of Burlington up to the amount of \$35,000 is to be provided from the Tax Rate Stabilization Reserve Fund; and

Whereas this initiative dovetails nicely with our ongoing work on climate change adaptation and mitigation and can be integrated into existing staff work programs. It is one of the initiatives mentioned in a handout we received at our Climate Change workshop from the speaker from the Intact Centre for Climate Adaptation (see document "Combatting Canada's Rising Flood Costs" via natural infrastructure), produced in partnership with the Intact Centre on Climate Adaptation; and

Whereas there is some urgency to indicating our interest to participate, as there is no formal intake period, but the EOI period will close as soon as suitable candidates are found. A copy of the EOI is attached as Appendix B MNAI can be found at <https://mnai.ca>; and

Whereas I believe this program represents an opportunity for the city to continue our efforts to be flood resilient and protect our natural assets

and infrastructure.

Now therefore be it resolved:

That Council endorse an Expression of Interest to participate in the MNAI program, including related financial and staff commitment; and

That Council authorize the Executive, Director of Capital Works and related departments to work with Conservation Halton and other parties to complete the application; and

That upon passage of this resolution, city staff continue discussions with counterpart staff at the City of Hamilton and Royal Botanical Garden to seek their participation in the program.

14.6 Motion to move into Closed Session

14.7 Motion to move into Open Session

**15. Motion to Receive and File Council Information Packages:**

15.1 Council Information Package March 22, 2019

15.2 Council Information Package March 29, 2019

15.3 Council Information Package April 5, 2019

15.4 Council Information Package April 12, 2019

15.5 Council Information Package April 18, 2019

**16. Motion to Receive and File Information Items:**

- |      |  |           |
|------|--|-----------|
| 16.1 | Memo from Melissa Morgan, Planner, regarding Proposed official plan and zoning by-law amendments for 1335-1355 Plains Road East (ADM-5-19) | 89 - 96   |
| 16.2 | Memo from Mayor Marianne Meed Ward regarding Development Charges (ADM-4-19)  | 97 - 97   |
| 16.3 | Memo from Councillor Rory Nisan regarding Climate Emergency Declaration (ADM-3-19)   | 98 - 99   |
| 16.4 | Conservation Halton Watershed Report Card 2018 (ADM-6-19)  | 100 - 107 |
| 16.5 | Correspondence from IKEA Canada regarding Climate Emergency Declaration (ADM-7-19)   | 108 - 108 |

16.6 Memo from Mayor Marianne Meed Ward regarding Municipal Assets Initiative Project – Grindstone Creek (ADM-8-19)

109 - 121

**17. Motion to Consider Confidential Items:**

**18. Motion to Approve By-Laws:**

18.1 21-2019: Exemptions to the Interim Control By-law.

18.2 22-2019: A by-law to adopt Official Plan Amendment No. 114 to add a site-specific policy to permit a townhouse development without other forms of housing at 1335-1355 Plains Road East.

18.3 23-2019: A by-law to exempt the Halton Naval Veterans Association from Municipal Taxation.

18.4 24-2019: A by-law to exempt the Navy League of Canada from Municipal Taxation.

18.5 25-2019: A by-law to levy taxes for the 2019.

18.6 2020-406: A by-law to amend By-law 2020, as amended; 1335-1355 Plains Road East.

18.7 2020-407: A by-law to amend By-law 2020, as amended; 3267 Mainway.

**19. Motion to Confirm Proceedings of the Council Meeting:**

**20. Statements by Members:**

**21. Motion to Adjourn:**





## **Committee of the Whole Meeting**

### **Minutes**

Date: April 1, 2019

Time: 1:00 pm

Location: Council Chambers Level 2, City Hall

Members Present: Lisa Kearns (Chair), Kelvin Galbraith, Rory Nisan, Shawna Stolte, Paul Sharman, Angelo Bentivegna, Mayor Marianne Meed Ward

Staff Present: Tim Commisso, Mary Battaglia, Joan Ford, Chris Glenn, Sheila Jones, Allan Magi, Angela Morgan, Nancy Shea-Nicol, Christine Swenor, Mary Lou Tanner, Vito Tolone, David Thompson (Audio/Video Specialist), Lisa Palermo (Clerk)

#### **1. Declarations of Interest:**

None.

#### **2. Council Orientation:**

2.1 Clerks department staff provided a presentation on access to privacy and information (CW-03-19)

#### **3. Delegation(s):**

3.1 John Waito, spoke regarding By-law 23-1974, a by-law to prohibit the throwing, placing, bringing, or depositing snow, ice or slush on public highways (COW-04-19)

3.2 Pam Calvert, Juno Beach Centre Association, spoke regarding the upcoming Burlington Remembers Juno 75 event to be held on May 6, 2019 at the Burlington Performing Arts Centre (COW-05-19)

3.3 Delegation from John Weller regarding Strathcona Drive area proposed sidewalks (TS-05-19)

3.4 Delegation from Don Matthews regarding Strathcona Drive area proposed sidewalks (TS-05-19)

- 3.5 Delegation from Ross Brindley regarding Strathcona Drive area proposed sidewalks (TS-05-19)
- 3.6 Delegation from Garth Napier regarding Strathcona Drive area proposed sidewalks (TS-05-19)
- 3.7 Delegation from Andrew Winter regarding Strathcona Drive area proposed sidewalks (TS-05-19)
- 3.8 Delegation from Colin Sutherland regarding Strathcona Drive area proposed sidewalks (TS-05-19)
- 3.9 Delegation from Lloyd Rapani regarding Strathcona Drive area proposed sidewalks (TS-05-19)

**4. Consent Items:**

- 4.1 Official delegation to Itabashi, Japan (CL-06-19)

Moved by Councillor Nisan

Authorize travel of an official delegation to Itabashi, Japan in October, 2019 to celebrate the 30<sup>th</sup> anniversary of the twinning between the City of Burlington and the City of Itabashi, comprised of Mayor, councillor liaison to the Mundialization Committee, City Manager or designate, a member of Clerks staff, Chair of the Burlington Mundialization Committee and the Chair of the Itabashi sub-committee; and

Approve the purchase of a gift up to a value of \$1200, as the official gift from the City of Burlington to the City of Itabashi on the occasion of the 30<sup>th</sup> twinning anniversary.

**CARRIED**

- 4.2 2019 POA business plan and budget (CM-02-19)

Moved by Councillor Nisan

Approve the 2019 Halton Court Services budget as presented; and

Contribute \$50,000 from net revenues to the Reserve Fund during 2019 to ensure that requirements of the Reserve Fund Policy are met; and

Approve \$70,000 in capital spending (funded through the Reserve Fund) for replacement of all computer hardware as per the City's life-cycle replacement schedule. Costs to be funded through the Reserve Fund; and

Approve \$32,570 in capital spending for the undertaking of final steps in the Growth Management Plan during 2019 for professional project management expertise and internal consulting and support. All costs to be funded through the Reserve Fund.

**CARRIED**

4.3 Tender award for Rexway Drive area minor reconstruction (CW-03-19)

Moved by Councillor Nisan

Award the tender for contract CW-19-01, Rexway Drive Area Minor Reconstruction to Coco Paving Inc., 669 Nebo Road, RR#2 Hannon, ON, L0E 1P0, for \$11,362,406.51 including HST, subject to the approval of Halton Region; and

Authorize the Mayor and City Clerk to sign any required agreements with the bidder named above, subject to the satisfaction of the City Solicitor; and

Approve the total cost of \$10,937,000 (Net HST) to be charged to Capital Order RL0316 and funded as follows;

Federal Gas Tax	\$1,592,300
Capital Purposes Reserve Fund	\$1,832,700
Infrastructure Renewal Reserve Fund	\$283,000
City of Burlington Funding	\$3,708,000
Halton Region	\$7,229,000
Total Project Financing	\$ 10,937,000

**CARRIED**

4.4 2019 proposed budget and tax levy for the Burlington Downtown Business Improvement Area (F-10-19)

Moved by Councillor Nisan

Approve the 2019 proposed budget for the Burlington Downtown Business Improvement Area (BIA) as presented in Appendix A of Finance department report F-10-19 incorporating a Burlington Downtown BIA members' levy of \$792,300; and

Authorize the Director of Finance to incorporate the resulting Burlington Downtown BIA tax rates into the 2019 Tax Levy By-Law.

**CARRIED**

4.5 2019 proposed budget and tax levy for the Aldershot Village Business Improvement Area (F-11-19)

Moved by Councillor Nisan

Approve the 2019 proposed budget for the Aldershot Village Business Improvement Area (BIA) as presented in Appendix A of Finance department report F-11-19 incorporating an Aldershot Village BIA members' levy of \$178,999; and

Authorize the Director of Finance to incorporate the resulting Aldershot Village BIA tax rates into the 2019 Tax Levy By-Law.

**CARRIED**

4.6 By-Law to exempt the Halton Naval Veterans Association and The Navy League of Canada from municipal taxes (F-17-19)

Moved by Councillor Nisan

To grant the exemption from municipal taxes under section 6.1 of the *Assessment Act, R.S.O. 1990* for the Halton Naval Veterans Association; and

To grant the exemption from municipal taxes under section 6.1 of the *Assessment Act, R.S.O. 1990* for The Navy League of Canada; and that staff be directed to prepare the necessary by-laws.

**CARRIED**

- 4.7 Operating budget performance report as at December 31, 2018 (F-27-19)

Moved by Councillor Nisan

Receive and file finance department report F-27-19 providing operating budget performance report as at December 31, 2019.

**CARRIED**

**5. Regular Items:**

- 5.1 Enterprise Resource Planning (ERP) update (IT-01-19)

Moved by Mayor Meed Ward

Receive and file information technology services report IT-01-19 providing an overview of the Enterprise Resource Planning (ERP) project.

**CARRIED**

- 5.2 Transit rates and fees update (TR-01-19)

Moved by Councillor Stolte

Approve the recommended changes to the 2019 Rates and Fees for the transit department; and

Amend pages 18 and 19 of Schedule A of Rates and Fees By-law #51-2018 with Appendix B of transit department report TR-01-19.

**CARRIED**

- 5.3 Mayor's 2019 travel (M-02-19)

Moved by Mayor Meed Ward

Receive and file mayor's office report MO-02-19 regarding the Mayor's planned travel on behalf of the City of Burlington in 2019.

**CARRIED**

- 5.4 Federal budget 2019 gas tax one-time funding (CM-07-19)

Moved by Mayor Meed Ward

Direct the Director of Finance to allocate the \$5.6 million of one-time Federal Gas Tax funding in 2019 as outlined in city manager's office

report CM-07-19 with the following amendments: **include Skyway Arena enhancements (option 2) in the list of recommended projects, therefore increasing the investment for Skyway Arena enhancements to \$1,500,000 from \$750,000 and reduce the investment recommended for New Street resurfacing (Appleby to Burloak) by \$750,000, therefore reducing the investment from \$2,800,000 to \$2,050,000.**

**CARRIED**

5.5 Strathcona Drive area proposed sidewalks (TS-05-19)

Moved by Councillor Stolte

Refer the decision regarding sidewalks on Strathcona Drive to the April 23, 2019 Council Meeting for further public consultation on three options:

- no sidewalks
- sidewalk on east side within the footprint of the existing road
- no sidewalks with painted lines on road as a pedestrian path; and

Proceed with no sidewalks on Lorraine Crescent, Apple Valley Lane, Applevale Court and McIntosh Place.

**CARRIED**

**6. Confidential Items:**

6.1 Confidential update on a litigation matter (L-10-19)

Moved by Councillor Sharman

Direct the City Solicitor or their designate to proceed in accordance with the instructions sought in confidential legal department report L-10-19 regarding a litigation matter update.

**CARRIED**

6.2 Confidential update on a litigation matter (L-11-19)

Moved by Councillor Nisan

Direct the City Solicitor or their designate to proceed in accordance with the instructions sought in confidential legal department report L-11-19 regarding a litigation matter update.

**CARRIED**

**7. Procedural Motions:**

7.1 Motion to proceed into closed session.

Moved by Councillor Sharman

Move into closed session in accordance with the following provisions under the Municipal Act:

- Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, with respect to confidential legal department report L-10-19 and confidential legal department report L-11-19 providing litigation updates

**CARRIED**

**8. Information Items:**

Moved by Councillor Sharman

Receive and file the following ten items, having been given due consideration by the Committee of the Whole.

- 8.1 Delegation material from John Waito regarding By-law 23-1974, to prohibit depositing snow on public highways (COW-04-19)
- 8.2 Delegation material from Pam Calvert regarding Juno Beach Centre Association (COW-05-19)
- 8.3 Staff presentation regarding access to privacy and information (CW-03-19)
- 8.4 Correspondence from Aldershot Village Business Improvement Area (F-11-19)
- 8.5 Staff presentation regarding enterprise resource planning (ERP) update (IT-01-19)
- 8.6 Staff presentation regarding Stathcona Drive area proposed sidewalks (TS-05-19)
- 8.7 Correspondence from Jeff Swire regarding Strathcona Drive area proposed sidewalks (TS-05-19)
- 8.8 Delegation material from Don Matthews regarding Strathcona Drive area proposed sidewalks (TS-05-19)

8.9 Delegation material from Colin Sutherland regarding Strathcona Drive area proposed sidewalks (TS-05-19)

8.10 Delegation material from John Weller regarding Strathcona Drive area proposed sidewalks (TS-05-19)

**9. Staff Remarks:**

None.

**10. Committee Remarks:**

None.

**11. Adjournment:**

3:21 p.m. (recessed), 3:25 p.m. (reconvened), 4:25 p.m. (recessed), 5:35 p.m. (reconvened), 5:36 p.m. (closed), 6:42 p.m. (open)

Chair adjourned the meeting at 9:57 p.m.





## **Planning and Development Committee Meeting**

### **Minutes**

Date: April 2, 2019

Time: 1:00 pm

Location: Council Chambers Level 2, City Hall

Members Present: Paul Sharman (Chair), Rory Nisan, Kelvin Galbraith, Lisa Kearns, Shawna Stolte, Angelo Bentivegna, Mayor Marianne Meed Ward

Staff Present: Tim Commisso, Heather MacDonald, Joan Ford, Nancy Shea-Nicol, David Thompson (Audio/Video Specialist), Jo-Anne Rudy (Clerk)

#### **1. Declarations of Interest:**

- Councillor Galbraith - PB-28-19 - proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086 and 1090 St. Matthew's Avenue. Kelvin Galbraith indicated that his family residence is within 50 metres of this development so he would refrain from discussing or voting on the item.

#### **2. Statutory Public Meetings:**

- 2.1 Information report for proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086, and 1090 St. Matthew's Avenue (PB-28-19)

The Planning and Development Committee, in accordance with Section 34 of the Planning Act, as amended, held Public Meeting No. 6-19 on April 2, 2019 to receive the proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086 and 1090 St. Matthew's Avenue. Having considered the oral and written comments received from staff and delegations, the Planning and Development Committee received PB-28-19 for consideration.

Moved by Mayor Meed Ward

Receive and file department of city building report PB-28-19 regarding official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086 and 1090 St. Matthew's Avenue.

**CARRIED**

- a. Gerry Tchisler, MHBC Planning, provided information on the proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086 and 1090 St. Matthew's Avenue. (PB-28-19)
- b. Doug Langton expressed concern with the proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086 and 1090 St. Matthew's Avenue as it relates to the ground floor venting system of the proposed development. (PB-28-19)
- c. Robert Martin expressed concern with the proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086 and 1090 St. Matthew's Avenue and noted the negative impact it would have on the existing neighbourhood. (PB-28-19)
- d. Dina Knight expressed concern with the proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086 and 1090 St. Matthew's Avenue as it relates to density, setbacks and height. (PB-28-19)
- e. Dave Daniels expressed concern with the proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086 and 1090 St. Matthew's Avenue as it relates to density and setbacks. (PB-28-19)
- f. Lisa Browne expressed concern with the proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086 and 1090 St. Matthew's Avenue as it relates to parking issues and the safety of the neighbourhood. (PB-28-19)
- g. Evan Stewart expressed concern with the proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086 and 1090 St. Matthew's Avenue as it relates to the safety of the neighbourhood and privacy of existing homes. (PB-28-19)
- h. Kathy Rauscher, LIV Communities, provided information on the proposed official plan and zoning by-law amendments for 1085 Clearview, 1082, 1086 and 1090 St. Matthew's Avenue. (PB-28-19)

- i. Staff presentation regarding information report for proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086, and 1090 St. Matthew's Avenue (PB-28-19)
  - j. Delegation material from Gerry Tchisler, MHBC Planning, regarding proposed official plan and zoning by-law amendments for 1085 Clearview Avenue, 1082, 1086 and 1090 St. Matthew's Avenue. (PB-28-19)
- 2.2 Information report for proposed plan of subdivision, official plan and zoning by-law amendments for Surrey Lane, Warwick Drive and Georgian Court (PB-33-19)

The Planning and Development Committee, in accordance with Section 34 of the Planning Act, as amended, held Public Meeting No. 7-19 on April 2, 2019 to receive the proposed plan of subdivision, official plan and zoning by-law amendments for Surrey Lane, Warwick Drive and Georgian Court. Having considered the oral and written comments received from staff and delegations, the Planning and Development Committee received PB-33-19 for consideration.

Moved by Mayor Meed Ward

Refer department of city building report PB-33-19 regarding the proposed plan of subdivision, official plan and zoning by-law amendments for Surrey Lane, Warwick Drive and Georgian Court to the April 23, 2019 Council meeting.

**CARRIED**

- a. John Marotta, Quadreal, provided information on the proposed plan of subdivision, official plan and zoning by-law amendments for Surrey Lane, Warwick Drive and Georgian Court. (PB-33-19)
- b. Benjamin Hoff, Urban Strategies, provided information on the proposed subdivision, official plan and zoning by-law amendments for Surrey Lane, Warwick Drive and Georgian Court. (PB-33-19)
- c. Janine Hersey, Warwick-Surrey Community Association, expressed concern with the proposed development for Surrey Lane, Warwick Drive and Georgian Court as it relates to affordability, loss of community feel, amenities and greenspace. (PB-33-19)
- d. Ryan McIntyre expressed concern with the proposed development for Surrey Lane, Warwick Drive and Georgian Court as it relates to

lack of details provided to the community, lack of greenspace, amenities and increased traffic. (PB-33-19)

- e. Tracy Mitchell expressed concern with the proposed development for Surrey Lane, Warwick Drive and Georgian Court as it relates to affordability and protection of current residents. (PB-33-19)
- f. Jim Young expressed concern with the proposed development for Surrey Lane, Warwick Drive and Georgian Court as it relates to affordable units. (PB-33-19)
- g. Sherry McGivern expressed concern with the proposed development for Surrey Lane, Warwick Drive and Georgian Court as it relates to affordability. (PB-33-19)
- h. Daniel Warren expressed concern with the proposed development for Surrey Lane, Warwick Drive and Georgian Court as it relates to lack of community feel. (PB-33-19)
- i. Jennifer Salisbury expressed concern with the proposed development for Surrey Lane, Warwick Drive and Georgian Court as it relates to affordability. (PB-33-19)
- j. Staff presentation regarding proposed plan of subdivision, official plan and zoning by-law amendments for Surrey Lane, Warwick Drive and Georgian Court (PB-33-19)
- k. Correspondence from Jennifer Salisbury regarding proposed plan of subdivision, official plan and zoning by-law amendments for Surrey Lane, Warwick Drive and Georgian Court (PB-33-19)
- l. Additional comments regarding proposed plan of subdivision, official plan and zoning by-law amendments for Surrey Lane, Warwick Drive and Georgian Court. (PB-33-19)
- m. Delegation material from John Marotta, Quadreal, and Benjamin Hoff, Urban Strategies, regarding proposed plan of subdivision, official plan and zoning by-law amendments for Surrey Lane, Warwick Drive and Georgian Court. (PB-33-19)
- n. Delegation material from Jim Young regarding proposed plan of subdivision, official plan and zoning by-law amendments for Surrey Lane, Warwick Drive and Georgian Court. (PB-33-19)

**3. Delegation(s):**

- 3.1 Andrew Grunda, Watson & Associates Economists Ltd., provided information on the 2019 City of Burlington development charges process. (F-12-19)
- 3.2 Jeff Kenny and Jake Spelic, Strategy 4 Inc., provided information on the proposed zoning by-law amendment for 3267 Mainway. (PB-12-19)
- 3.3 Cindy Prince, Amico Properties, requested that their property at 1157-1171 North Shore Blvd. E. be included in the exemptions to Interim Control By-law 10-2019. (PB-40-19)
- 3.4 Eldon Hunt, Hunt Legal Professional Corporation, did not appear to speak to the proposed exemptions to Interim Control By-law 10-2019. (PB-40-19)
- 3.5 Suzanne Mammel, HHHBA, expressed concern with the proposed exemptions to Interim Control By-law 10-2019 as it relates to growth in the Urban Growth Corridor and the impact to the economic development of the City. (PB-40-19)
- 3.6 Ed Fothergill, Fothergill Planning and Development Inc., representing Molinaro Group, requested that 2089 Fairview Street ("Paradigm") be included in the exemptions to Interim Control By-law 10-2019 so Phase 5 of the development can continue. (PB-40-19)
- 3.7 Denise Baker, WeirFoulds LLP, did not appear to speak regarding proposed exemptions to Interim Control By-law 10-2019. (PB-40-19)
- 3.8 Mark Bales, Carriage Gate Homes, did not speak regarding proposed exemptions to Interim Control By-law 10-2019. (PB-40-19)

**4. Consent Items:**

- 4.1 2018 annual building permit revenues and expenses (PB-20-19)  
Moved by Councillor Kearns  
Receive and file department of city building report PB-20-19 regarding 2018 annual building permit revenues and expenses.

**CARRIED**

**5. Regular Items:**

- 5.1 2019 City of Burlington development charges process (F-12-19)  
Moved by Mayor Meed Ward

Receive and file finance department report F-12-19 regarding the 2019 City of Burlington development charges process.

**CARRIED**

5.2 Proposed zoning by-law amendment for 3267 Mainway (PB-12-19)

Moved by Mayor Meed Ward

Approve with modifications the zoning by-law amendment application submitted by U-Haul Canada to rezone the property at 3267 Mainway from “GE2-56” to “GE2-495”, to permit a motor vehicle sales, leasing, rental and service use, on the basis that it is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe and the Regional and City of Burlington Official Plans; and

Adopt Zoning By-law 2020.407, attached as Appendix B of department of city building report PB-12-19, rezoning the lands at 3267 Mainway from “GE2-56” to “GE2-495”, and deleting Exception 56; and

Deem that Zoning By-law 2020.407 conforms to the Official Plan of the City of Burlington.

**CARRIED**

5.3 Alternative procurement process for scoped re-examination of the adopted Official Plan (PB-42-19)

Moved by Mayor Meed Ward

Delegate authority to the City Manager in conjunction with the Director of Finance, the ability to single source or sole source work for the scoped re-examination of the adopted Official Plan that may exceed \$100,000.

**CARRIED**

5.4 Proposed exemptions to Interim Control By-law 10-2019 (PB-40-19)

Moved by Mayor Meed Ward

Receive and file department of city building report PB-40-19 regarding exemptions to Interim Control By-law 10-2019; and

Approve an amendment to Interim Control By-law 10-2019, as recommended by staff in department of city building report PB-40-19 and attached as Appendix A, to exempt certain types of development.

**CARRIED**

5.5 Undelegation of site plan approval for 2254 Orchard Road (PD-02-19)

Moved by Councillor Sharman

Undelegate the site plan approval process for the development application at 2254 Orchard Road from the Director of City Building to Council.

**CARRIED**

**6. Confidential Items:**

None

**7. Procedural Motions:**

7.1 Allow delegate to speak longer than ten minutes

Moved by Councillor Bentivegna

Suspend the rules of procedure to allow a delegation to speak beyond the 10 minute allowance regarding department of city building report PB-40-19, in accordance with procedure by-law 64-2016 s. 37.

**CARRIED**

7.2 Waive notice

Moved by Councillor Kearns

Suspend the rules of procedure to waive the requirements of notice to allow discussion regarding PD-02-19, undelegation of site plan approval for 2254 Orchard Road, in accordance with procedure by-law 64-2016, s. 31.

**CARRIED**

7.3 Proceed beyond adjournment hour

Moved by Mayor Meed Ward

Suspend the rules of procedure to allow the meeting to proceed beyond the hour of 10 p.m., in accordance with procedure by-law 64-2016 s. 26.

**CARRIED**

**8. Information Items:**

Moved by Councillor Nisan

Receive and file the following 8 items, having been given due consideration by the Planning and Development Committee.

**CARRIED**

- 8.1 Delegation material from Andrew Grunda, Watson & Associates Economists Ltd, regarding the 2019 City of Burlington development charges process. (F-12-19)
- 8.2 Staff presentation regarding proposed zoning by-law amendment for 3267 Mainway. (PB-12-19)
- 8.3 Confidential legal department memo regarding proposed exemptions to Interim Control By-law 10-2019. (PB-40-19)
- 8.4 Correspondence from Brant Park Co-Op regarding proposed exemptions to Interim Control By-law 10-2019. (PB-40-19)
- 8.5 Correspondence from Marcia Villafranca, Media One Properties, regarding proposed exemptions to Interim Control By-law 10-2019. (PB-40-19)
- 8.6 Correspondence from Diane and Bill McSpurren regarding proposed exemptions to Interim Control By-law 10-2019. (PB-40-19)
- 8.7 Delegation material from Cindy Prince, Amico Properties, regarding proposed exemptions to Interim Control By-law 10-2019. (PB-40-19)
- 8.8 Delegation material from Ed Fothergill, Fothergill Planning and Development Inc., regarding proposed exemptions to Interim Control By-law 10-2019. (PB-40-19)
- 8.9 Correspondence from Mark Bales, Carriage Gate Homes, regarding proposed exemptions to Interim Control By-law 10-2019. (PB-40-19)

**9. Staff Remarks:**

**10. Committee Remarks:**

**11. Adjournment:**

3:55 p.m. (recessed), 6:30 p.m. (reconvened), 8:22 p.m. (recessed), 8:30 p.m. reconvened

Chair adjourned the meeting at 10:32 p.m.





## **Audit Committee Meeting**

### **Minutes**

Date: April 3, 2019  
Time: 3:30 pm  
Location: Council Chambers Level 2, City Hall

Members Present: Paul Sharman (Chair), Lisa Kearns, Angelo Bentivegna, Phillip Chisulo, Etienne Durafour, Mathew Moore, Mayor Marianne Meed Ward

Member Regrets: Aaron Mendaglio

Staff Present: Laura Boyd, Joan Ford, Sheila Jones, Sandy O'Reilly, Mary Lou Tanner, David Thompson (Audio/Video Specialist), Suzanne Gillies (Clerk)

#### **1. Election of Audit Committee Chair and Vice Chair:**

On motion, Councillors Paul Sharman and Lisa Kearns were elected Chair and Vice Chair, respectively of the Audit Committee, effective April 3, 2019 for the term to expire December 31, 2020.

#### **2. Declarations of Interest:**

None.

#### **3. Delegation(s):**

None.

#### **4. Council Orientation:**

##### **4.1 Audit Primer**

Audit committee purpose & process and area of responsibility overview  
(A-01-19)

#### **5. Consent Items:**

##### **5.1 Report providing status of 2018 audit work plan, budget and performance metrics (CA-02-19)**

Moved by: Mayor Meed Ward

Receive and file city auditor's office report CA-02-19 providing the status of the 2018 audit work plan (Appendix A), budget, and performance metrics (Appendix B) as of March 1, 2019.

**CARRIED**

- 5.2 Report providing summary of in-progress management action plans (CA-03-19)

Moved by: Mayor Meed Ward

Receive and file city auditor's office report CA-03-19 providing a summary of the management action plans in progress to address all issues as detailed in Appendix A.

**CARRIED**

- 5.3 Financial highlights for period ending December 31, 2018 (F-20-19)

Moved by: Mayor Meed Ward

Receive and file report F-20-19 providing financial highlights for the period ending December 31, 2018.

**CARRIED**

- 5.4 Financial policies (F-21-19)

Moved by: Mayor Meed Ward

Receive and file report F-21-19 providing information on financial policies

**CARRIED**

**6. Regular Items:**

- 6.1 Details of the 2019 audit work plan (CA-01-19)

Moved by: Mayor Meed Ward

Approve the 2019 audit work plan attached in Appendix B of the city auditor's report providing details of the 2019 audit work plan (CA-01-19).

Approve the engagement of Deloitte LLP to perform the non-audit work involved in the quality assurance reviews of internal audits performed by the City Auditor.

**CARRIED**

6.2 Summary of audit results - health, safety & wellness (CA-04-19)

Moved by: Mayor Meed Ward

Receive and file city auditor's office report CA-04-19 providing summary of audit results – health safety and wellness audit in Appendix A.

**CARRIED**

**7. Confidential Items:**

None.

**8. Procedural Motions:**

None.

**9. Information Items:**

Receive and file the following two items, having been given due consideration by the Audit Committee.

9.1 Staff presentation on audit committee purpose & process and area of responsibility overview (A-01-19)

9.2 Risk registry for 2018 (A-02-19)

**10. Staff Remarks:**

**11. Committee Remarks:**

**12. Adjournment:**

Chair adjourned the meeting at 6:00 p.m.





## **Audit Committee Meeting**

### **Minutes**

Date: April 3, 2019  
Time: 3:30 pm  
Location: Council Chambers Level 2, City Hall

Members Present: Paul Sharman (Chair), Lisa Kearns, Angelo Bentivegna, Phillip Chisulo, Etienne Durafour, Mathew Moore, Mayor Marianne Meed Ward

Member Regrets: Aaron Mendaglio

Staff Present: Laura Boyd, Joan Ford, Sheila Jones, Sandy O'Reilly, Mary Lou Tanner, David Thompson (Audio/Video Specialist), Suzanne Gillies (Clerk)

#### **1. Election of Audit Committee Chair and Vice Chair:**

On motion, Councillors Paul Sharman and Lisa Kearns were elected Chair and Vice Chair, respectively of the Audit Committee, effective April 3, 2019 for the term to expire December 31, 2020.

#### **2. Declarations of Interest:**

None.

#### **3. Delegation(s):**

None.

#### **4. Council Orientation:**

##### **4.1 Audit Primer**

Audit committee purpose & process and area of responsibility overview  
(A-01-19)

#### **5. Consent Items:**

##### **5.1 Report providing status of 2018 audit work plan, budget and performance metrics (CA-02-19)**

Moved by: Mayor Meed Ward

Receive and file city auditor's office report CA-02-19 providing the status of the 2018 audit work plan (Appendix A), budget, and performance metrics (Appendix B) as of March 1, 2019.

**CARRIED**

- 5.2 Report providing summary of in-progress management action plans (CA-03-19)

Moved by: Mayor Meed Ward

Receive and file city auditor's office report CA-03-19 providing a summary of the management action plans in progress to address all issues as detailed in Appendix A.

**CARRIED**

- 5.3 Financial highlights for period ending December 31, 2018 (F-20-19)

Moved by: Mayor Meed Ward

Receive and file report F-20-19 providing financial highlights for the period ending December 31, 2018.

**CARRIED**

- 5.4 Financial policies (F-21-19)

Moved by: Mayor Meed Ward

Receive and file report F-21-19 providing information on financial policies

**CARRIED**

**6. Regular Items:**

- 6.1 Details of the 2019 audit work plan (CA-01-19)

Moved by: Mayor Meed Ward

Approve the 2019 audit work plan attached in Appendix B of the city auditor's report providing details of the 2019 audit work plan (CA-01-19).

Approve the engagement of Deloitte LLP to perform the non-audit work involved in the quality assurance reviews of internal audits performed by the City Auditor.

**CARRIED**

6.2 Summary of audit results - health, safety & wellness (CA-04-19)

Moved by: Mayor Meed Ward

Receive and file city auditor's office report CA-04-19 providing summary of audit results – health safety and wellness audit in Appendix A.

**CARRIED**

**7. Confidential Items:**

None.

**8. Procedural Motions:**

None.

**9. Information Items:**

Receive and file the following two items, having been given due consideration by the Audit Committee.

9.1 Staff presentation on audit committee purpose & process and area of responsibility overview (A-01-19)

9.2 Risk registry for 2018 (A-02-19)

**10. Staff Remarks:**

**11. Committee Remarks:**

**12. Adjournment:**

Chair adjourned the meeting at 6:00 p.m.







## **Planning and Development Committee - Public**

### **Minutes**

Date: April 9, 2019  
Time: 6:30 pm  
Location: Council Chambers Level 2, City Hall

Members Present: Paul Sharman (Chair), Kelvin Galbraith, Lisa Kearns, Shawna Stolte, Angelo Bentivegna, Mayor Marianne Meed Ward

Member Regrets: Rory Nisan

Staff Present: Tim Commisso, Heather MacDonald, David Thompson  
(Audio/Video Specialist), Jo-Anne Rudy (Clerk)

#### **1. Declarations of Interest:**

None

#### **2. Statutory Public Meetings:**

The Planning and Development Committee, in accordance with Section 34 of the Planning Act, as amended, held Public Meeting No. 8-19 on April 9, 2019 to receive the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. Having considered the oral and written comments received from staff and delegations, the Planning and Development Committee received PB-09-19 for consideration.

##### **2.1 Information report for proposed official plan and zoning by-law amendments for 5353 Lakeshore Road (PB-09-19)**

Moved by Mayor Meed Ward

Receive and file department of city building report PB-09-19 regarding proposed official plan and zoning by-law amendments for 5353 Lakeshore Road.

**CARRIED**

- a. Dana Anderson, MHBC Planning, provided information on the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. (PB-09-19)
- b. Lucy Belvedere expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to height, density, traffic and increased noise levels. (PB-09-19)
- c. Frank Attardo expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to lack of architectural design and impact on quality of life. (PB-09-19)
- d. Pauline Laing expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to density, lack of public space, height and traffic. (PB-09-19)
- e. Robert Hilton expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to traffic issues and impact on existing neighbourhood. (PB-09-19)
- f. Kevin Bassette expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to height and integrity of the developer. (PB-09-19)
- g. Stephen White, representing ECOB, expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to density, traffic congestion, size, scope, parking and shadowing. (PB-09-19)
- h. Glenn Nicholson, representing Mary Alice St. James, expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to density and traffic. (PB-09-19)
- i. Jeremy Skinner expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to height, shadowing and traffic. (PB-09-19)
- j. Carolynne Sawdon did not speak to the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. (PB-09-19)

- k. Tina Flinders expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road and noted agreement with other delegates comments. (PB-09-19)
- l. Wendy Moraghan expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to safety and emergency service response times. (PB-09-19)
- m. Frank Toews expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to the disconnect between the first community meeting and the submitted proposal. (PB-09-19)
- n. Carie DeMunck expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to the impact this development will have on the many seniors living in the community. (PB-09-19)
- o. Norma D'Onofrio expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to traffic and property values. (PB-09-19)
- p. Andrea Gill expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to safety and lack of amenity space. (PB-09-19)
- q. Jim Gill expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to safety, traffic, density, setbacks, access, lack of parking and greenspace. (PB-09-19)
- r. Jim Lowe spoke to the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road and commended the previous speakers on their research and thorough presentations. (PB-09-19)
- s. Leo Normandeau expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to the safety of seniors and the importance of developing an age friendly community. (PB-09-19)
- t. Karen Patel expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to traffic, shadowing and safety for young families. (PB-09-19)

- u. Beverley Hunnisett expressed concern with the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to overdevelopment and traffic congestion. (PB-09-19)
- v. Lawrence Stasiuk expressed concern with proposed official plan and zoning by-law amendments for 5353 Lakeshore Road as it relates to the lack of community benefits for higher than six stories. (PB-09-19)
- w. Pierre Paraneau spoke to the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road and noted the lack of imagination of this development from an architectural perspective. (PB-09-19)
- x. Staff presentation regarding the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road (PB-09-19)
- y. Delegation material from Dana Anderson, MHBC Planning, regarding the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. (PB-09-19)
- z. Delegation material from Frank Attardo regarding the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. (PB-09-19)
- aa. Delegation material from Pauline Laing regarding the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. (PB-09-19)
- ab. Delegation material from Robert Hilton regarding the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. (PB-09-19)
- ac. Delegation material from Stephen White, representing ECOB, regarding the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. (PB-09-19)
- ad. Delegation material from Jeremy Skinner regarding the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. (PB-09-19)
- ae. Delegation material from Carolynne Sawdon regarding the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. (PB-09-19)

- af. Delegation material from Wendy Moraghan regarding the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. (PB-09-19)
- ag. Delegation material from Lucy Belvedere regarding the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. (PB-09-19)
- ah. Delegation material from Frank Toews regarding the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road. (PB-09-19)
- ai. Additional comments regarding the proposed official plan and zoning by-law amendments for 5353 Lakeshore Road (PB-09-19)

**3. Delegation(s):**

None

**4. Consent Items:**

None

**5. Regular Items:**

None

**6. Confidential Items:**

None

**7. Procedural Motions:**

None

**8. Information Items:**

None

**9. Staff Remarks:**

**10. Committee Remarks:**

**11. Adjournment:**

8:17 p.m. (recessed), 8:30 p.m. (reconvened)

Chair adjourned the meeting at 9:50 p.m.



## **Committee of the Whole - Workshop Meeting**

### **Minutes**

Date: April 11, 2019  
Time: 9:00 am  
Location: Burlington Fire Department Headquarters

Members Present: Shawna Stolte (Chair), Angelo Bentivegna, Kelvin Galbraith, Lisa Kearns, Paul Sharman, Mayor Marianne Meed Ward

Member Regrets: Rory Nisan

Staff Present: Tim Commisso, Joan Ford, David Lazenby, Allan Magi, Angela Morgan, Nancy Shea-Nicol, Christine Swenor, Mary Lou Tanner, Suzanne Gillies (Clerk)

#### **1. Declarations of Interest:**

None.

#### **2. Regular Items:**

- 2.1 Workshop presented by Amber Rushton, Community Emergency Management Coordinator, Burlington Fire Department regarding Senior and Elected Officials' roles and responsibilities during an emergency event.

#### **3. Procedural Motions:**

Moved by: Mayor Meed Ward

Committee moved into closed session at 9:05 p.m. in accordance with the following provisions under the Municipal Act:

Section 239(2)(n) educational or training of the members where at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee with respect to roles and responsibilities during an emergency

**CARRIED**

Moved by: Mayor Meed Ward

Moved into Open Session

Committee moved into public session at 1:06 p.m.

**CARRIED**

**4. Information Items:**

Moved by: Mayor Meed Ward

Receive and file the following 3 items, having been given due consideration by the Committee of the Whole workshop committee.

**CARRIED**

4.1 Check list in consideration of a declaration of emergency (COW-W-09-19)

4.2 Emergency management and civil protection act compliance guide for municipalities (COW-W-09-19)

4.3 Senior and elected officials workshop presentation (COW-W-09-19)

**5. Staff Remarks:**

**6. Committee Remarks:**

**7. Adjournment:**

10:50 a.m. (recessed), 10:56 (reconvened), 12:15 p.m. (recessed), 12:40 p.m. (reconvened)

Chair adjourned the meeting at 1:09 p.m.



**SUBJECT: Proposed Official Plan and Zoning By-law Amendment for  
1335-1355 Plains Road East**

**TO: Planning and Development Committee**

**FROM: Department of City Building - Planning Building and  
Culture**

Report Number: PB-15-19

Wards Affected: 2

File Numbers: 505-08/17 and 520-17/17

Date to Committee: March 5, 2019

Date to Council: March 25, 2019

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**Recommendation:**

Approve the application submitted by DVLP Property Group Inc., 1 Kawana Road, Brampton ON, L6Y 6A8, to amend the Official Plan and Zoning By-law at 1335-1355 Plains Road East to permit a 34 unit townhouse development; and

Approve Amendment No. 114 to the City of Burlington Official Plan, attached as Appendix B of department of city building report PB-15-19, to add a site specific policy for the lands at 1335-1355 Plains Road East to permit a townhouse development; 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. 114 as contained in Appendix B of department of city building report PB-15-19; and

Enact the draft amending Zoning By-law 2020.406, contained in Appendix C of department of city building report PB-15-19, to rezone lands at 1335-1355 Plains Road East from "Mixed Use Corridor – General (MXG)" to "Mixed Use Corridor – General with Site Specific Exception (H-MXG-494)"; and

Deem that Zoning By-law 2020.406 conforms to the Official Plan of the City of Burlington; and

Approve the request by GSP Group Inc., on behalf of DVLP Property Group Inc. to remove one (1) city tree adjacent to 1335-1355 Plains Road East; and



Instruct GSP Group Inc., on behalf of DVLP Property Group Inc. to obtain a Tree Permit to remove the city tree and to provide compensation for the tree removal by providing replanting in the municipal right-of-way or cash-in-lieu, with a total value of \$4,825.00 at the time of Site Plan Approval; and

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 114 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 114 is adopted.

### **Purpose:**

The purpose of the report is to recommend approval of Official Plan Amendment and Zoning By-law Amendment applications to permit a medium-density residential development consisting of 5 standard townhouse units and 29 back-to-back townhouse units at 1335-1355 Plains Road East.

The development proposal aligns with the following objective in Burlington's Strategic Plan 2015-2040:

#### **A City that Grows**

- Intensification
  - Older neighbourhoods are important to the character and heritage of Burlington and intensification will be carefully managed to respect these neighbourhoods.
- Focused Population Growth
  - Burlington is an inclusive and diverse city that has a growing proportion of youth, newcomers and young families and offers a price range and mix of housing choices.

**Executive Summary:**

<b>RECOMMENDATIONS:</b>		<i>Approval</i>	<b>Ward No.:</b>	<b>2</b>
<b>Application Details</b>	<b>APPLICANT:</b> <b>OWNER:</b> <b>FILE NUMBERS:</b> <b>TYPE OF APPLICATION:</b> <b>PROPOSED USE:</b>	<i>Brenda Khes, GSP Group Inc.</i> <i>DVLP Property Group Inc.</i> <i>505-08/17 and 520-17/17</i> <i>Official Plan &amp; Zoning By-law Amendment</i> <i>5 standard and 29 back-to-back townhouse dwelling units</i>		
<b>Property Details</b>	<b>PROPERTY LOCATION:</b> <b>MUNICIPAL ADDRESS:</b> <b>PROPERTY AREA:</b> <b>EXISTING USE:</b>	<i>North side of Plains Road East, between Helena Street and Glendor Avenue</i> <i>1335-1355 Plains Road East</i> <i>0.46 hectares</i> <i>Three former nursery school buildings, one former commercial building (all currently vacant)</i>		
<b>Documents</b>	<b>OFFICIAL PLAN Existing:</b> <b>OFFICIAL PLAN Proposed:</b> <b>ZONING Existing:</b> <b>ZONING Proposed:</b>	<i>Mixed Use Corridor - General</i> <i>Mixed Use Corridor – General with site specific policy</i> <i>Mixed-Use General (MXG)</i> <i>Mixed-Use General with site specific exception and Holding Provision (H-MXG-493)</i>		
<b>Processing Details</b>	<b>NEIGHBOURHOOD MEETING:</b> <b>PUBLIC COMMENTS:</b> <b>STATUTORY PROCESSING END DATE:</b>	<i>March 7, 2018</i> <i>4 e-mails, 1 letter (one constituent sent multiple e-mails)</i> <i>June 16, 2018 (180 days)</i>		

## Background and Discussion:

### Site Description:

The subject property is located on the north side of Plains Road East, between Helena Street and Glendor Avenue. The property has an area of 0.46 hectares (1.14 acres). The site currently supports four buildings; two single storey buildings, one 1.5 storey building and one two-storey building which previously supported a dance studio and a day care. All buildings are currently vacant and are proposed to be demolished. Surrounding land uses include the following:

North: Two-storey single detached dwellings

East: Two-storey apartment building and two-storey commercial building

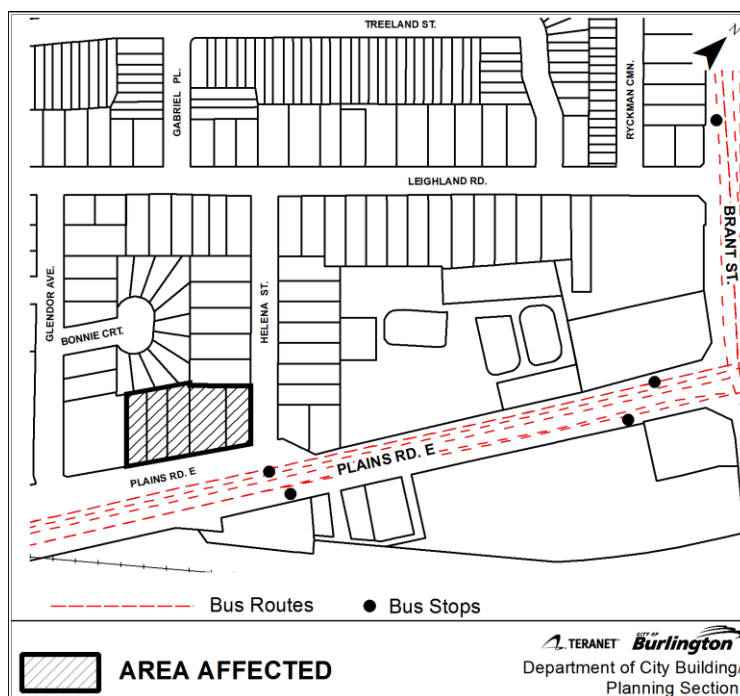
South: Automotive shop, beyond which is the CN railway

West: Three-storey townhouses

### Description of Application and History:

On December 18, 2017, the Department of City Building acknowledged that a complete application had been received for an Official Plan Amendment and Zoning By-law Amendment for 1335-1355 Plains Road East. The purpose of these applications is to amend the Official Plan and Zoning By-law in order to facilitate a residential development consisting of 5 standard and 29 back to back townhouse units. The location of the subject lands is illustrated in “Sketch 1” below:

### Sketch 1



The applicant is proposing to construct a new townhouse development consisting of 5 standard townhouse units and 29 back to back townhouse units. Site specific amendments to the Official Plan and Zoning By-law are required to facilitate the proposal.

Nine of the proposed back-to-back units are proposed to have driveway access from Plains Road East; six are proposed to have driveway access from Helena Street; and the remainder of the back-to-back units as well as the standard townhouse units are proposed to have driveways onto a private condominium road which would be accessed from Plains Road East. The site proposes 7 visitor parking spaces and a common amenity area at the north side of the property. Private amenity space is provided in the form of rooftop terraces for the back-to-back units and rear yards for the standard townhouse units.

One of the standard townhouse units is proposed to be one storey and will be constructed as an accessible, single storey unit. It includes one accessible parking space in the driveway. The proposed density of the site is 74 units per hectare, which is considered high-density in accordance with the City of Burlington Official Plan.

Information Report PB-37-18 was presented to Planning and Development Committee on July 10, 2018, at a Statutory Public Meeting. Following the meeting, extensive discussions took place with the applicant and a revised application and supporting technical requirements were finalized in January 2019. The revised applications reflect significant changes to the original plan, which are listed below:

<b>Development Standard</b>	<b>Previous Proposal</b>	<b>Current Proposal</b>
Number of Units	38 Units - 9 standard - 29 back-to-back	34 Units - 5 standard - 29 back-to-back
Side Yard Setback (North Side)	6 metres (including a 1.5 metre landscape buffer)	8 metres (including a 3 metre landscape buffer)
Realignment of Plains Road East/Helena Street	No changes to street	Realignment of Helena Street to run straight and connect to Plains Road East
Visitor Parking	5 regular visitor parking spaces	6 regular visitor parking spaces, 1 accessible parking space
Accessible Unit	None Proposed	1 Proposed

This report provides details of the application and an analysis of the proposal against applicable policies and regulations. It is recommended that the Mixed Use Corridor –

General designation be amended through a site specific policy permitting a standalone townhouse development on this site, and that the property be rezoned from “Mixed-Use General (MXG)” to “Mixed-Use General with site specific exception and a Holding Provision (H-MXG-493)”.

## **Policy Framework**

The proposed Official Plan Amendment and Zoning By-law Amendment are subject to the following policy framework: the Provincial Policy Statement 2014, Places to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan), the Halton Regional Official Plan, the City of Burlington Official Plan, and Zoning By-law 2020, as amended.

### **Provincial Policy Statement (PPS) 2014**

The Provincial Policy Statement provides broad policy direction on land use planning and development matters of provincial interest. The PPS provides policies for appropriate development based on efficient use of land and infrastructure, protection of natural resources, and supports residential and employment development including a mix of land uses.

Subsection 1.1.1 e) of the Provincial Policy Statement states that healthy, livable and safe communities are sustained by *“promoting cost-effective developments and standards to minimize land consumption and servicing costs”*; and subsection 1.1.3.2 1) 3) states that land use patterns within settlement areas shall be *“appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion”*.

Adequate servicing exists for the proposed development. Further, the proposed development will intensify land uses that have the existing potential for redevelopment and intensification. As such, existing infrastructure and land can be used efficiently and responsibly.

Subsection 1.4.3 e) states that *“planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety”*, and, in subsection 1.4.3 d), *“promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed”*.

The proposed development supports population growth and intensification and contributes to the establishment of a range and mix of housing types. The proposed

changes to the Official Plan and Zoning By-law will support compact built form while having regard for public health and safety.

The PPS promotes the creation of healthy, active communities by planning public streets, spaces and facilities to be safe and meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1). Section 1.1.1 of the PPS speaks to improving accessibility for persons with disabilities and the elderly by removing barriers that restrict full participation in society. In order to respond to this policy, the applicant has proposed to convert one of the standard townhouse units into an accessible unit. This unit will maintain the same building footprint, but will be one storey and will include an accessible parking space. Detailed design of this unit will take place at the Site Plan approval stage.

The development proposal is consistent with the PPS as it accommodates an appropriate range and mix of housing types to meet long-term needs of the community and proposes to use existing infrastructure.

### **Growth Plan for the Greater Golden Horseshoe**

The Growth Plan for the Greater Golden Horseshoe came into effect on July 1, 2017 and provides a growth management policy direction for the defined growth plan area. Growth is focused in existing urban areas through intensification. The guiding principles of the Growth Plan include building compact, vibrant and complete communities, and optimizing the use of existing and new infrastructure to support growth in an efficient, well-designed form.

Part 1.2.1, Guiding Principles, states: *“the policies of this Plan regarding how land is developed...are based on the following principles...”*. Some of the relevant principles are: *“prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability”* and *“support a range and mix of housing options, including second units and affordable housing to serve all sizes, incomes and ages of households”*.

The subject proposal introduces a compatible low-rise townhouse form to an existing serviced neighbourhood, which currently contains single detached and townhouse dwelling units. The proposal responsibly uses land to promote intensification which can exist in harmony with the current neighbourhood character.

Subsection 2.2.1.2 a) of the Growth Plan states that *“the vast majority of growth will be directed to settlement areas that have a delineated built boundary; have existing or planned municipal water and wastewater systems; and can support the achievement of complete communities”*.

Section 2.2.2 Delineated Built-up Areas, Policy 4 states: *“all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout the delineated built-up areas, which will:*

- a) encourage intensification generally to achieve the desired urban structure;*
- b) identify the appropriate type and scale of development and transition of built form to adjacent areas;*
- c) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;*
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;*
- e) be implemented through official plan policies and designations, updated zoning and other supporting documents”.*

The City of Burlington’s intensification strategy drives significant population growth to the Mobility Hubs and the Urban Growth Centre; however it also contemplates modest intensification within existing serviced neighbourhoods. The appropriate type and scale of development and transition of built form to adjacent areas is achieved through the application of Evaluation Criteria to intensification proposals.

The application proposes to intensify an existing serviced property. The subject property is surrounded by a mix of uses, and the proposed compact residential development would contribute to a complete community with a variety of forms of housing. The proposed townhouse development would use existing infrastructure and would promote growth and intensification on a property in the City’s urban area. The subject application is consistent with the Growth Plan as it supports a compact and efficient development form as well as contributes to a complete community.

### **Halton Region Official Plan (ROP)**

The property under application is designated “Urban Area” in the Regional Official Plan, 2006 (ROP). The ROP states that the range of permitted uses in the Urban Area shall be in accordance with Local Official Plans and Zoning By-laws but that all development is subject to the policies of the ROP.

Policy 44 of the Regional Official Plan states that *“The Region’s primary role is to provide broad policy directions on strategic matters such as management of land and natural resources, growth strategies, housing, economic development, water and wastewater services, solid waste management, transportation, and health and social services. Recognizing the above, the Local Municipalities are to deal with their local environments to best express their own individualities. The structuring of communities*

*and neighbourhoods and the internal configuration of each of the Local Municipalities, for instance, are the responsibilities of the Municipalities as long as the overall planning vision for Halton and policies of this Plan are adhered to”.*

Policy 81(6) requires local municipalities to “*ensure the proper integration of intensification areas with surrounding neighbourhoods through pedestrian walkways, cycling paths and transit routes, and the protection of the physical character of these neighbourhoods through urban design*”.

As noted above, it is important to ensure that the proposal conforms to the Regional Official Plan policies; however the municipality has the discretion to determine whether an application is appropriate for the subject lands. The City’s Official Plan contains evaluation criteria upon which ground-related residential proposals are evaluated. The proposed development has been evaluated in accordance with these criteria as discussed later in this report.

This policy speaks to the importance of good design when integrating new developments into the neighbourhoods surrounding them. This policy provides an important link to the Evaluation Criteria for intensification projects found in the Burlington Official Plan. These criteria are used to ensure that compatible design is achieved.

The proposed development will be properly integrated into the surrounding neighbourhood which is comprised of a mix of uses including low-density and medium-density residential. Townhouses are an appropriate built form for the subject lands as the site abuts residential development and the subject lands are not located on the frequently traveled segment of Plains Road East due to the irregular street network. The proposed townhouse development acts as an appropriate transition into the surrounding residential neighbourhood. Further, buffering has been integrated into the design in order to reduce visual and privacy impacts of the proposed development on the existing neighbourhood.

## **City of Burlington Official Plan**

### **Townhouse Use**

The property is currently designated as “Mixed Use Corridor - General” in Burlington’s Official Plan. Part III, Section 5.3.2 ii) states that:

*“Townhouses may only be permitted as a component of an overall development of mixed residential or residential/commercial building forms, where the townhouse portion of the mixed development does not abut the multi-purpose arterial or major arterial road and where the development of the townhouse component does not compromise the long-term objectives for the Mixed Use*



*Corridor designation with respect to such matters as mix of uses, building form and intensity”.*

This proposal is for townhouse uses only and does not include the required mix of building forms. An Official Plan Amendment has therefore been requested by the applicant. The City’s Official Plan contemplates mixed-use development or development consisting of a mix of residential built form in this location. It should be noted that a 6 storey apartment building is permitted on this property under the current permissions; however a standard townhouse and back-to-back townhouse form is more compatible due to the subject lands fronting onto the less traveled portion of Plains Road East rather than the main Plains Road East corridor.

The subject lands have a Plains Road address; however they do not front onto the main segment of Plains Road East. The street onto which the subject lands front runs parallel to the main Plains Road East, is not as frequently traveled, and functions as a local road rather than a multi-purpose arterial road. Because of this street layout, consideration should be given to a standalone townhouse development. Further, the subject lands are adjacent to existing townhouses on the northeast corner of Plains Road East and Glendor Avenue, and the proposed development would serve as a transition from the more frequently traveled Plains Road East segment to the surrounding residential development. This site is geographically unique, so it is appropriate to consider an alternate built form.

#### Land Use Compatibility

The Official Plan encourages residential intensification as a means of increasing the amount of housing stock, provided that development is compatible and appropriate for the area.

Accordingly, the Official Plan contains criteria that must be assessed when considering proposals for housing intensification. The subject application has been evaluated in accordance with the criteria found in subsection 2.5.2 (a) of the Official Plan), as follows:

- i) *Adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland.*

The Region of Halton has reviewed the Functional Servicing Report submitted by the applicant and notes that the servicing capacity is available. Stormwater was reviewed by the City’s Site Engineering staff who have no issues with the proposal.

Adequate parkland exists in the area and existing schools can accommodate the increase in residents. According to Parks and Open Space staff, Leighland Park is located within a 0.8 kilometre walking distance from the site for a neighbourhood park

and Maple Park is located within the 0.8 – 2.4 kilometre distance for a city/community park. Cash-in-lieu of parkland dedication will be required at the Site Plan stage.

The Halton District School Board notes that students from the proposed development can be accommodated within Tecumseh Public School and Burlington Central Elementary School and High School with minimum impact to the facility; while the Halton Catholic District School Board has advised that students can be accommodated at St. Gabriel Catholic Elementary School and Notre Dame Catholic Secondary School. This criterion has been met.

*ii) Off-street parking is adequate.*

A reduction in the required visitor parking is proposed as follows:

Unit Type	Number of Units	Visitor Parking Required	Visitor Parking Proposed
Back-to-Back	29	0.35 spaces per unit (10.15 spaces required)	7 visitor parking spaces in a condominium parking lot 7 boulevard driveway spaces in back-to-back townhouse units
Standard	5	0.5 spaces per unit (2.5 spaces required)	4 driveway spaces to be used as visitor parking
Total	<b>=34</b>	<b>=13 required visitor parking spaces</b>	<b>=7 standard visitor parking spaces</b> <b>=11 “driveway” parking spaces</b>

Only seven visitor parking spaces are proposed in a condominium parking lot; however, additional parking is being proposed throughout the site. The standard townhouse units will include double garages (with the exception of the accessible townhouse unit); resulting in space for two cars within the garage and two spaces in the driveway (four per unit). Further, the back-to-back units fronting onto Plains Road East have longer boulevards which can accommodate increased visitor parking. In addition, a realignment of Plains Road East and Helena Street is proposed, and as part of this realignment, the applicant is proposing to add five lay-by parking spaces along Plains Road East.

None of the additional parking methods discussed above meet the regulations for visitor parking in Zoning By-law 2020, however, in consideration of the visitor parking as well as the additional parking spaces proposed there will be sufficient off-street parking. This criterion has therefore been met.

*iii) The capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and*

*potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets.*

The City's Transportation Staff have reviewed the proposal and note that the trips created by the new development can be accommodated on the existing street. The applicant has proposed to realign Helena Street, to create a more typical intersection. Transportation staff are satisfied that the realigned intersection would be an improvement to the road network and would not have a negative impact on traffic or safety. The permit process for this realignment will take place outside of the subject Official Plan Amendment and Zoning By-law Amendment applications although the realignment will be a condition of the 'H' Zone Removal. This criterion has been met.

*iv) The proposal is in proximity to existing or future transit facilities.*

Bus routes currently exist along Plains Road East and Brant Street, to the east of the subject lands. Bus stops exist along both bus routes, including at Plains Road East and Helena Street, in front of the subject lands. The subject lands are also located within an 800 metre radius of the Burlington GO station, which is also accessible by public transit. This criterion has been met.

*v) Compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided.*

### Height

The residential neighbourhood on Helena Street and Glendor Avenue is characterized by a mix of townhouses and single detached units ranging from two to three storeys.

The current planning permissions for this site allow for apartment buildings up to six storeys. The proposed development represents a more compatible built form.

The proposed development is for three-storey standard townhouses and four-storey back-to-back townhouses. The fourth storey contains rooftop amenity space and does not include indoor living space. The subject lands abut three-storey medium-density residential uses to the west. The proposed heights also provide transition to the abutting single detached dwellings to the north of the site from the more intensive mixed-use corridor sites along the remainder of Plains Road East. The current zoning permits a six storey apartment building; however the proposed townhouse built form is more appropriate for the area.

In the Zoning By-law, the front yard is defined as the narrowest frontage, which means that the rear yard for the condominium development is on the west side of the site.

The rear yard setbacks (functioning as side yard setbacks for the standard and back-to-back townhouses on the west side) are proposed to be reduced to 1.4 metres. This

represents a pinch point, reflecting the closest corners of the units to the property line. While the site abuts a townhouse development to the west, it should be noted that these reduced setbacks will be adjacent to a parking lot. As such, there are no concerns with these setback reductions.

The Zoning By-law requires that townhouse units with flat roofs which are two storeys and under 11.5 metres in height provide a rear yard setback of 9 metres. A setback of 12 metres is required for those townhouse units which are two or three storeys and above 11.5 metres in height. Because the proposed standard townhouse units are three storeys, they fall into the greater setback requirement; however their linear height is only 10 metres. The setback requirement of 12 metres contemplates dwellings that have a linear height greater than 11.5 metres; thereby creating a larger impact on adjacent development. The proposed standard townhouse units, despite being three storeys in height, are significantly below 11.5 metres. As such, massing and privacy impacts are reduced.

The north side yard setbacks (yards behind the standard townhouses) are 8 metres, including a 3 metre landscape buffer. The dwellings to the north of the subject lands have setbacks that are 7 metres or more. This creates more distance between the buildings and reduces the impact. While a reduction to the required side yard is proposed, this setback has been evaluated in combination with other factors, such as the height and proposed buffering.

This northern setback includes a 3 metre landscape buffer. Appropriate landscaping will be required within this buffer in order to provide additional privacy. Detailed landscape plans will be required at the Site Plan stage and will be reviewed by Landscaping and Urban Forestry staff to ensure appropriate plantings. In order to further mitigate negative impacts caused by a reduction in this setback, a modified approval is proposed to permit a higher fence of up to 2.5 metres and restrict balconies from the rear of the standard townhouses.

Also included along the north side of the site is a proposed setback reduction to 3 metres from the side of the back-to-back townhouse block. This side wall is predominantly adjacent to the side wall of a single detached dwelling to the north, which reduces the potential privacy and overlook issues. Additional measures such as increased fence height, restriction of balconies and dense landscape screening offer opportunities to mitigate potential impacts and achieve greater compatibility.

#### Amenity

A common amenity area of approximately 100 square metres is proposed at the north side of the site, in addition to private amenity area for each unit. For the standard townhouses, this amenity area is provided in the form of rear yards. For the back-to-back townhouses, private amenity area is provided in the form of individual rooftop

terraces. The north side of the site will be fenced with a 2.5 metre wood fence, while the rooftop terraces will include privacy screens. The terraces facing the north side of the site will be set back an additional metre in order to enhance privacy and reduce overlook into the property to the north. Because private amenity area is provided throughout the site, for each unit, the common amenity area is sufficient.

The Zoning By-law requires 25 square metres of private amenity area per unit. This requirement is met with the exception of six end units. The two northernmost back-to-back units provide 20 square metres of private amenity area, due to the terraces being recessed to provide more privacy to the dwellings to the north. The southernmost units of this block, as well as the two end units on the south side of the site propose minimum private amenity areas of 24 square metres. This reduction is requested because the end walls contain portions that are recessed from the main wall in order to mitigate the visual impact of a large wall and improve the building façade. In both cases, the proposed reductions are appropriate.

#### Coverage, Scale and Massing

A minimum Floor Area Ratio (FAR) of 0.3:1 and a maximum of 1.5:1 are permitted; whereas a FAR of 1.05:1 is proposed. This floor area is distributed into 3 and 4 storey standard and back-to-back townhouse units. Staff are of the opinion that the combination of the floor area distribution and the built form creates appropriate massing and scale when evaluated in the context of the surrounding area, as it provides a transition from the proposed development, being more dense, to the adjacent residential neighbourhood for reasons outlined above.

The proposed townhouse dwellings are compatible with the surrounding area. This criterion has been met.

*vi) Effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character.*

Fourteen private trees are proposed to be removed from the property. It is recommended that the trees are replanted caliper for caliper, resulting in a caliper replacement value of 402 cm. A detailed Landscape Plan will be submitted and reviewed in detail at the Site Plan stage which will address opportunities for replanting on the site.

A landscape buffer is proposed on the north side of the property in order to enhance privacy and provide a visual buffer from residents to the north. The landscape buffer ranges from 1.5 metres to 3 metres along the north side of the site. This buffer will allow for opportunity to replant some of the vegetation that is proposed to be removed while screening the development from existing residential development.

*vii) Significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level.*

The applicant submitted shadow studies to address the shadow impact on adjacent properties. The shadow study for March 21 shows minimal shadowing on the properties to the north of the subject lands at 9:30 am, and even less at 12:30 pm, only on the property to the northeast of the subject lands. The shadow study for June 21 shows very slight shadowing on the property to the northeast and the properties to the west of the subject lands. Shadowing is the greatest on December 21 (in the winter solstice), which affects the lots immediately north of the subject lands, and to the east, across Helena Street. The site is currently permitted to have a six storey apartment building, which would result in a much greater shadow. The shadow impacts are minimal and are therefore acceptable for the proposed development. This criterion has been met.

*viii) Accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care.*

The subject lands are located in proximity to shops, restaurants, automotive repair, offices and other neighbourhood commercial uses along Plains Road East as well as Brant Street. Many of these uses would be accessible by foot or by transit. This criterion has been met.

*ix) Capability exists to provide adequate buffering and other measures to minimize any identified impacts.*

Concerns relating to privacy and setbacks were received from members of the public who reside to the north of the subject lands. Particularly, residents were concerned about the rear yard setbacks of the standard townhouse units adjacent to their own rear yards. In the applicant's original proposal, a rear yard setback of 6 metres was proposed, which incorporated a 1.5 metre landscape buffer. In response to concerns that were received, the rear yard setback has been increased to 8 metres which includes a 3 metre landscape buffer. The increased setback and landscape buffer will provide the space for dense landscape screening and greater privacy for the abutting neighbours.

The back-to-back townhouse units contain rooftop amenity space. While this can create potential privacy concerns, the rooftop amenity area will be separated by solid privacy screens, and the units abutting the north property line will be recessed to prevent overlook into the yards to the north.

A tall wood fence exists along the west property line as well as approximately half of the north property line. The fence is currently in poor condition. In light of the requested setback reductions, construction of a 2.5 metre wood fence along the full length of the

north property line will be required at Site Plan. This will further screen the properties to the north from the impacts of the proposed development. This criterion has been met.

- x) Where intensification potential exists on more than one adjacent property, any redevelopment proposals on an individual property shall demonstrate that future redevelopment on adjacent properties will not be compromised, and this may require the submission of a tertiary plan, where appropriate.*

Directly to the west of the subject lands, at 1329 Plains Road East, there is a townhouse development that was constructed in 2016, beyond which is Glendor Avenue. To the north of the subject lands is a stable low-density residential neighbourhood. To the east is Helena Street. The proposed development represents a land assembly of five parcels and will not compromise future development of adjacent properties. This criterion has been met.

- xi) Natural and cultural heritage features and areas of natural hazard are protected.*

Not applicable – there are no natural and cultural heritage features on this site.

- xii) Where applicable, there is consideration of the policies of Part II, Subsection 2.11.3, g) and m).*

Not applicable – These sections relate to measures to address potential increased downstream flooding or erosion resulting from development occurring in areas south of Plains Road East. Neither is applicable to this application.

- xiii) Proposals for non-ground oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi-purpose arterial roads and only provided that the built form, scale and profile of development is well integrated with the existing neighbourhood so that a transition between the existing and proposed residential buildings is provided.*

Not applicable – proposal is for ground oriented development.

While the proposal does not include a mix of building forms, it is located away from the portion of Plains Road East that functions as a major arterial. As such, the townhouses can serve as a transition to the lower intensity, low-rise residential area. Further, the proposal can accommodate high-density intensification within a ground-oriented built form. The proposed townhouse uses will appropriately achieve this, and a townhouse development is appropriate for the subject lands given their location.

### City of Burlington Adopted Official Plan

The proposed New Official Plan was adopted by Council on April 27, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. Halton Region has identified areas of non-conformity, and as such, the adopted Official Plan will be subject to additional review and revision prior to its approval. Further, City Council has directed a new staff review and public engagement process to consider potential modifications, including a review of height and density provisions. As a result, no weight is placed on the policies of the adopted Official Plan in the review of this application at this time.

### Zoning By-law 2020

The subject lands are currently zoned “Mixed Use - General (MXG)” in the City’s Zoning By-law 2020. The MXG Zone permits a range of retail commercial, service commercial, office, community, automotive, entertainment and recreation and residential uses. Standard and back-to-back townhouses are permitted in this zone as a component of a mixed development. It is recommended that the lands be rezoned to “Mixed Use – General with site specific exception (MXG-494) with the following regulations:

The following table details the regulations of the existing MXG zone and the proposed site specific exception, followed by a staff comment.

Existing MXG Zoning	Proposed	Staff Comment
<p>Definition: Back-to-Back Townhouse</p> <p>A residential building containing not more than 16 dwelling units with attached units being separated by a common or party wall, provided that:</p> <ul style="list-style-type: none"> <li>a) townhouse buildings shall have a maximum length of 55 metres;</li> <li>b) individual units shall have at least one separate outside entrance.</li> </ul>	<p>A residential building containing a maximum of 17 residential units and having a maximum length of 59 metres.</p>	<p>The proposed townhouse units are compatible with surrounding uses.</p> <p>The building elevations fronting onto the street use architectural elements which break up the massing of the building and reduce the effects of the longer building length.</p> <p>Due to the street configuration, the area of Plains Road East on which the subject lands are located are behind the main section of Plains Road East. This section of Plains Road East has a large boulevard which provides more distance to the front of the dwellings from the street.</p> <p>As such, the proposed building length will not negatively affect the streetscape or the character of the area. The remaining townhouse block lengths throughout the site are in keeping with the Zoning By-law requirement.</p>
Buildings containing	Buildings	The intent of these regulations is to restrict



Existing MXG Zoning	Proposed	Staff Comment
<p>standard townhouse units are not permitted within 55 metres of a public street having a deemed width of 26 metres or greater</p> <p>Buildings containing back-to-back townhouse units are not permitted within 25 metres of a public street having a deemed width of 26 metres or greater.</p>	<p>proposed within 31 metres of a public street having a deemed width of 26 metres or greater for standard townhouses, and 3 metres for back-to-back townhouses</p>	<p>townhouses to the rear of a larger development consisting of different built forms.</p> <p>As mentioned, the section of Plains Road East onto which the subject lands have frontage functions more as a local road, due to its location north of the heavily travelled segment of Plains Road East.</p>
<p>Rear Yard Setback: 3 metres</p>	<p>1.4 metres (west setback)</p>	<p>The applicant is proposing a setback of 1.4 metres. The rear yard setback functions as a side yard for the standard townhouses; however the zoning regulations are taken from external property boundaries. It should be noted that this setback is measured at a pinch point, and the remainder is slightly further away, at approximately 3 metres.</p> <p>On the side where the reduced setback is requested, the property is adjacent to a parking lot of a townhouse development. The reduced setback is representative of the corner of each of three of the proposed townhouse units adjacent to the west property line. The distance between the proposed townhouse block and the existing building to the west is substantial.</p>
<p>Yard abutting R3.1 Zone (standard townhouse): 12 metres</p>	<p>8 metres (north setback)</p>	<p>The standard townhouse units will be 10 metres in height. While the Zoning By-law requires a 12 metre setback to flat-roof townhouse dwellings that are two or three storeys in height, it allows a setback of 9 metres for flat-roof townhouse dwellings that are two storeys in height, but less than 11.5 metres in height. While the proposed standard townhouse units are three storeys, they are only 10 metres in height; substantially lower than the 11.5 metre maximum required for two storey dwellings. The proposed setback is</p>

Existing MXG Zoning	Proposed	Staff Comment
		<p>therefore a 1 m reduction from the setback which would be required for a building with this linear height, despite being above two storeys.</p> <p>In addition to the physical separation distance (rear yard setbacks), a landscape buffer will mitigate privacy concerns, along with site design features such as fences and recessed rooftop amenity areas where abutting low-density residential.</p> <p>A 2.5 metre wood fence is proposed to be provided along the north property line. In addition, the Zoning By-law Amendment will include provisions which restrict second floor balconies on the standard townhouse units to prevent overlook.</p>
Landscape Buffer abutting R3.1 Zone: 6 metres	<p>1.5 metres abutting back-to-back units, visitor parking and amenity area</p> <p>3 metres abutting standard townhouse units</p>	<p>Much of the proposed landscape buffer along the north side of the property lines adjacent to the standard townhouses is 3 metres. The remainder of the north side, adjacent to the private driveway and the sides of the back-to-back townhouses, is proposed to have a 1.5 metre landscape buffer. It should be noted that landscape screening exists in this location, and 1.5 metres will ensure that this screening remains and the privacy impacts are minimal.</p> <p>A Landscape Plan will be implemented during the Site Plan process which will address what plantings are to be provided within this buffer.</p>
Yard abutting R3.1 Zone (back-to-back townhouse): 12 metres	2 metres	<p>The proposed sides of two back-to-back townhouse units will be adjacent to the side elevation of an existing dwelling unit to the north of the property. Dense landscape buffers will be incorporated along the north side of the site in order to provide additional screening.</p> <p>The buildings will include a privacy screen on both sides of the rooftop from the amenity space, including adjacent to the north property line; and have set back the privacy screen in order to avoid issues relating to overlook.</p> <p>Other measures recommended by staff to reduce privacy impacts are the inclusion of a wood fence with a minimum height of 2.5</p>

Existing MXG Zoning	Proposed	Staff Comment
		metres along the north property line, as well as the restriction of balconies on the second and third storeys of the building (as amenity area will be provided on the fourth).
Maximum Building Height: 3 storey to 10 metres (flat roof)	4 storey to 12.5 metres for back-to-back units	<p>The relief requested for the height applies only to the back-to-back townhouse units; the standard townhouse units comply with the Zoning By-law from a height perspective.</p> <p>The proposed dwellings are considered to be 4 storeys in height because of the amenity space on the roof. The indoor floor area of the proposed townhouse dwellings comprises only 3 storeys. The proposed building will contain adequate privacy screening and the overlook concerns will be addressed.</p>
Visitor Parking: 13 spaces required	7 visitor parking spaces	<p>The applicant is proposing seven visitor parking spaces, which is less than the required 13 visitor parking spaces. The applicant is proposing additional parking spaces to account for the deficient spaces.</p> <p>For the standard townhouses, the applicant proposes double driveways with double garages. This allows for four parking spaces for each of the standard townhouse units.</p> <p>Some of the back-to-back townhouse units front onto Plains Road East. The boulevard along this portion of the street is quite long and as such, the driveways of seven of these units can accommodate additional cars within the boulevard. Finally, the applicant is proposing a realignment of Helena Street, and as part of the construction is proposing to add approximately five lay-by parking spaces.</p> <p>While only seven of the proposed parking spaces can be included as visitor parking spaces, adequate parking exists for the site.</p>
Parking for Accessible Unit:  2 occupant spaces required for townhouse unit	1 space	Because of the requirement for an accessible parking space to have a larger size, there is not space to accommodate a second parking space in front of this townhouse unit. In order to ensure accessibility, the provision of a larger parking stall is important. As such, the

Existing MXG Zoning	Proposed	Staff Comment
0.5 visitor parking spaces required per townhouse unit		<p>reduction in the occupant parking requirement is appropriate in this case.</p> <p>This unit also proposes to remove the attached garage in order to facilitate a one-storey built form. As a result, visitor parking will not be provided in the driveway of this unit. The remainder of the standard townhouse units include visitor parking spaces. Staff are supportive of this reduction, as it facilitates a townhouse unit that is accessible.</p>
Setback of Parking Spaces from R3.1 Zone: 3 metres	2 metres	<p>The site abuts an R3.1 zone on the east side of the northern property boundary. The driveway space that is located two metres from this boundary is one small portion of the parking area which is to be used as a turnaround for vehicles. Impacts on abutting properties will be reduced through fencing and landscaping.</p>
Balcony: Each back-to-back unit shall include a balcony with a minimum area of 5.5 square metres	Privacy Area for back-to-back units to be a minimum of 20 square metres in the form of rooftop terrace or balcony	<p>The applicant is proposing that the privacy area be provided in the form of rooftop terraces for the back-to-back townhouse units rather than balconies. The proposed rooftop terraces would be adequately screened from adjacent residential development and will be recessed on the north side of the site to prevent potential overlook into abutting lands. In this case, the proposed rooftop terraces are an appropriate form of private amenity area.</p>
Amenity Area (back-to-back): 25m <sup>2</sup> private amenity area per unit, 174 m <sup>2</sup> common amenity area	<p>25 m<sup>2</sup> private amenity area per unit, with the exception of six units which have a minimum of 20 m<sup>2</sup></p> <p>103 m<sup>2</sup> common amenity area</p>	<p>The applicant is proposing private amenity area for the back-to-back townhouse units in the form of rooftop terraces. The units meet the requirement of 25m<sup>2</sup> per unit with the exception of six end units. The two northernmost back-to-back units provide 20m<sup>2</sup> of private amenity area to allow for them to be recessed, thus providing more privacy for the dwelling to the north. The southernmost units of this block, as well as the two end units on the south townhouse block, propose minimum private amenity areas of 24 m<sup>2</sup>. This reduction is requested in order to reduce the impact of blank three storey walls.</p> <p>Each unit in the proposed development has adequate privacy area, and as such, the</p>

Existing MXG Zoning	Proposed	Staff Comment
		proposed common amenity area at the north side of the site, totalling 103 m <sup>2</sup> , is acceptable.
Driveway Length: 6.7 metres measured from back of curb for units fronting onto internal and common condominium roads	6.7 metres measured from front of curb for units fronting onto internal and common condominium roads	The intent of this regulation is to ensure that there are no vehicles overhanging onto the common roads within a residential development for the purposes of emergency vehicle access. The applicant has provided 6.7 metres, but measured from the front of the curb. Transportation staff have reviewed this proposal and find it to be acceptable given that 6.7 metres can still be accommodated within the internal driveways.
Loading Spaces: 3 required	None	The “Mixed Use – General” zone contemplates mixed-use development, which is the intent of this zoning regulation. Given that the proposal is for residential uses only, loading spaces are not required. Therefore, it is desirable and preferred to eliminate the requirement for loading spaces.
Fence Height: 1.8 metres maximum	2.5 metres	While the proposal meets the requirements for fence height in accordance with Zoning By-law 2020, it is recommended that a modified approval be given to require fence heights of 2.5 metres along the north property line to address privacy screening.
Balconies on 2 <sup>nd</sup> and 3 <sup>rd</sup> storey	Not Permitted	<p>Due to the proximity of the proposed townhouses to other residential development, it is recommended that balconies be restricted on the second and third storeys of the buildings. This will minimize overlook and therefore increase privacy.</p> <p>While recognizing that balconies provide private amenity area, adequate private amenity area exists on the rooftops and at grade.</p>

### Holding Zone

A Holding Provision is recommended because the site must undergo additional testing and remediation prior to development taking place. Approval of the proposed Zoning By-law Amendment will confirm the principle of the redevelopment; however no construction can occur until the remediation measures are undertaken and completed to

the satisfaction of the City of Burlington and the Region of Halton and the “H” is subsequently removed. In addition, the Owner must obtain necessary permits from the City, and the realignment of Helena Street and Plains Road East must be completed to the satisfaction of the City of Burlington.

## **Technical Review**

The Official Plan Amendment and Zoning By-law Amendment applications and supporting documents were circulated to internal departments and external agencies for review. Internal departments who commented on this application include Site Engineering, Transportation Planning, Landscaping and Forestry, Parks and Open Space, Burlington Economic Development Corporation and Finance. External agencies who have commented on this file include Halton Region, Burlington Hydro, Halton District School Board, Halton Catholic District School Board, CN Rail and Canada Post. Comments have been addressed by the applicant.

## **Site Engineering**

Site Engineering staff have provided extensive comments on the development proposal for the subject lands, including comments on the submitted technical reports and studies. Site Engineering have advised that based on the Phase II Environmental Site Assessment that was completed and reviewed, additional testing is required and a remediation plan must be submitted to the satisfaction of the City. This will be included as a condition of the removal of the Holding Zone (H).

In addition, permits must be acquired and the road construction to facilitate the realignment must be completed before the H can be removed. This is in order to ensure as little disruption as possible for the future construction of the proposal, should the development applications be approved, as well as mitigation of potential future traffic concerns.

## **Landscaping and Urban Forestry**

The proposed development requires the removal of one city tree. This tree will require compensation for its removal as well as Council approval. Approval from Council is requested as part of the recommendations section of this report. Compensation can be provided in the form of 48 cm caliper replacement within the city’s right-of-way, or in the form of cash-in-lieu of tree removal, having been calculated by the City’s Landscaping and Urban Forestry staff to be in the amount of \$4,825. This requirement is included in the recommendation section of this report.

## **Transportation Planning**

Transportation staff have reviewed the proposal and have provided extensive comments. While the larger driveways, longer boulevards and lay-by parking spaces

cannot be considered by definition to be visitor parking spaces, staff agree that the function of these spaces remains and is satisfactory. Transportation staff have no concerns with respect to proposed vehicle trip generation.

As mentioned, the applicant is proposing to realign Helena Street, which abuts the subject lands to the east. Transportation has reviewed this proposal and notes that there are no issues from their perspective. The road works will need separate approvals from the City, and a more detailed review of this component of the proposed development will be undertaken.

### **Region of Halton**

The Region of Halton has reviewed the proposal and has commented that servicing is available; however remediation measures are required for the site and final approval cannot be given until such time as the remediation is complete. The Region has agreed that a Holding Provision is appropriate at this time, which is not to be lifted until the site is remediated to the satisfaction of both the Region of Halton and the City of Burlington.

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### **Financial Matters:**

In accordance with the Development Application Fee Schedule, all fees determined have been received.

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### **Public Engagement Matters:**

The applicant posted a public notice sign on the property to reflect their submission on January 25, 2018. All of the technical studies and supporting materials for this development were posted on the City's website at [www.burlington.ca/1335-1355-Plains-East](http://www.burlington.ca/1335-1355-Plains-East). The application was subject to the standard circulation requirements for Official Plan and Zoning By-law Amendment applications. A public notice of a Neighbourhood Meeting with a request for comments was circulated to surrounding property owners in February 2018.

A neighbourhood meeting was held on March 7, 2018 at City Hall that was attended by approximately four members of the public who reside in the area. The key concerns raised by the public at the meeting included a lack of proposed visitor parking, the removal of trees, traffic generation, noise and compatibility with the surrounding area.

Information Report PB-37-18 was presented to Planning and Development Committee on July 10, 2018, at a Statutory Public Meeting where one delegation was made by the applicant.

As a result of public consultation, staff received four e-mails and one letter. Some constituents sent multiple pieces of correspondence. Public comments received to date have been included in Appendix “D” of this report. The following table depicts concerns raised by the public as well as a response from staff:

Public Comment	Staff Response
Lack of Visitor Parking Spaces	<p>While the proposed development is deficient in parking spaces by definition of the Zoning By-law, the applicant is proposing to provide additional parking in other ways. As previously mentioned, these additional spaces cannot be defined as visitor parking for the purposes of the Zoning By-law; however they can provide the same function.</p> <p>As noted, the additional parking will be provided in the form of longer driveways where there are boulevards; and wider driveways and double garages for the standard townhouses.</p>
Privacy Impacts from North Side of Subject Lands	<p>The revised proposal increases the setback at the rear (north side) of the property from 6 metres including a 1.5 metre landscape buffer to 8 metres including a 3 metre landscape buffer. This will provide increased privacy and allow for a dense landscaping screen to be planted.</p>
Removal of Too Many Trees	<p>The applicant will be required to replace the street (City) tree by either caliper for caliper replacement or cash-in-lieu. The proposed private trees to be removed must be replaced caliper for caliper.</p>
Concerns with Noise, Dust and Other Factors Related to Construction	<p>A Construction Management Plan will be submitted and reviewed prior to construction to ensure that these concerns are mitigated as much as possible.</p>
Additional Traffic Generated	<p>The Traffic Brief submitted as part of the application was reviewed by the City’s Transportation staff. They have noted that there are no concerns with additional trip generation or its effect on existing traffic.</p>
Concerns with Proposed Building Design and Lack of Compatibility	<p>The issue of land use compatibility is discussed in the Official Plan section of this report.</p>



## **Conclusion:**

During the course of its review, the applicant has made significant changes to the proposed townhouse development, which have improved its compatibility with the existing neighbourhood. Staff's analysis of the application for an Official Plan amendment and Zoning By-law amendment considered the applicable policy framework and the comments submitted by technical agencies and the public. It is recommended that Council approve OPA 114 and Zoning By-law 2020.406 attached in Appendices B and C to facilitate the development of this property for 5 standard townhouse units and 29 back-to-back townhouse units.

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Respectfully submitted,

Melissa Morgan

Planner II – Development Review

905-335-7600 extension 7788

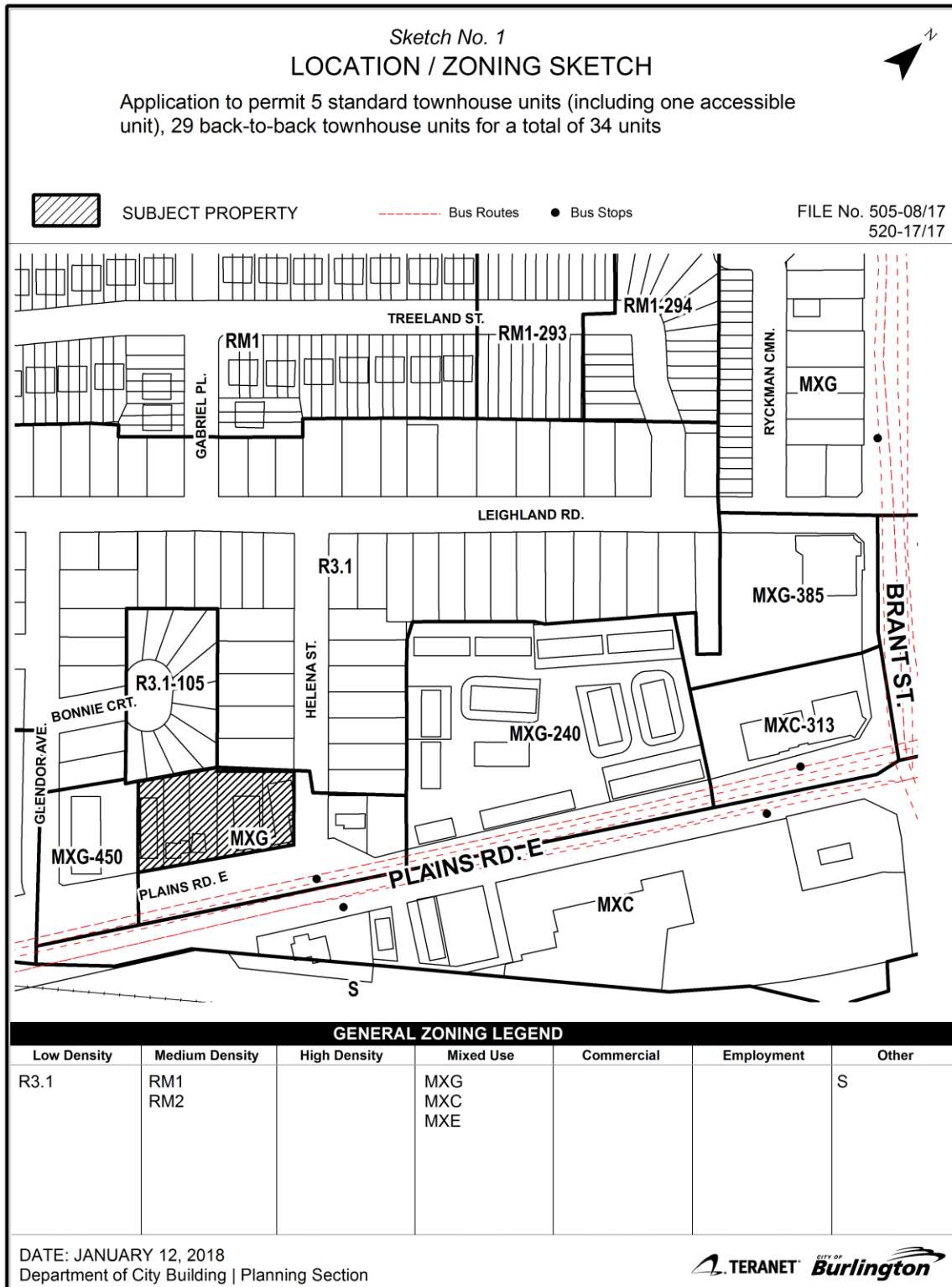
## **Appendices:**

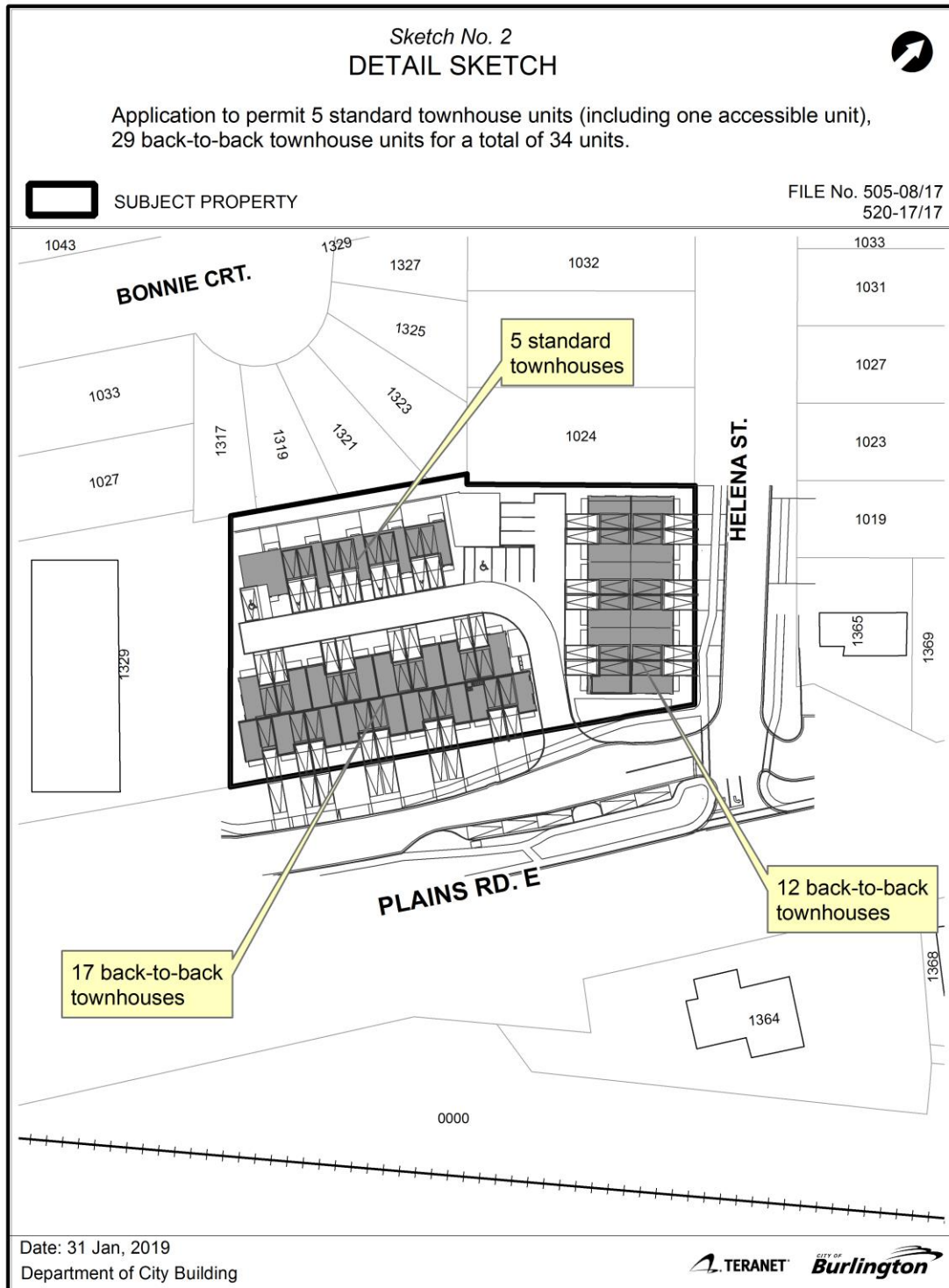
- A. Sketches
- B. Official Plan Amendment 114
- C. Zoning By-law 2020.406
- D. Public Comments

## **Report Approval:**

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

## APPENDIX 'A'





## **APPENDIX B – OFFICIAL PLAN AMENDMENT**

### **AMENDMENT NO. 114 TO THE OFFICIAL PLAN**

### **OF THE BURLINGTON PLANNING AREA**

#### **CONSTITUTIONAL STATEMENT**

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. 114 to the Official Plan of the Burlington Planning Area, as amended.

#### **PART A – PREAMBLE**

##### **1. PURPOSE OF THE AMENDMENT**

The purpose of this Amendment is to add a site-specific policy to the lands at 1335-1355 Plains Road East. The lands are currently designated “Mixed Use Corridor – General”, as shown in Schedule 1. The proposed amendment will add a site specific policy to permit a townhouse development without other forms of housing.

##### **2. SITE AND LOCATION**

The subject property is located on the north side of Plains Road East, between Helena Street and Glendor Avenue. The 0.46 hectare subject site is currently vacant. The subject property is surrounded by two-storey single detached dwellings to the north, a two-storey apartment building and a two-storey commercial building to the east, an automotive shop to the south and three-storey townhouse units to the west.

##### **3. BASIS FOR THE AMENDMENT**

- a) The subject application proposes intensification that is consistent with the Provincial Policy Statement (PPS). The PPS promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of public transit.
- b) Technical studies submitted with the application provide adequate and appropriate information to support the development.
- c) High density residential development in the form of standard and back-to-back townhouses is appropriate and compatible at this location, and can co-exist with existing development without adverse impact. Built form details and site design will be subject to further review with the City of Burlington through a site plan approval application.

- d) Due to the site's unique geographical location, the proposed built form is more suitable for the subject lands than the existing six-storey permission.

## **PART B – THE AMENDMENT**

### **1. DETAILS OF THE AMENDMENT**

**Map Change:** None proposed

**Text Change:**

The text of the Official Plan of the Burlington Planning Area, as amended, is hereby amended as follows:

By adding policy r) in Part III, Section 5.3 Mixed Use Corridors, Subsection 5.3.2 General Policies, as follows:

Northwest corner of Plains Road East and Helena Street	Notwithstanding policy a) ii) in Part III, Section 5.3.2 General Policies, infill townhouse project that is not part of a larger mixed use development shall be permitted on the northwest corner of Plains Road East and Helena Street.
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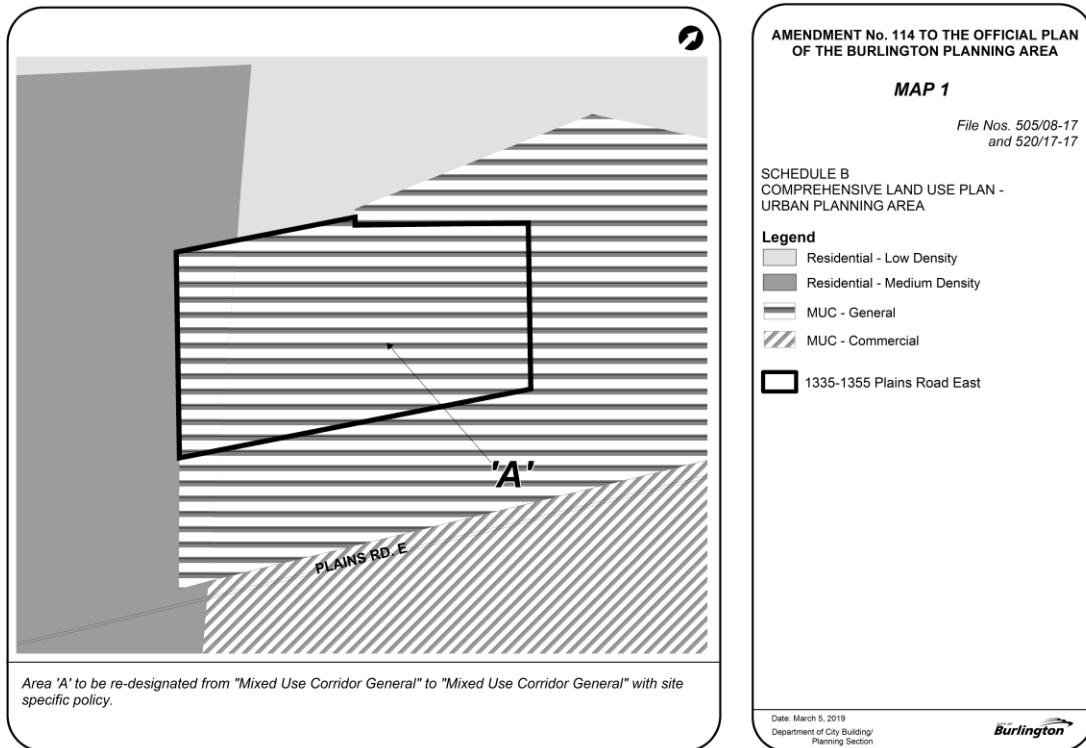
### **2. INTERPRETATION**

This Official Plan Amendment shall be interpreted in accordance with the “Interpretation” policies of Part VI, Implementation, Section 3.0, Interpretation, of the Official Plan of the Burlington Planning Area.

### **3. IMPLEMENTATION**

This Official Plan Amendment will be implemented in accordance with the appropriate “Implementation” policies of Part VI of the Official Plan of the Burlington Planning Area.

## Schedule 1



## APPENDIX C

### **BY-LAW NUMBER 2020.406, SCHEDULE 'A' AND EXPLANATORY NOTE**

#### **THE CORPORATION OF THE CITY OF BURLINGTON**

##### **BY-LAW NUMBER 2020.406**

A By-law to amend By-law 2020, as amended; 1335-1355 Plains Road East  
File No.: 520-17/17

WHEREAS Section 34(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the councils of local municipalities; and

WHEREAS the Council of the Corporation of the City of Burlington approved Recommendation PB-15-19 on March 25, 2019, to amend the City's existing Zoning By-law 2020, as amended, to permit 34 townhouse units;

#### **THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:**

1. Zoning Map Number 10-E of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from MXG to H-MXG-494.
3. PART 11 of By-law 2020, as amended, Holding Zone Provisions, is hereby amended by the addition of the following section to Appendix A:

#	H-MXG-494	Map 10-E	Resolution: PB-15-19
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- The Owner has satisfied the Region of Halton's Protocol for Review of Contaminated and Potential Contaminated sites, by submitting a Ministry of the Environment and Climate Change acknowledged Record of Site Condition for 1335-1355 Plains Road East in accordance with Ontario Regulation 153/04, or the Owner provides documentation prepared by a Qualified Professional that demonstrates that the lands are or will be suitable for the intended use.
  - Obtain necessary permits required to undertake the realignment of Plains Road East and Helena Street to the satisfaction of the Director of Capital Works.
4. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception 494 as follows:

Exception 494	Zone H-MXG	Map 10-E	Amendment 2020.406	Enacted March 25, 2019
1. <u>Permitted Uses</u>				
a) Prior to the removal of the Holding ('H') Provision, only existing uses are permitted.				
b) Following the removal of the Holding ('H') Provision, the following uses are permitted:				
<ul style="list-style-type: none"><li>• Townhouses</li><li>• Back-to-Back Townhouses</li></ul>				
2. <u>Regulations for Townhouses (Refer to Diagram 494)</u>				
a) Maximum Number of Units:		5		
b) Rear Yard:		1.5 m		
c) Side Yard:		8 m		
d) Maximum Height:		3 storeys up to 10 m		
e) Landscape Buffer abutting R3.1 Zone:		3 m abutting townhouse units		
f) Occupant Parking for Accessible Unit:		1 space		
g) Balconies:		Not permitted on or above second storey		
h) Visitor Parking:		None required		
3. <u>Regulations for Back-to-Back Townhouses (Refer to Diagram 494)</u>				
a) Maximum Number of Units:		29		
b) Yard abutting R3.1 Zone:		2 m to building wall 3 m to rooftop terrace		
c) Rear Yard:		1.4 m including rooftop terrace		
d) Maximum Height:		4 storeys up to 12.5 metres		
e) Landscape Buffer abutting R3.1 Zone:		1.5 m abutting back-to-back units, visitor parking and amenity area		
f) Visitor Parking:		7 spaces		
g) Privacy Area:				
Interior Units:		25 m²		
End Units:		20 m² abutting R3.1 Zone, 24 m² all other units		
h) Common Amenity Area:		100 m²		
Notwithstanding Part 16, Definitions, Back-to-Back Townhouse, a back-to-back townhouse building is permitted to contain 17 residential units having a maximum length of 58.5 metres.				

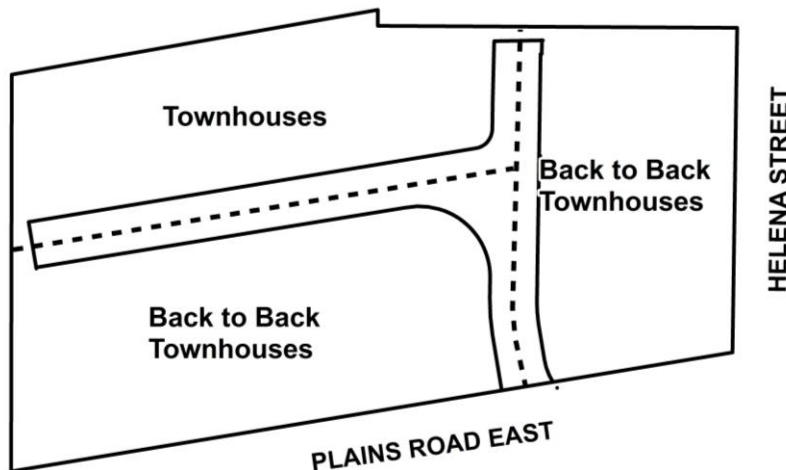


#### 4. Regulations Applicable to Entire Site

- |  |  |
|--|--|
| a) Setback from Driveway or Parking Lot to Window of Habitable Room: | 0 m including visitor parking for townhouse units in individual driveways  |
| b) Loading Spaces:   | None Required  |
| c) Parking Space Setback from R3.1 Zone:                             | 2 m  |
| d) Driveway Length:  | 6 m, measured from back of curb, for driveways fronting onto public roads<br><br>6.5 metres, measured from back of curb, for driveways fronting onto private roads |
| e) Fence Height:   | 2.5 metres minimum abutting R3.1 Zone  |

Part 5, Mixed-Use Corridor Zones, Table 5.2.1, footnotes (o) and (p) do not apply.

**DIAGRAM 494**



Except as amended herein, all other provisions of this By-law, as amended, shall apply

- 5 a) When no notice of appeal is filed pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed.
- 5 b) If one or more appeals are filed pursuant to the provisions of the *Planning Act*, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in

accordance with an order of the Local Planning Appeal Tribunal this By-law shall be deemed to have come into force on the day it was passed.

**ENACTED AND PASSED** this 25th day of March, 2019.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

## EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.406

By-law 2020.406 rezones lands on 1335-1355 Plains Road East, to permit a townhouse development.

For further information regarding By-law 2020.406, please contact Melissa Morgan of the Burlington City Building Department at (905) 335-7600, extension 7788.



'A'

CITY CLERK

## PB-15-19 APPENDIX D – PUBLIC COMMENTS

-----Original Message-----

From: Dan Bright [mailto:]

Sent: Friday, February 23, 2018 4:37 PM

To: Emberson, Lola

Subject: Application 1335-1355 Plains Rd East

Hi Lola,

With regards to our conversation last week I want to further express my concerns with the development proposal for 1335-1355 Plains Road East.

1 - Parking is not adequate, it is ridiculous to believe that 5 visitors parking spots would be adequate for 38 townhouse units. If just one townhouse unit has guests the 5 parking spots would be full. On a Saturday evening it is possible to have 20 to 30 guest vehicles for a property this large.

2 - My second point pertains to how this affects my property at 1365 Plains Road East. Currently my driveway connects to a small tail section of road that has been left behind by development over the years. Years ago this small roadway used to be longer and exited in front of my neighbours property to the east. Today, however, the roadway is a dead end that ends at my property line.

For the last 17 years since I have owned the property the old piece of roadway has essentially been my driveway. I plow the roadway and maintain the weeds in the summer time. The city has paid no attention to this piece of roadway for the past 17 years. They do not ticket on this piece of roadway and to be honest it is only the odd guest for my building that parks on this roadway.

My concern is that this development is going to have a serious need for visitor street parking. I have been a landlord for many years and these parking estimates are just not realistic. The vehicles for this property are going to want to use my driveway as their visitors parking lot. These are my concerns:

- the old piece of roadway is no longer a thoroughfare and is very narrow. Any vehicle attempting to park in this area will have to try to back out and turn around on my driveway.

- when they attempt to parallel park on this roadway they will make it impossible for my vehicles to reverse and turn to go out of the driveway.

- when they attempt to parallel park on this roadway close to Helena they will make it impossible for my vehicles to get past them to exit my lot.

If this development is to proceed the city needs to access this small tail piece of road as my driveway. When they developed the property at 1371 Plains Rd. E (next door) they took their piece of this roadway and turned it into a front lawn. This is the only solution that would make any sense. We have already had

one minor accident with a visitor backing into one of our vehicles on this strip of roadway.

Please don't hesitate to call me to discuss further.

Sincerely,  
Dan Bright  
Cell :

-----Original Message-----

From: Martyna Ziu [mailto:]

Sent: Monday, March 12, 2018 2:52 PM

To: Emberson, Lola

Subject: 1335-1355 plains rd. Feedback

Hello Lola,

We recently attended a neighbourhood meeting looking for feedback on the proposed development on 1335-1355 plains rd east.

We are nearby residents residing at 1317 Bonnie Crt. We do not agree with the proposed development for the following reasons:

1. The height of the proposed townhouse backing onto my property will hover over my backyard and take away natural light that we have been enjoying since we moved in. This will also impact our property value as many people would not consider having a tall townhouse so close to ones property, looking into their backyard.
2. The proposed townhouses will be very close to my property closer than the current building there and we strongly feel our privacy will be affected because the windows on the back of the townhouses will be looking in on my property.
3. There will be a huge increase in traffic coming out on plains rd that will significantly increase the time for me to turn left on plains rd. This issue needs to be looked into as currently its almost impossible to turn left during rush hour and with this new development it will be impossible to exit the community through plains rd.
4. We feel 5 visitor parking for 38 homes is not enough. We are concerned visitors are going to park on Bonnie Crt which is one of the closer streets to this development. Bonnie Crt is already full and we can't imagine having to compete with more residents for parking when guests come over.
5. We are also concerned that the style of the development doesn't coincide with the current community. The community is mixed of older bungalows and new townhouses but with a contemporary style. This development looks more modern and we don't think the architectural style works with the community. This development would look good with stores on main floor like the neighbouring development nearby.

Thank you,

Longina Ziubinska-Lewartowski and Janusz Lewartowski  
Residents of 1317 Bonnie Crt.

-----Original Message-----

From: Martyna Ziu [mailto:]

Sent: Tuesday, March 13, 2018 7:32 PM

To: Emberson, Lola

Subject: Re: 1335-1355 plains rd. Feedback

Hello Lola,

We had additional feedback to add:

1. We are concerned about the demolition/construction dust/dirt coming into our property. Another concern is the noise from the construction.
2. We will not be able to enjoy the use of our property for the duration of the construction. This is a huge concern for us because our grandson lives with us, he is 10 years old and spends time outside in the yard especially in the summer. Also we have another infant grandson who will be exposed to the construction dirt/dust when outside in the yard.

We would like to know who will be paying for cleaning costs- cleaning dust off our windows and dust getting into our ducts, a/c and on the exterior of the home.

Thank you,

Longina Ziubinska-Lewartowski and Janusz Lewartowski.  
Residents of 1317 Bonnie Crt.

Sent from my iPhone



Feb. 27/18

Attn: Lola Emberson

In regards to Files: 505-8/17, 520-17/17 I do not wish this construction to go forward. Habitat for Humanity took 4 yrs. to build similar townhouses on Glendor Ave. Between the noise, dust, and road congestion caused I don't want to go through that again.

The existing buildings are in perfect shape and working order. They should still be used for commercial use, not residential. I sleep during the day and don't want to have lots of construction noise outside again. I DO NOT WANT THIS application to be approved!!!

Fabe Beardo

1026 Glendor Ave, #103

Burlington Ont., L7R4M7



RECEIVED

MAR - 6 2018

City of Burlington  
Planning Department

**From:** Kim Harris [mailto:]  
**Sent:** Wednesday, March 14, 2018 2:41 PM  
**To:** Emberson, Lola  
**Subject:** 1335-1355 Plains Road E.

Hello all,

My family lives at 1323 Bonnie Court, we are one of the homes that back directly onto the property at 1335-1355 Plains Road E. We have lived in our home for almost 17 years and have some very serious concerns about the proposed plan for the property. Unfortunately we were not able to attend the meeting for this as we were out of the country at the time. So we would like to voice our concerns via this email.

Obviously privacy is our biggest concern. Beginning with the builders request to change the setback from the required 12m to an unrealistic 7.5m from our property line. This would not allow anywhere near enough privacy from a 3 storey building looking into our homes. The difference of 4.5m is almost 1/3 of the required 12m.

Landscaping is also a concern. They have marked every tree on the property to be destroyed, including one that is on my neighbours property. Some of these trees should be kept. The trees that appear on the drawings as numbers 3 (on my neighbours property) 5, 6 and 17 are located on the landscape buffer and common areas. They are large trees and allow for some privacy to our existing homes. We understand new trees will be planted to replace those destroyed. However we would like some say as to the landscaping along our common fence which should include large, fast growing trees for privacy.

Thank you for your time and I hope you take these concerns into consideration.

The Harris Family  
Kim, David & Zach



**SUBJECT: 2019 Tax Levy By-law**

**TO: Mayor and Members of Council**

**FROM: Finance Department**

Report Number: F-18-19

Wards Affected: All

File Numbers: 415-02-1

Date to Committee:

Date to Council: April 23, 2019

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**Recommendation:**

Approve the 2019 Final Tax Levy By-law (25-2019) for the levying of tax rates.

**Purpose:**

Respond to legislation.

This report provides Council with the 2019 Final Tax Rates. The tax rates are derived from the property assessment values as provided by the Municipal Property Assessment Corporation (MPAC), the tax ratios established by the Region of Halton, the tax rates for education purposes as provided by the Province, and the City's 2019 Budget.

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**Background and Discussion:**

On March 25, 2019, Council approved the 2019 Operating Budget for the City resulting in a net tax levy of \$165,960,609.

Council will approve the budgets for the Burlington Downtown Business Improvement Area and the Aldershot Village Business Improvement Area on the same agenda on April 23, 2019. Council has approved the Downtown Parking area for which tax levies are assessed based on special 2019 tax rates.

The Region of Halton approved their tax rates on April 17, 2019.

On April 9, 2019, the Province provided municipalities with the 2019 education tax rates.

The 2019 Final Tax Levy By-law attached to this report, once approved by Council, will provide for a 2019 final tax levy, based on individual tax rate calculations for the upper and lower tiers as well as the Province's education tax rates.

The 2019 final tax rates are submitted to Council for approval in the form of the 2019 Final Tax Levy By-law.

### 2019 Regional Tax Policy

In accordance with the Municipal Act, tax policies are set at the regional level for all local municipalities. The Region of Halton Council approved tax policies for 2019 on April 17<sup>th</sup>. Details of the 2019 Tax Policy can be found in the Region of Halton's Finance Report (FN-18-19).

### City of Burlington Property Tax Impacts

Table 1, below, provides a comparison of the property taxes to be levied on an urban residential property per \$100,000 of current value assessment (CVA) for 2019 with a comparison to 2018.

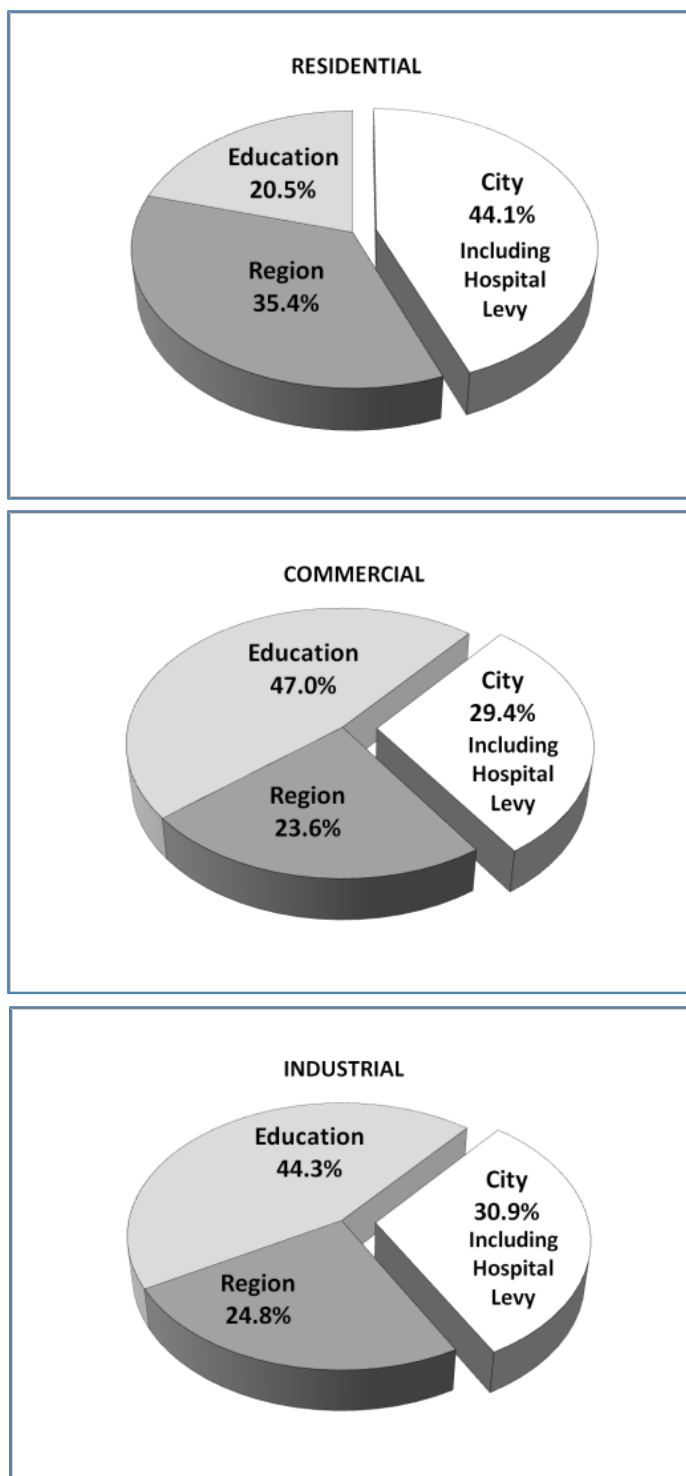
**TABLE 1      2018 & 2019 Urban Residential Property Taxes**

	Property Taxes (per \$100,000 CVA)		
	2018	2019	% Change
City – General	\$ 325.41	\$ 339.02	
City – Hospital	<u>10.01</u>	<u>6.43</u>	
Subtotal City Purposes	\$ 335.42	\$ 345.45	2.99%
Region – General (incl. Waste Mgmt)	\$ 172.75	\$ 176.24	
Region – Police	<u>99.52</u>	<u>101.08</u>	
Subtotal Region of Halton Purposes	\$ 272.27	\$ 277.32	1.85%
Education Purposes	\$ 161.00	\$ 161.00	0.00%
<b>Total</b>	<b>\$ 768.69</b>	<b>\$ 783.77</b>	<b>1.96%</b>

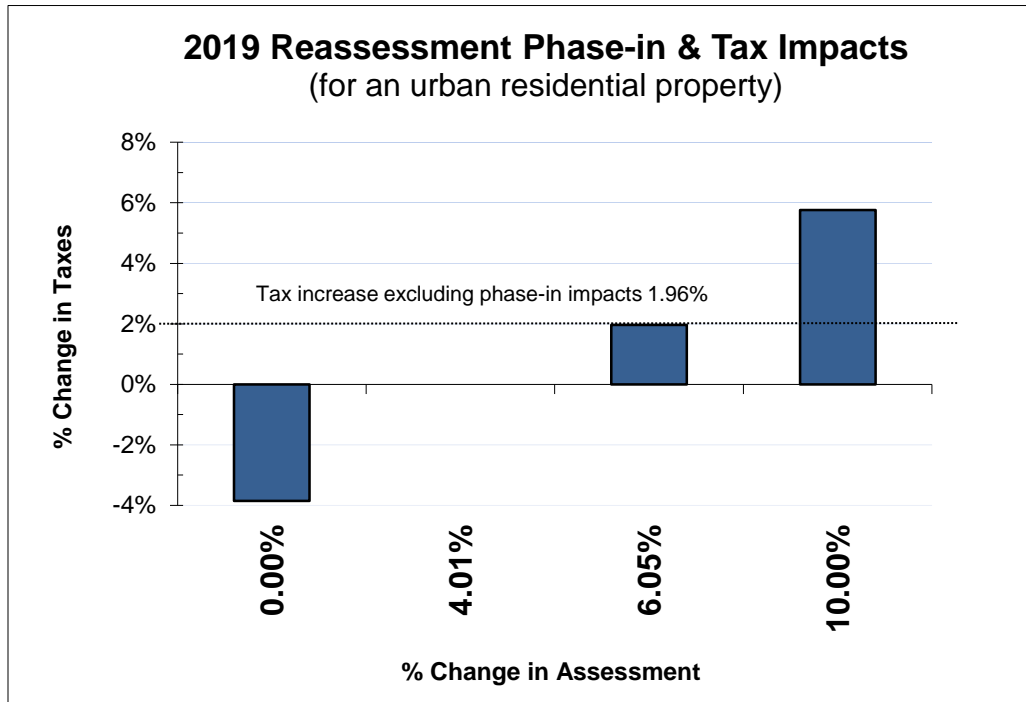
Overall the combined 2019 urban residential taxes, for Burlington residents, increased by \$15.08 or 1.96% per \$100,000 of CVA. Rural residential property taxes will increase by \$14.24 or 1.97% per \$100,000 of CVA.

At the time of writing this report, 2018 notional education tax rates which are used to make the comparison to 2019 were not yet available from the Province. For purposes of this report, the impact for the education portion is assumed to be zero.

The following three diagrams illustrate the sharing of the property tax bill between the City, the Region of Halton, and the School Boards for residential, commercial and industrial properties.



Tax impacts from the reassessment will vary by property based on the change in assessed value of the taxpayer's property relative to others. As noted in the graph below, generally, residential properties where the percentage increase in the assessed value between 2018 and 2019 was 6.05% or less will not be negatively impacted by the reassessment phase-in. Generally, if the property assessed value increased by 6.05% the property tax will increase by approximately 1.96% which is consistent with the combined City's, Region's, and School Boards' tax levy increase.



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### Financial Matters:

The due dates for the payment of property taxes are June 20<sup>th</sup> and September 20<sup>th</sup>, 2019.

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### Public Engagement Matters:

A press release outlining the final 2019 tax levies and tax rates will be issued following Council approval of the 2019 Tax Levy By-law. Final tax bills will be sent in May.

The tax bill will continue to show the hospital levy as a separate line item for taxpayers' information. The Joseph Brant Hospital tax levy was reduced commencing in 2019 which

reflects a phased reduction in the hospital tax levy as the City continues to meet their \$60 million obligation and the City's commitment gets closer to becoming fulfilled.

The City continues to provide an option for Burlington taxpayers to receive their property tax bills electronically via the epost service. As of April 11<sup>th</sup> we have 2,156 taxpayers who have signed up for this service. Advertisements in the local newspaper will be placed regarding both the June and September due dates for payment of property taxes. The City also has tax payment options available to permit credit card payments through external agencies which are on-line payment platforms. These agencies charge a fee for their service.

The taxpayer information brochure will be included with the final tax bills to provide taxpayers with additional information. The City's website has also been updated to ensure taxpayers have electronic access to general information regarding property taxes and related programs.

As a reminder the City offers a residential property tax rebate program to low income seniors under section 365 of the *Municipal Act, 2001*. The City provides a grant of \$525 for qualified applicants. There are approximately 520 qualified applicants annually.

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## **Conclusion:**

The 2019 Tax Levy By-law reflects the culmination of the budget process both at the City and Region of Halton. The resulting overall property tax rate increase, including City, Region and School Boards, for an urban residential household is 1.96%. Upon approval of the Tax Levy By-law by Council, the City will proceed to produce the tax bills and send them to the property owners with due dates in June and September.

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Respectfully submitted,

Ann Marie Coulson

Manager of Financial Planning & Taxation

905-335-7600 ext. 7655

## **Report Approval:**

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 25-2019

A BY-LAW TO LEVY TAXES FOR THE YEAR 2019

WHEREAS the *Municipal Act, 2001* provides the authority for the Council of the City of Burlington to levy on the whole rateable property according to the last returned assessment roll for the current year, the tax rates required for City, Region of Halton, and Public and Catholic school purposes;

AND WHEREAS the Council of the Region of Halton has passed Regional Rating By-law No. 37-19, directing the Council of the City of Burlington to levy the 2019 tax rates as approved for general and special purposes including waste management services;

AND WHEREAS Ontario Regulation 400/98, as amended, establishes the 2019 tax rates for school board purposes;

AND WHEREAS the total taxable property for municipal purposes according to the last returned assessment roll is \$42,767,977,720 of which \$41,095,529,593 is in the urban area and the balance of \$1,672,448,127 is in the rural area;

AND WHEREAS sections 311 and 312 of the *Municipal Act, 2001* provide that for each municipal levy, the tax rates to be levied on the different classes of property shall be in the same proportion to each other as the tax ratios for the property classes established under section 308 of the *Municipal Act, 2001* are to each other;

AND WHEREAS the *Education Act* provides that tax rates for school boards shall be prescribed as follows:

1. For the residential and multi-residential property classes a single tax rate,
2. For the farm and managed forest property classes a tax rate equal to 25 per cent of the tax rate prescribed for the residential property class,
3. For the pipelines property class a single tax rate,
4. Applicable tax reductions as per Section 313 of the *Municipal Act, 2001* with respect to the subclasses prescribed under subsection 8(1) of the *Assessment Act*,
5. For the commercial classes and industrial classes as per Ontario Regulation 400/98 as amended;

AND WHEREAS in order to raise the amounts of the said estimates it is necessary to levy separate rates on the two areas aforesaid, the urban area and the rural area;

AND WHEREAS section 18 of By-law 30-2015 as amended of the City of Burlington requires the City in each year to levy a special charge upon rateable property in the improvement area that is in a prescribed business property class sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for the Burlington Downtown Business Improvement Area;

AND WHEREAS the amount of money to be provided by the City to the Board of Management for Burlington Downtown Business Improvement Area for the year 2019 is to be \$792,300;



BY-LAW NUMBER 25-2019

AND WHEREAS the total rateable property in the Burlington Downtown Business Improvement Area, upon which assessment will be levied, is \$366,799,416 and which said assessment is the basis upon which the taxes for the Burlington Downtown Business Improvement Area will be raised;

AND WHEREAS section 21 of By-law 13-2004 as amended of the City of Burlington requires the City in each year to levy a special charge upon rateable property in the improvement area that is in a prescribed business property class sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for the Aldershot Village Business Improvement Area;

AND WHEREAS the amount of money to be provided by the City to the Board of Management for Aldershot Village Business Improvement Area for the year 2019 is to be \$178,999;

AND WHEREAS the total rateable property in the Aldershot Village Business Improvement Area, upon which assessment will be levied, is \$211,305,895 and which said assessment is the basis upon which the taxes for the Aldershot Village Business Improvement Area will be raised;

AND WHEREAS By-law 3-2007 of the City of Burlington permits the City in each year to levy an additional charge on taxable parcels of land in the commercial class or industrial class within the Downtown Parking Area;

AND WHEREAS the total taxable commercial and industrial parcels of land in the area upon which the parking rate will be levied is \$312,343,781 and which assessment is the basis upon which the taxes for the Downtown Parking Area will be raised;

AND WHEREAS the amount of money to be provided to the Parking District Reserve Fund is \$304,200.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. THAT for the raising of the sum of \$416,604,907 as shown in Schedule "A" attached hereto, for the general purposes of the Corporation and the amounts required for the Regional Municipality of Halton including waste management purposes, and the School Boards for the current year, there shall be levied and collected upon the whole rateable property the tax rates as shown on Schedule "A" attached hereto.
2. THAT the tax rates to be levied upon the Residential Assessment, the Multi-Residential Assessment, the Commercial Assessment, the Industrial Assessment, the Pipeline Assessment, the Farm Assessment and the Managed Forest

BY-LAW NUMBER 25-2019

Assessment and the applicable subclasses for City purposes shall be in accordance with Schedule "B" of this By-law.

3. THAT the tax rates to be levied upon the Residential Assessment, the Multi-Residential Assessment, the Commercial Assessment, the Industrial Assessment, the Pipeline Assessment, the Farm Assessment and the Managed Forest Assessment and the applicable subclasses for Regional purposes shall be in accordance with Schedule "C" of this By-law.
4. THAT the tax rates to be levied upon the Residential Assessment, the Multi-Residential Assessment, the Commercial Assessment, the Industrial Assessment, the Pipeline Assessment, the Farm Assessment and the Managed Forest Assessment and the applicable subclasses for Education purposes shall be in accordance with Schedule "D" of this By-law.
5. THAT for the purposes of the Business Improvement Area, the raising of the sum of \$792,300 for the Board of Management for the Burlington Downtown Business Improvement Area, there shall be levied and collected upon the rateable assessment in the Burlington Downtown Business Improvement Area the following tax rates:

Commercial	0.00216094
Commercial excess land	0.00151266
Commercial vacant land	0.00151266
Commercial new construction	0.00216094
Office	0.00216094
Office excess land	0.00151266
Shopping Centre	0.00216094
Shopping Centre excess land	0.00151266
Parking Lot	0.00216094
Industrial shared payment in lieu	0.00350127

6. THAT for the purposes of the Business Improvement Area, the raising of the sum of \$178,999 for the Board of Management for the Aldershot Village Business Improvement Area, there shall be levied and collected upon the rateable assessment in the Aldershot Village Business Improvement Area the following tax rates:

Commercial	0.00085558
Commercial excess land	0.00059891
Commercial vacant land	0.00059891
Commercial new construction	0.00085558
Commercial new construction excess land	0.00059891
Office	0.00085558

BY-LAW NUMBER 25-2019

Office excess land	0.00059891
Shopping Centre	0.00085558
Shopping Centre excess land	0.00059891
Industrial	0.00138626

7. THAT for the purposes of the Downtown Parking Area, the raising of the sum of \$304,200, there shall be levied and collected upon the rateable assessment in the Downtown Parking Area the following tax rates:

Commercial	0.00097394
Commercial excess land	0.00068176
Commercial vacant land	0.00068176
Commercial new construction	0.00097394
Office	0.00097394
Office excess land	0.00068176
Shopping Centre	0.00097394
Shopping Centre excess land	0.00068176
Parking Lot	0.00097394
Industrial shared payment in lieu	0.00157803

8. The Treasurer shall proceed to collect the amount to be raised by this By-law, together with all other sums on the tax roll in the manner as set forth in the *Assessment Act* and *Municipal Act, 2001* and any other applicable Acts and the By-laws in force in this Municipality.

9. All property taxes and special levies, other than those levied by the interim levy as set out in By-law 69-2018 shall be due and payable in two instalments as per the following schedule:

<u>Ward Numbers</u>	<u>1<sup>st</sup> Instalment</u>	<u>2<sup>nd</sup> Instalment</u>
All Wards	June 20, 2019	September 20, 2019

10. When payment of any instalment or any part of any instalment of taxes levied by this By-law is not paid on the due date as set out in section 9, the payment is considered to be in default and late payment charges and, where applicable, interest shall be imposed as follows:

- (a) a penalty of one and one quarter per cent of the amount in default shall be added on the first day of default; and,
- (b) interest charges shall be applied at the rate of one and one quarter per cent on the last day of each month on the outstanding tax balance. When a penalty has

BY-LAW NUMBER 25-2019

been applied in a given month, interest of one and one quarter per cent will be prorated from the date of default.

11. In the event of a non-payment of any instalment of taxes or any part thereof, by the day set out in section 9 for payment, all subsequent instalment or instalments shall become due and payable immediately upon the default of the payment.
12. The Treasurer is authorized and directed to serve personally or to mail or cause to be mailed, notices of the taxes hereby levied to the person or persons taxed at the address of the resident or place of business of such person.
13. The Treasurer is authorized to accept part payment from time to time on account of any taxes due, or alternatively is authorized to refuse acceptance of any such part payment.

ENACTED AND PASSED this 23<sup>rd</sup> day of April, 2019.

\_\_\_\_\_  
Marianne Meed Ward MAYOR

\_\_\_\_\_  
Angela Morgan CITY CLERK

**BY-LAW NUMBER 25-2019  
SCHEDULE "B"**

**CITY PURPOSES**

Whole City - General			GENERAL		HOSPITAL	
PROPERTY CLASS		CURRENT VALUE ASSESSMENT	TAX RATE	TAX LEVY	TAX RATE	TAX LEVY
Residential	RT	\$ 33,915,559,070	0.00294070	\$ 99,735,485	0.00006425	\$ 2,179,075
- Farmlands I	R1	\$ 5,129,552	0.00220553	\$ 11,313	0.00004819	\$ 247
Multi-Residential	MT	\$ 1,622,932,095	0.00588140	\$ 9,545,113	0.00012850	\$ 208,547
New Multi-Residential	NT	\$ 24,425,550	0.00294070	\$ 71,828	0.00006425	\$ 1,569
Commercial	CT	\$ 3,057,831,652	0.00428313	\$ 13,097,090	0.00009358	\$ 286,152
- full shared payment in lieu	CH	\$ 4,969,800	0.00428313	\$ 21,286	0.00009358	\$ 465
- excess land	CU	\$ 38,138,433	0.00299819	\$ 114,346	0.00006551	\$ 2,498
- vacant land	CX	\$ 75,616,085	0.00299819	\$ 226,711	0.00006551	\$ 4,954
- Farmlands I	C1	\$ 10,317,796	0.00220553	\$ 22,756	0.00004819	\$ 497
- Small scale on-farm business	C7	\$ -	0.00428313	\$ -	0.00009358	\$ -
- new construction	XT	\$ 468,795,268	0.00428313	\$ 2,007,911	0.00009358	\$ 43,870
- new construction - excess land	XU	\$ 8,265,737	0.00299819	\$ 24,782	0.00006551	\$ 541
Office Building	DT	\$ 425,613,968	0.00428313	\$ 1,822,960	0.00009358	\$ 39,829
- full shared payment in lieu	DH	\$ 7,128,450	0.00428313	\$ 30,532	0.00009358	\$ 667
- excess land	DU	\$ 5,583,641	0.00299819	\$ 16,741	0.00006551	\$ 366
- new construction	YT	\$ 36,926,869	0.00428313	\$ 158,163	0.00009358	\$ 3,456
Shopping Centre	ST	\$ 1,433,764,102	0.00428313	\$ 6,140,998	0.00009358	\$ 134,172
- excess land	SU	\$ 1,190,865	0.00299819	\$ 3,570	0.00006551	\$ 78
- new construction	ZT	\$ 171,372,742	0.00428313	\$ 734,012	0.00009358	\$ 16,037
- new construction - excess land	ZU	\$ 428,500	0.00299819	\$ 1,285	0.00006551	\$ 28
Parking Lot	GT	\$ 24,437,729	0.00428313	\$ 104,670	0.00009358	\$ 2,287
Industrial	IT	\$ 684,050,821	0.00693976	\$ 4,747,149	0.00015162	\$ 103,716
- full shared payment in lieu	IH	\$ 22,562,610	0.00693976	\$ 156,579	0.00015162	\$ 3,421
- excess land	IU	\$ 17,214,519	0.00451084	\$ 77,652	0.00009856	\$ 1,697
- vacant land	IX	\$ 80,941,883	0.00451084	\$ 365,116	0.00009856	\$ 7,978
- excess land shared payment in lieu	IK	\$ 16,224,750	0.00451084	\$ 73,187	0.00009856	\$ 1,599
- new construction	JT	\$ 62,309,099	0.00693976	\$ 432,410	0.00015162	\$ 9,447
- new construction - excess land	JU	\$ 1,229,333	0.00451084	\$ 5,545	0.00009856	\$ 121
Large Industrial	LT	\$ 229,283,085	0.00693976	\$ 1,591,170	0.00015162	\$ 34,764
- excess land	LU	\$ 17,690,347	0.00451084	\$ 79,798	0.00009856	\$ 1,744
Industrial-Farmlands I	II	\$ 22,226,700	0.00220553	\$ 49,022	0.00004819	\$ 1,071
Pipelines	PT	\$ 97,740,435	0.00312214	\$ 305,159	0.00006821	\$ 6,667
Farm	FT	\$ 167,549,842	0.00058814	\$ 98,543	0.00001285	\$ 2,153
Managed Forests	TT	\$ 4,165,767	0.00073518	\$ 3,063	0.00001606	\$ 67
		<u>\$ 42,761,617,095</u>		<u>\$ 141,875,945</u>		<u>\$ 3,099,780</u>

**Urban Service Area**

PROPERTY CLASS		CURRENT VALUE ASSESSMENT	TAX RATE	TAX LEVY
Residential	RT	\$ 32,484,289,903	0.00044950	\$ 14,601,688
- Farmlands I	R1	\$ 1,456,000	0.00033713	\$ 491
Multi-Residential	MT	\$ 1,622,932,095	0.00089900	\$ 1,459,016
New Multi-Residential	NT	\$ 24,425,550	0.00044950	\$ 10,979
Commercial	CT	\$ 3,036,024,833	0.00065470	\$ 1,987,685
- full shared payment in lieu	CH	\$ 4,969,800	0.00065470	\$ 3,254
- excess land	CU	\$ 37,679,233	0.00045829	\$ 17,268
- vacant land	CX	\$ 75,017,765	0.00045829	\$ 34,380
- Farmlands I	C1	\$ 10,317,796	0.00033713	\$ 3,478
- Small scale on-farm business	C7	\$ -	0.00065470	\$ -
- new construction	XT	\$ 468,795,268	0.00065470	\$ 306,920
- new construction - excess land	XU	\$ 8,265,737	0.00045829	\$ 3,788
Office Building	DT	\$ 425,613,968	0.00065470	\$ 278,649
- full shared payment in lieu	DH	\$ 7,128,450	0.00065470	\$ 4,667
- excess land	DU	\$ 5,583,641	0.00045829	\$ 2,559
- new construction	YT	\$ 36,926,869	0.00065470	\$ 24,176
Shopping Centre	ST	\$ 1,433,764,102	0.00065470	\$ 938,685
- excess land	SU	\$ 1,190,865	0.00045829	\$ 546
- new construction	ZT	\$ 171,372,742	0.00065470	\$ 112,198
- new construction - excess land	ZU	\$ 428,500	0.00045829	\$ 196
Parking Lot	GT	\$ 24,437,729	0.00065470	\$ 15,999
Industrial	IT	\$ 681,254,371	0.00106078	\$ 722,661
- full shared payment in lieu	IH	\$ 21,484,235	0.00106078	\$ 22,790
- excess land	IU	\$ 17,214,519	0.00068950	\$ 11,869
- vacant land	IX	\$ 80,851,411	0.00068950	\$ 55,747
- excess land shared payment in lieu	IK	\$ 13,004,125	0.00068950	\$ 8,966
- new construction	JT	\$ 62,309,099	0.00106078	\$ 66,096
- new construction - excess land	JU	\$ 1,229,333	0.00068950	\$ 848
Large Industrial	LT	\$ 229,283,085	0.00106078	\$ 243,219
- excess land	LU	\$ 17,690,347	0.00068950	\$ 12,197
Industrial-Farmlands I	II	\$ 22,226,700	0.00033713	\$ 7,493
Pipelines	PT	\$ 52,253,185	0.00047723	\$ 24,937
Farm	FT	\$ 9,610,756	0.00008990	\$ 864
Managed Forests	TT	\$ 136,956	0.00011238	\$ 15
		<u>\$ 41,089,168,968</u>		<u>\$ 20,984,324</u>

Total Levy for City Purposes \$ 165,960,049

**BY-LAW NUMBER 25-2019  
SCHEDULE "C"**

**REGIONAL PURPOSES - GENERAL (Including Recycling and Organics) & POLICE SERVICES**

Whole City		GENERAL			POLICE	
PROPERTY CLASS		CURRENT VALUE ASSESSMENT	TAX RATE	TAX LEVY	TAX RATE	TAX LEVY
Residential	RT	\$ 33,915,559,070	0.00156628	\$ 53,121,262	0.00101079	\$ 34,281,508
- Farmlands I	R1	\$ 5,129,552	0.00117471	\$ 6,026	0.00075809	\$ 3,889
Multi-Residential	MT	\$ 1,622,932,095	0.00313256	\$ 5,083,932	0.00202158	\$ 3,280,887
New Multi-Residential	NT	\$ 24,425,550	0.00156628	\$ 38,257	0.00101079	\$ 24,689
Commercial	CT	\$ 3,057,831,652	0.00228129	\$ 6,975,801	0.00147222	\$ 4,501,801
- full shared payment in lieu	CH	\$ 4,969,800	0.00228129	\$ 11,338	0.00147222	\$ 7,317
- excess land	CU	\$ 38,138,433	0.00159690	\$ 60,903	0.00103055	\$ 39,304
- vacant land	CX	\$ 75,616,085	0.00159690	\$ 120,751	0.00103055	\$ 77,926
- Farmlands I	C1	\$ 10,317,796	0.00117471	\$ 12,120	0.00075809	\$ 7,822
- Small scale on-farm business	C7	\$ -	0.00228129	\$ -	0.00147222	\$ -
- new construction	XT	\$ 468,795,268	0.00228129	\$ 1,069,458	0.00147222	\$ 690,170
- new construction - excess land	XU	\$ 8,265,737	0.00159690	\$ 13,200	0.00103055	\$ 8,518
Office Building	DT	\$ 425,613,968	0.00228129	\$ 970,949	0.00147222	\$ 626,597
- full shared payment in lieu	DH	\$ 7,128,450	0.00228129	\$ 16,262	0.00147222	\$ 10,495
- excess land	DU	\$ 5,583,641	0.00159690	\$ 8,917	0.00103055	\$ 5,754
- new construction	YT	\$ 36,926,869	0.00228129	\$ 84,241	0.00147222	\$ 54,364
Shopping Centre	ST	\$ 1,433,764,102	0.00228129	\$ 3,270,832	0.00147222	\$ 2,110,816
- excess land	SU	\$ 1,190,865	0.00159690	\$ 1,902	0.00103055	\$ 1,227
- new construction	ZT	\$ 171,372,742	0.00228129	\$ 390,951	0.00147222	\$ 252,298
- new construction - excess land	ZU	\$ 428,500	0.00159690	\$ 684	0.00103055	\$ 442
Parking Lot	GT	\$ 24,437,729	0.00228129	\$ 55,750	0.00147222	\$ 35,978
Industrial	IT	\$ 684,050,821	0.00369626	\$ 2,528,430	0.00238536	\$ 1,631,707
- full shared payment in lieu	IH	\$ 22,562,610	0.00369626	\$ 83,397	0.00238536	\$ 53,820
- excess land	IU	\$ 17,214,519	0.00240257	\$ 41,359	0.00155049	\$ 26,691
- vacant land	IX	\$ 80,941,883	0.00240257	\$ 194,469	0.00155049	\$ 125,500
- excess land shared payment in lieu	IK	\$ 16,224,750	0.00240257	\$ 38,981	0.00155049	\$ 25,156
- new construction	JT	\$ 62,309,099	0.00369626	\$ 230,311	0.00238536	\$ 148,630
- new construction - excess land	JU	\$ 1,229,333	0.00240257	\$ 2,954	0.00155049	\$ 1,906
Large Industrial	LT	\$ 229,283,085	0.00369626	\$ 847,490	0.00238536	\$ 546,923
- excess land	LU	\$ 17,690,347	0.00240257	\$ 42,502	0.00155049	\$ 27,429
Industrial-Farmlands I	II	\$ 22,226,700	0.00117471	\$ 26,110	0.00075809	\$ 16,850
Pipelines	PT	\$ 97,740,435	0.00166292	\$ 162,535	0.00107316	\$ 104,891
Farm	FT	\$ 167,549,842	0.00031325	\$ 52,485	0.00020216	\$ 33,872
Managed Forests	TT	\$ 4,165,767	0.00039157	\$ 1,631	0.00025270	\$ 1,053
		<u>\$ 42,761,617,095</u>		<u>\$ 75,566,190</u>		<u>\$ 48,766,230</u>

**REGIONAL PURPOSES - WASTE MANAGEMENT SERVICES (Excluding Recycling and Organics)**

Basic Waste		CURRENT VALUE			Enhanced Waste		
PROPERTY CLASS		ASSESSMENT	TAX RATE	TAX LEVY	ASSESSMENT	TAX RATE	TAX LEVY
Residential	RT	\$ 33,915,559,070	0.00017388	\$ 5,897,237	\$ 32,741,233,216	0.00002228	\$ 729,475
- Farmlands I	R1	\$ 5,129,552	0.00013041	\$ 669	\$ 1,456,000	0.00001671	\$ 24
Multi-Residential	MT	\$ 1,622,932,095	0.00034776	\$ 564,391	\$ 1,622,932,095	0.00004456	\$ 72,318
New Multi-Residential	NT	\$ 24,425,550	0.00017388	\$ 4,247	\$ 24,425,550	0.00002228	\$ 544
Commercial	CT	\$ 3,057,831,652	0.00025326	\$ 774,426	\$ 3,040,299,783	0.00003245	\$ 98,658
- full shared payment in lieu	CH	\$ 4,969,800	0.00025326	\$ 1,259	\$ 4,969,800	0.00003245	\$ 161
- excess land	CU	\$ 38,138,433	0.00017728	\$ 6,761	\$ 37,679,233	0.00002272	\$ 856
- vacant land	CX	\$ 75,616,085	0.00017728	\$ 13,405	\$ 75,200,115	0.00002272	\$ 1,709
- Farmlands I	C1	\$ 10,317,796	0.00013041	\$ 1,346	\$ 10,317,796	0.00001671	\$ 172
- Small scale on-farm business	C7	\$ -	0.00025326	\$ -	\$ -	0.00003245	\$ -
- new construction	XT	\$ 468,795,268	0.00025326	\$ 118,727	\$ 468,795,268	0.00003245	\$ 15,212
- new construction - excess land	XU	\$ 8,265,737	0.00017728	\$ 1,465	\$ 8,265,737	0.00002272	\$ 188
Office Building	DT	\$ 425,613,968	0.00025326	\$ 107,791	\$ 425,613,968	0.00003245	\$ 13,811
- full shared payment in lieu	DH	\$ 7,128,450	0.00025326	\$ 1,805	\$ 7,128,450	0.00003245	\$ 231
- excess land	DU	\$ 5,583,641	0.00017728	\$ 990	\$ 5,583,641	0.00002272	\$ 127
- new construction	YT	\$ 36,926,869	0.00025326	\$ 9,352	\$ 36,926,869	0.00003245	\$ 1,198
Shopping Centre	ST	\$ 1,433,764,102	0.00025326	\$ 363,115	\$ 1,433,764,102	0.00003245	\$ 46,526
- excess land	SU	\$ 1,190,865	0.00017728	\$ 211	\$ 1,190,865	0.00002272	\$ 27
- new construction	ZT	\$ 171,372,742	0.00025326	\$ 43,402	\$ 171,372,742	0.00003245	\$ 5,561
- new construction - excess land	ZU	\$ 428,500	0.00017728	\$ 76	\$ 428,500	0.00002272	\$ 10
Parking Lot	GT	\$ 24,437,729	0.00025326	\$ 6,189	\$ 24,437,729	0.00003245	\$ 793
Industrial	IT	\$ 684,050,821	0.00041034	\$ 280,693	\$ 681,254,371	0.00005258	\$ 35,820
- full shared payment in lieu	IH	\$ 22,562,610	0.00041034	\$ 9,258	\$ 21,484,235	0.00005258	\$ 1,130
- excess land	IU	\$ 17,214,519	0.00026672	\$ 4,591	\$ 17,214,519	0.00003418	\$ 588
- vacant land	IX	\$ 80,941,883	0.00026672	\$ 21,589	\$ 80,941,883	0.00003418	\$ 2,767
- excess land shared payment in lieu	IK	\$ 16,224,750	0.00026672	\$ 4,327	\$ 13,004,125	0.00003418	\$ 444
- new construction	JT	\$ 62,309,099	0.00041034	\$ 25,568	\$ 62,309,099	0.00005258	\$ 3,276
- new construction - excess land	JU	\$ 1,229,333	0.00026672	\$ 328	\$ 1,229,333	0.00003418	\$ 42
Large Industrial	LT	\$ 229,283,085	0.00041034	\$ 94,084	\$ 229,283,085	0.00005258	\$ 12,056
- excess land	LU	\$ 17,690,347	0.00026672	\$ 4,718	\$ 17,690,347	0.00003418	\$ 605
Industrial-Farmlands I	II	\$ 22,226,700	0.00013041	\$ 2,899	\$ 22,226,700	0.00001671	\$ 371
Pipelines	PT	\$ 97,740,435	0.00018461	\$ 18,044	\$ 52,253,185	0.00002365	\$ 1,236
Farm	FT	\$ 167,549,842	0.00003478	\$ 5,827	\$ 22,019,566	0.00000446	\$ 98
Managed Forests	TT	\$ 4,165,767	0.00004347	\$ 181	\$ 186,939	0.00000557	\$ 1
		<u>\$ 42,761,617,095</u>		<u>\$ 8,388,971</u>	<u>\$ 41,363,118,846</u>		<u>\$ 1,046,035</u>

**Total Levy for Regional Purposes** \$ 133,767,426

**BY-LAW NUMBER 25-2019  
SCHEDULE "D"**

**EDUCATION PURPOSES**

		ENGLISH PUBLIC			ENGLISH CATHOLIC		
PROPERTY CLASS		CURRENT VALUE			CURRENT VALUE		
		ASSESSMENT	TAX RATE	TAX LEVY	ASSESSMENT	TAX RATE	TAX LEVY
Residential	RT	\$ 27,324,745,204	0.00161000	\$ 43,992,840	\$ 6,342,365,854	0.00161000	\$ 10,211,209
- Education Only	RD	\$ 6,360,625	0.00161000	\$ 10,241	\$ -	0.00161000	\$ -
- Farmlands I	R1	\$ 3,152,302	0.00120750	\$ 3,806	\$ 1,977,250	0.00120750	\$ 2,388
Multi-Residential	MT	\$ 1,471,004,655	0.00161000	\$ 2,368,317	\$ 143,312,651	0.00161000	\$ 230,733
New Multi-Residential	NT	\$ 23,838,471	0.00161000	\$ 38,380	\$ 513,695	0.00161000	\$ 827
Farm	FT	\$ 156,041,145	0.00040250	\$ 62,807	\$ 11,508,697	0.00040250	\$ 4,632
Managed Forests	TT	\$ 3,923,293	0.00040250	\$ 1,579	\$ 224,861	0.00040250	\$ 91
		<u>\$ 28,989,065,695</u>		<u>\$ 46,477,970</u>	<u>\$ 6,499,903,008</u>		<u>\$ 10,449,880</u>

		FRENCH PUBLIC			FRENCH CATHOLIC		
PROPERTY CLASS		CURRENT VALUE			CURRENT VALUE		
		ASSESSMENT	TAX RATE	TAX LEVY	ASSESSMENT	TAX RATE	TAX LEVY
Residential	RT	\$ 73,131,470	0.00161000	\$ 117,742	\$ 174,693,929	0.00161000	\$ 281,257
Residential-Education only	RD	\$ -	0.00161000	\$ -	\$ -	0.00161000	\$ -
Residential Farmland 1	R1	\$ -	0.00120750	\$ -	\$ -	0.00120750	\$ -
Multi-Residential	MT	\$ 2,995,539	0.00161000	\$ 4,823	\$ 5,619,250	0.00161000	\$ 9,047
New Multi-Residential	NT	\$ -	0.00161000	\$ -	\$ 73,384	0.00161000	\$ 118
Farm	FT	\$ -	0.00040250	\$ -	\$ -	0.00040250	\$ -
Managed Forests	TT	\$ 5,221	0.00040250	\$ 2	\$ 12,392	0.00040250	\$ 5
		<u>\$ 76,132,230</u>		<u>\$ 122,567</u>	<u>\$ 180,398,955</u>		<u>\$ 290,427</u>

		NO SUPPORT		
PROPERTY CLASS		CURRENT VALUE		
		ASSESSMENT	TAX RATE	TAX LEVY
Residential	RT	\$ 622,613	0.00161000	\$ 1,002
Commercial	CT	\$ 3,057,831,652	0.00804055	\$ 24,586,648
- excess land	CU	\$ 38,138,433	0.00683447	\$ 260,656
- vacant land	CX	\$ 75,616,085	0.00683447	\$ 516,796
- Farmlands I	C1	\$ 10,317,796	0.00120750	\$ 12,459
- Small scale on-farm business	C7	\$ -	0.00257500	\$ -
- new construction	XT	\$ 468,795,268	0.00804055	\$ 3,769,372
- new construction - excess land	XU	\$ 8,265,737	0.00683447	\$ 56,492
Office Building	DT	\$ 425,613,968	0.00804055	\$ 3,422,170
- excess land	DU	\$ 5,583,641	0.00683447	\$ 38,161
- new construction	YT	\$ 36,926,869	0.00804055	\$ 296,912
Shopping Centre	ST	\$ 1,433,764,102	0.00804055	\$ 11,528,252
- excess land	SU	\$ 1,190,865	0.00683447	\$ 8,139
- new construction	ZT	\$ 171,372,742	0.00804055	\$ 1,377,931
- new construction - excess land	ZU	\$ 428,500	0.00683447	\$ 2,929
Parking Lot	GT	\$ 24,437,729	0.00804055	\$ 196,493
Industrial	IT	\$ 684,050,821	0.01167241	\$ 7,984,522
- excess land	IU	\$ 17,214,519	0.00962974	\$ 165,771
- vacant land	IX	\$ 80,941,883	0.00962974	\$ 779,449
- new construction	JT	\$ 62,309,099	0.01030000	\$ 641,784
- new construction - excess land	JU	\$ 1,229,333	0.00849750	\$ 10,446
Large Industrial	LT	\$ 229,283,085	0.01167241	\$ 2,676,286
- excess land	LU	\$ 17,690,347	0.00962974	\$ 170,353
Industrial-Farmlands I	II	\$ 22,226,700	0.00120750	\$ 26,839
Pipelines	PT	\$ 97,740,435	0.01030000	\$ 1,006,726
		<u>\$ 6,971,592,222</u>		<u>\$ 59,536,588</u>

**Total Assessment** **\$ 42,717,092,110**

**Total Levy for Education Purposes** **\$ 116,877,432**



# • • • Memo

**To: Mayor and Members of Council**

**From: Melissa Morgan, Planner II**

**Date: March 29, 2019**

**Re: Official Plan Amendment and Zoning By-law Amendment Applications for  
1335-1355 Plains Road East  
Files: 505-08/17 & 520-17/17**

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Official Plan and Zoning By-law amendment applications for 1335-1355 Plains Road East were considered by the Planning and Development Committee on March 5, 2019. The staff recommendation to approve the applications contained in Report PB-15-19 was approved by Committee. At the Council meeting of March 25, 2019 a motion was passed to refer this item to the April 23, 2019 Council meeting to allow for further discussion with the community and applicant.

Since then, Councillor Kearns and Mayor Meed Ward have held discussions with the applicant and members of the public residing on Bonnie Court to the north of the subject lands.

The following changes to the applications are being proposed as a result of these discussions:

- Landscape Buffer reduced from 3 metres to 1.5 metres along the west side of the north property line (behind the standard townhouse units);
- Side Yard Setback abutting a residential (R3.1) zone reduced from 8 metres (including a 3 metre landscape buffer) to 7 metres (including a 1.5 metre landscape buffer) adjacent to standard townhouse units;
- Height of standard townhouse units to be reduced from 3 storeys with a maximum height of 10 metres to 2 storeys with a maximum height of 8.1 metres;
- Garages of standard townhouses to become single car garages, each having one occupant space inside the garage and one occupant space in the driveway.
- Onsite visitor parking to be reduced from 7 spaces with 4 dedicated spaces in the driveways of the standard units to 7 spaces in total for a common parking area.

A revised version of Zoning By-law 2020.406 has been prepared and attached to this memo to reflect the proposed changes should Council wish to approve them.





**BY-LAW NUMBER 2020.406, SCHEDULE 'A' AND EXPLANATORY NOTE****THE CORPORATION OF THE CITY OF BURLINGTON****BY-LAW NUMBER 2020.406**

A By-law to amend By-law 2020, as amended; 1335-1355 Plains Road East  
File No.: 520-17/17

WHEREAS Section 34(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the councils of local municipalities; and

WHEREAS the Council of the Corporation of the City of Burlington approved Recommendation PB-15-19 on March 25, 2019, to amend the City's existing Zoning By-law 2020, as amended, to permit 34 townhouse units;

**THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON  
 HEREBY ENACTS AS FOLLOWS:**

1. Zoning Map Number 10-E of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from MXG to H-MXG-494.
3. PART 11 of By-law 2020, as amended, Holding Zone Provisions, is hereby amended by the addition of the following section to Appendix A:

#	H-MXG-494	Map 10-E	Resolution: PB-15-19
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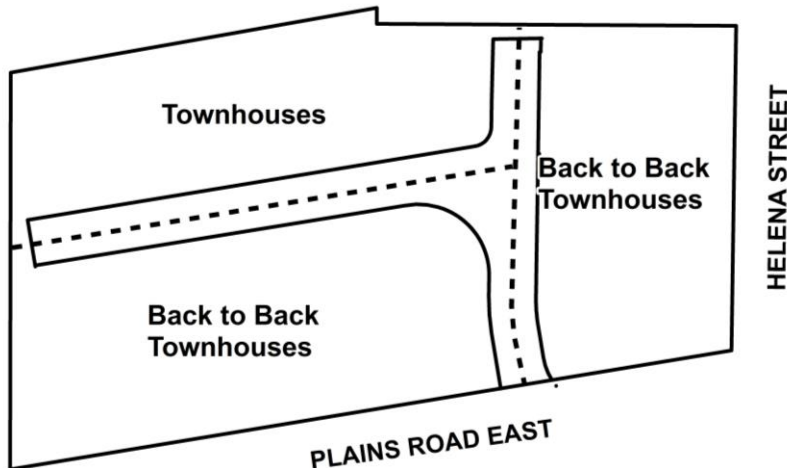
- The Owner has satisfied the Region of Halton's Protocol for Review of Contaminated and Potential Contaminated sites, by submitting a Ministry of the Environment and Climate Change acknowledged Record of Site Condition for 1335-1355 Plains Road East in accordance with Ontario Regulation 153/04, or the Owner provides documentation prepared by a Qualified Professional that demonstrates that the lands are or will be suitable for the intended use.
  - Obtain necessary permits required to undertake the realignment of Plains Road East and Helena Street to the satisfaction of the Director of Capital Works.
4. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception 494 as follows:

Exception 494	Zone H-MXG	Map 10-E	Amendment 2020.406	Enacted March 25, 2019
<b>1. <u>Permitted Uses</u></b> <p>a) Prior to the removal of the Holding ('H') Provision, only existing uses are permitted.</p> <p>b) Following the removal of the Holding ('H') Provision, the following uses are permitted:</p> <ul style="list-style-type: none"> <li>• Townhouses</li> <li>• Back-to-Back Townhouses</li> </ul>				
<b>2. <u>Regulations for Townhouses (Refer to Diagram 494)</u></b> <p>a) Maximum Number of Units: 5</p> <p>b) Rear Yard: 1.5 m</p> <p>c) Yard abutting R3.1 Zone: 7 m</p> <p>d) Maximum Height: 2 storeys up to 8.5m</p> <p>e) Landscape Buffer abutting R3.1 Zone: 1.5 m abutting townhouse units</p> <p>f) Occupant Parking for Accessible Unit: 1 space</p> <p>g) Balconies: Not permitted on second storey</p> <p>h) Visitor Parking: None required</p>				
<b>3. <u>Regulations for Back-to-Back Townhouses (Refer to Diagram 494)</u></b> <p>a) Maximum Number of Units: 29</p> <p>b) Yard abutting R3.1 Zone: 2 m to building wall 3 m to rooftop terrace</p> <p>c) Rear Yard: 1.4 m including rooftop terrace</p> <p>d) Maximum Height: 4 storeys up to 12.5 metres</p> <p>e) Landscape Buffer abutting R3.1 Zone: 1.5 m abutting back-to-back units, visitor parking and amenity area</p> <p>f) Visitor Parking: 7 spaces</p> <p>g) Privacy Area: Interior Units: 25 m<sup>2</sup> End Units: 20 m<sup>2</sup> abutting R3.1 Zone, 24 m<sup>2</sup> all other units</p> <p>h) Common Amenity Area: 100 m<sup>2</sup></p> <p>Notwithstanding Part 16, Definitions, Back-to-Back Townhouse, a back-to-back townhouse building is permitted to contain 17 residential units having a maximum length of 58.5 metres.</p>				

**4. Regulations Applicable to Entire Site**

- |  |  |
|--|--|
| a) Setback from Driveway or Parking Lot to Window of Habitable Room: | 0 m including visitor parking for townhouse units in individual driveways  |
| b) Loading Spaces:   | None Required  |
| c) Parking Space Setback from R3.1 Zone:                             | 2 m  |
| d) Driveway Length:  | 6 m, measured from back of curb, for driveways fronting onto public roads<br><br>6.5 metres, measured from back of curb, for driveways fronting onto private roads |
| e) Fence Height:   | 2.5 metres minimum abutting R3.1 Zone  |

Part 5, Mixed-Use Corridor Zones, Table 5.2.1, footnotes (o) and (p) do not apply.

**DIAGRAM 494**

Except as amended herein, all other provisions of this By-law, as amended, shall apply

- 5 a) When no notice of appeal is filed pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed.
- 5 b) If one or more appeals are filed pursuant to the provisions of the *Planning Act*, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in

accordance with an order of the Local Planning Appeal Tribunal this By-law shall be deemed to have come into force on the day it was passed.

**ENACTED AND PASSED** this 25th day of March, 2019.

\_\_\_\_\_  
MAYOR

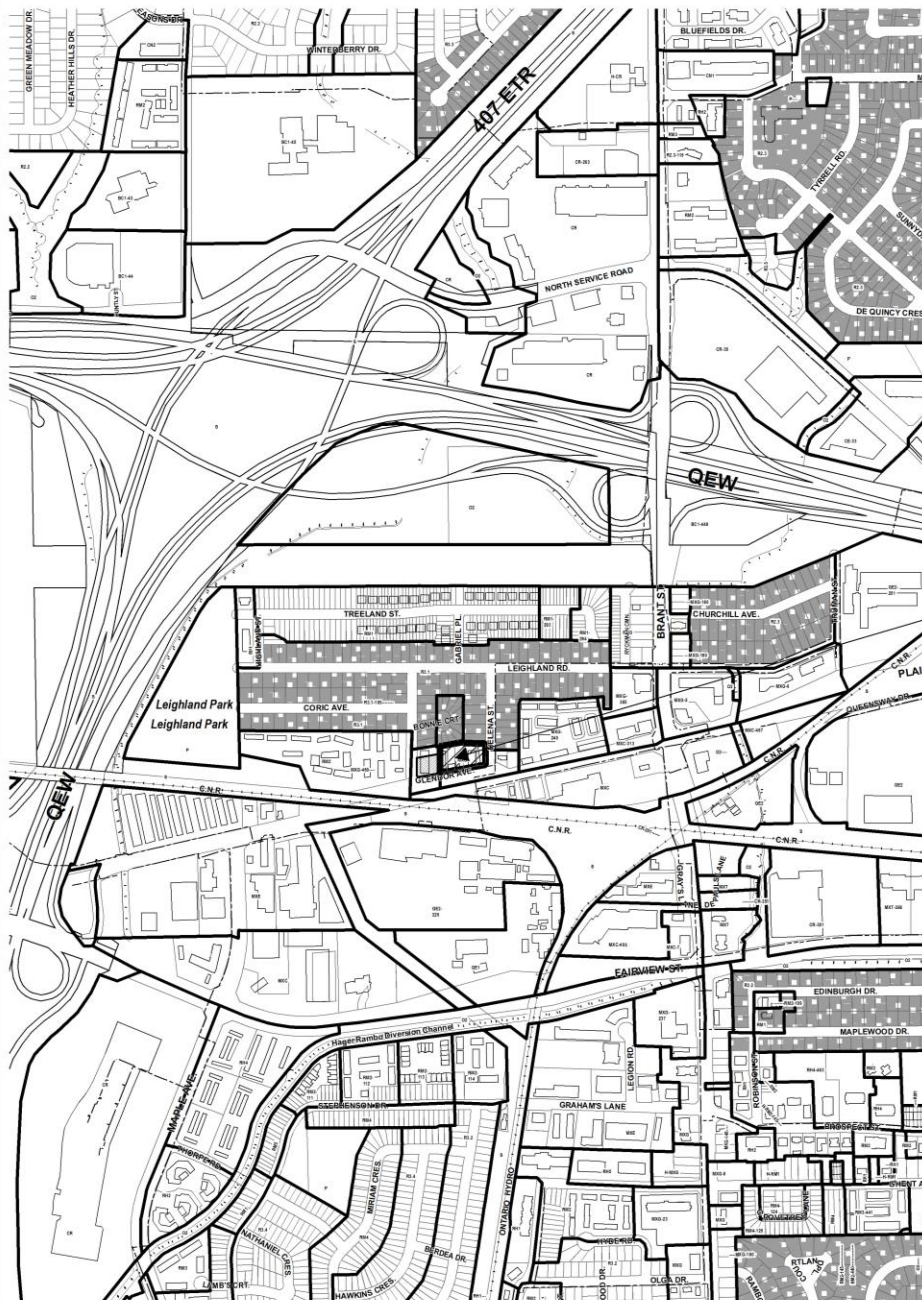
\_\_\_\_\_  
CITY CLERK

## EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.406

By-law 2020.406 rezones lands on 1335-1355 Plains Road East, to permit a townhouse development.

For further information regarding By-law 2020.406, please contact Melissa Morgan of the Burlington City Building Department at (905) 335-7600, extension 7788.

## SCHEDULE "A"



 AREA 'A'

To be rezoned from  
MXG to H-MXG-494

'A'

SCHEDULE 'A' TO BY-LAW 2020.xxx AMENDING MAP NO. 10E PART 15, BY-LAW 2020 AS AMENDED.  
PASSED THE 25th DAY OF MARCH, 2019

MAYOR

CITY CLERK



# . . . Memo

**To:** Members of Council

**From:** Mayor Marianne Meed Ward

**Date:** April 15, 2019

**Re:** Resolution re: Development Charges

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Colleagues,

I'm introducing the attached motion as requested at the recent Halton Regional Council meeting.

The resolution mirrors that of Halton Regional Council and supports our point of view that development charges should not only remain in place but be increased to properly cover the actual costs of development.

We have known for a long time that development does not pay for itself. As you'll see in the resolution, in August 2017 the Region reported to Regional Council the "Cost of Growth in Halton Region" at an estimated amount of \$87.7 million per year based on the *growth pays for growth* principle. This estimated annual amount includes the Region, local municipalities and the school boards.

The City of Burlington's estimated cost of growth included in the above figure is \$2.6 million. Based on the 2019 Development Charge update this amount is estimated to be \$2.4M. To put that into context, every \$1.67 million represents a percentage point increase (or 1% increase) in city taxes.

Halton Regional Council unanimously supported the resolution and I am now seeking the similar support of Burlington Council.





# • • • Memo

**To:** Mayor Meed Ward and Members of Council

**From:** Councillor Rory Nisan

**Cc:** Tim Commisso, Interim City Manager; Leah Bisutti, City Manager's Office; Alan Magi, Executive Director, Capital Works

**Date:** April 16, 2019

**Re:** Climate Emergency Declaration

Dear Colleagues,

As you know, I will be presenting a climate emergency declaration to Burlington City Council on April 23.

Numerous cities around the world have recently declared climate emergencies in response to findings of the Intergovernmental Panel on Climate Change (IPCC) that we have only 12 years to keep global warming to a maximum of 1.5 degrees, beyond which any further increase would significantly worsen the risk to hundreds of millions of people of extreme heat, drought, floods and poverty. London (UK), Los Angeles, Vancouver, Halifax, Kingston and Hamilton have each declared climate emergencies recently.

The City of Burlington has already felt the effects of climate change over the past several years. Indeed, climate change is currently ranked as the third highest risk on the City's Enterprise Risk Register, which measures overall risk to the City.

The City has many current and future planned activities in relation to climate change such as the Green Fleet Strategy, The Community Energy Plan, Corporate Energy Plan, updating the Stormwater Design Standards and the Urban Forest Master Plan. The City has also set the important goal for city operations to be net carbon neutral by 2040.

The proposed climate emergency declaration would increase the city's ambition on climate change initiatives, including in the community, and provide staff and residents with clarity of purpose regarding the new Council's view of the importance of climate change.

I would like to recognize the many groups and organizations that are already taking collective action on climate change such as the Bay-Area Climate Change Council, the Halton Climate Collective, Conservation Halton, the Burlington Sustainable Development Committee, BurlingtonGreen Environmental Association and Sustainable Hamilton-Burlington among others.

One question asked is whether 'emergency' is the appropriate characterization of the current situation. The recent determination of the IPCC that we have only 12 years to take significant steps to stop the warming of planet is an urgent call for *immediate* action – we cannot wait for the 12th year to begin taking the necessary steps.

Second, whereas most emergencies grabbing the headlines are short-term and acute, long-term, protracted emergencies underlay many of the international challenges we face as members of a local, national and global community.

I would therefore be most grateful for your support for the climate emergency declaration attached to this memo.

Regards,  
Councillor Rory Nisan

# Conservation Halton

## **WATERSHED**

### Report Card 2018



Conservation Halton has prepared this report card as a summary of the state of our forests, wetlands and water resources using data from 2012 to 2017.



Conservation  
**Halton**



# WHERE ARE WE?



## What is a Watershed?

A watershed is an area of land drained by a creek or stream into a river which then drains into a body of water such as a lake or pond. Everything in a watershed is connected. Our actions upstream can affect conditions downstream.

## Why Measure?

Measuring helps us better understand our watershed. We can target our work where it is needed and track progress. We measured:



Groundwater Quality



Surface Water Quality



Forest Conditions



Impervious Cover

### GRADING

<b>A</b>	Excellent
<b>B</b>	Good
<b>C</b>	Fair
<b>D</b>	Poor
<b>F</b>	Very Poor
Insufficient Data	

## What is a watershed report card?

Ontario's Conservation Authorities report on watershed conditions every five years. The watershed report cards use Conservation Ontario guidelines and standards developed by Conservation Authorities and their partners.



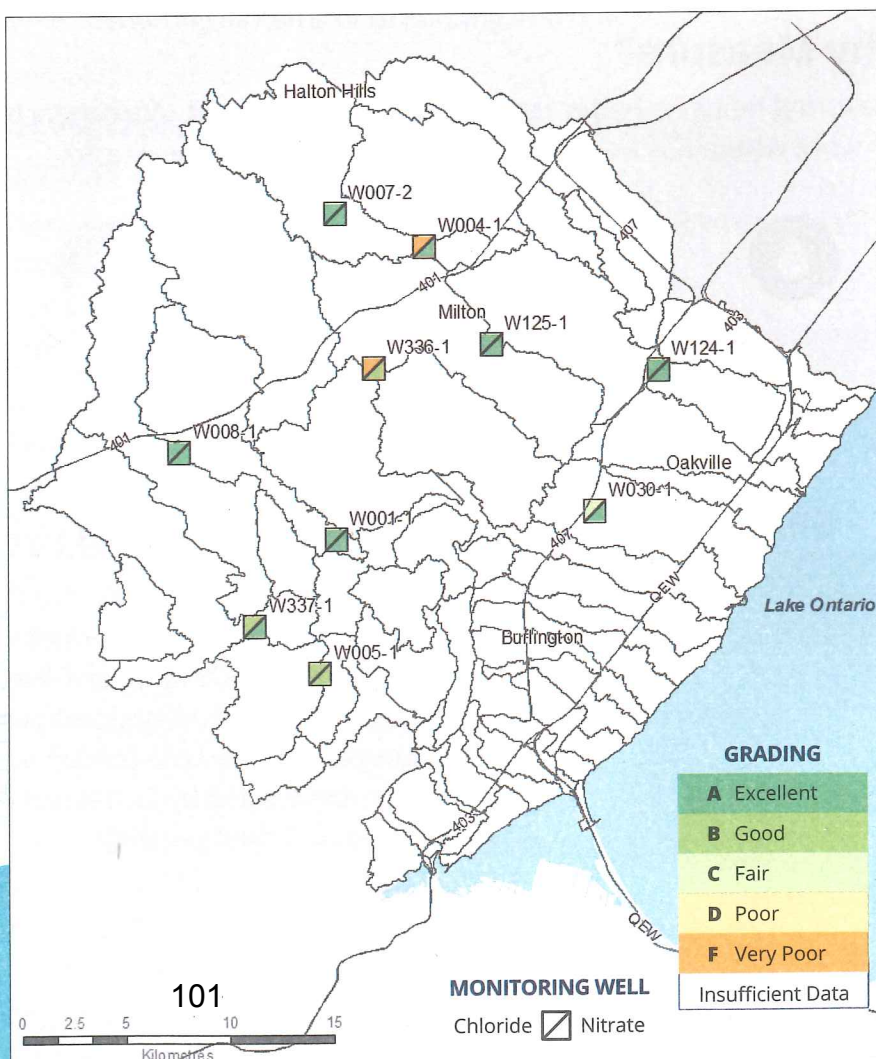
# GROUNDWATER QUALITY

*Concentrations of nitrate + nitrite as well as chloride levels were monitored at 10 groundwater wells across the Conservation Halton watershed.*

## What Did We Find?

- Grades ranged from A (Excellent) to F (Very Poor) with mostly A grades.
- Three wells are highly influenced by the surrounding shale bedrock resulting in naturally high chloride conditions.
- Two wells (W336-1 and W005-1) are showing impacts from human activities such as road salting and agricultural activities as they are higher in both chloride and nitrogen concentrations.

*For more details about the information found in these maps, visit [conservationhalton.ca](http://conservationhalton.ca) or contact us. You can find our contact information on the back panel.*



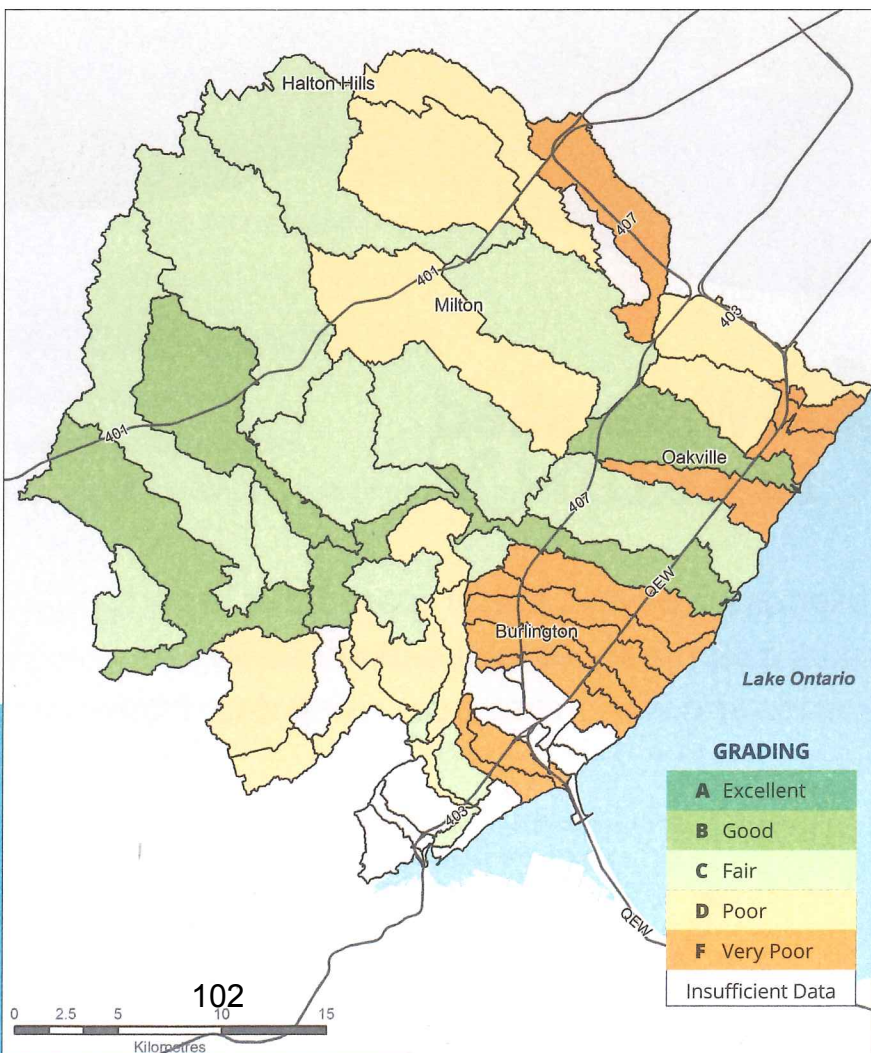


# SURFACE WATER QUALITY

*Grades for surface water quality are based on chemical (phosphorus concentrations) and biological (benthic invertebrates) indicators of water quality across the watershed.*

## What Did We Find?

- Grades ranged from B (Good) to F (Very Poor).
- Subwatersheds with lower scores (D to F) tend to be in agricultural or urban areas.
- Subwatersheds with higher scores (B to C) tend to be in areas with more natural cover, including higher amounts of forest cover.
- Ongoing efforts to improve stormwater management and increase the use of low impact development (LID) practices will help to improve water quality.





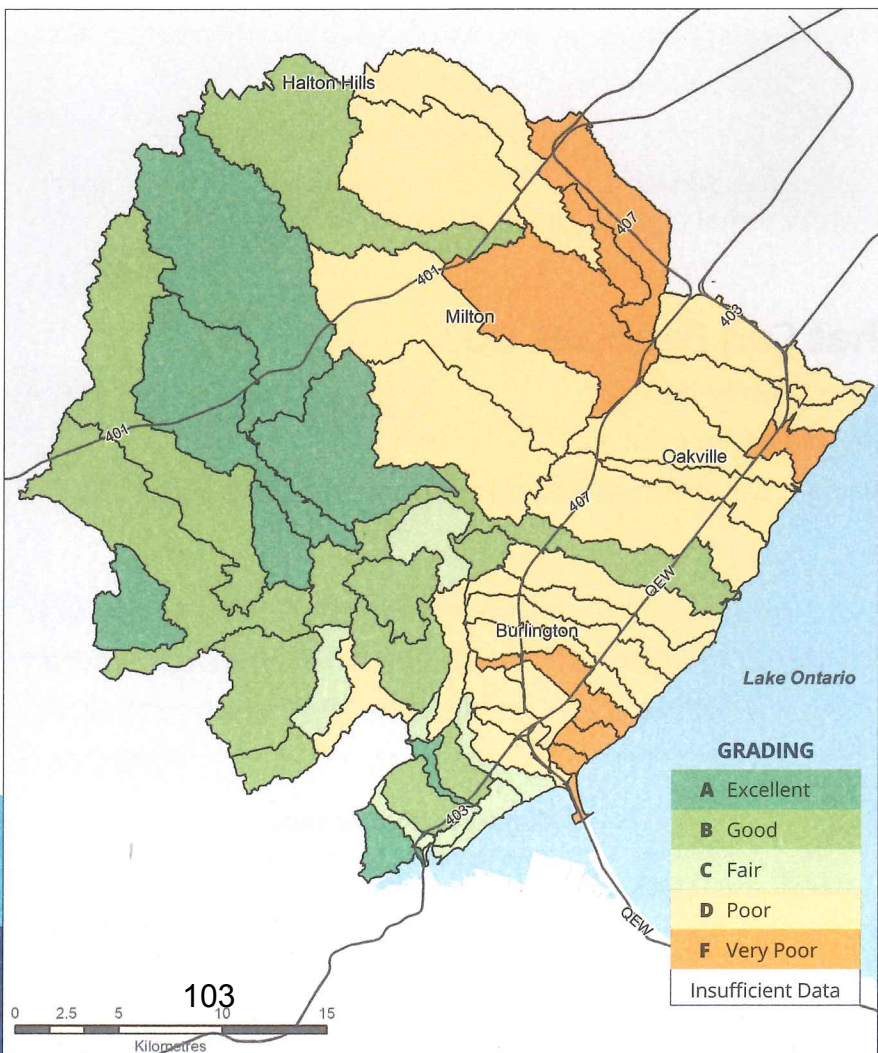


# FOREST CONDITIONS

*Grades are based on the percentage of forest cover, forest interior (100m from the forest edge) and streamside vegetation that is forested. Streamside forests in particular help improve water quality.*

## What Did We Find?

- Grades ranged from A (Excellent) to F (Very Poor), with mostly D (Poor) grades.
- Majority of forest cover was found above the Niagara Escarpment where urban development and agricultural activities are limited.
- Large tracts of forests are scarce and while streamside vegetation is good in some areas, increases in streamside vegetation will aid in improving the health of aquatic and terrestrial ecosystems.

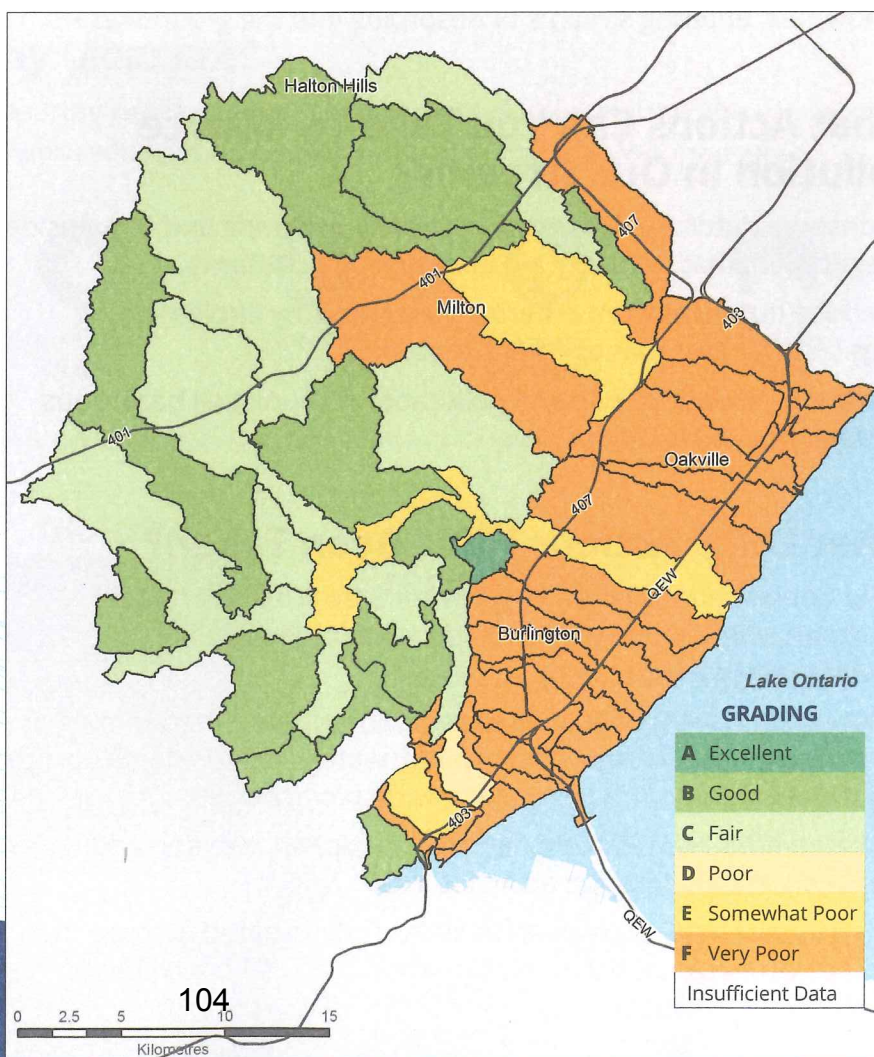


# IMPERVIOUS COVER

*Grades are based on the percent of land cover that cannot absorb water (such as paved or hard surfaces). A greater amount of impervious cover increases the volume of water runoff, which impacts stream health by altering habitats, increasing water temperatures and adding pollutants to the watercourse.*

## What Did We Find?

- Grades ranged from A (Excellent) to F (Very Poor).
- Maintaining natural cover and implementing low impact development (LID) practices encourage infiltration.
- Areas of urban development older than 40 years (South Burlington, South Oakville, Waterdown and Milton downtown core) have the lowest scores (F).
- Areas near or above the Niagara Escarpment have more natural cover that is pervious resulting in higher scores ranging from A to C.







# WHAT IS ONE OF OUR WATERSHED'S KEY ISSUES?

## **Pollution Of Our Streams:**

- Chemical and physical pollution (including thermal pollution) have impacts on animals that live in or nearby streams.
- Pollution comes from various sources across urban, residential and agricultural landscapes.
- Pollutants and soils run off fields, roads and yards during rain or snowmelt, entering streams or absorbing into the groundwater.

## **What Actions Can You Take To Reduce Pollution In Our Streams?**

- Conserve natural landscapes, especially wetlands and streamside vegetation, that naturally aid in removing pollutants.
- Reduce nutrients from entering waterways by implementing agricultural best management practices.
- Properly dispose of harmful pollutants at municipal hazardous waste drop-off locations.

## **What Local Actions Have Been Taken?**

- The Conservation Halton Landowner Stewardship Program partners with landowners to undertake projects to improve habitat and water quality.
- More than 65,000 people attended educational programming at our parks in 2017, and more than 11,000 watershed residents participated in conservation outreach and stewardship activities.
- Conservation Halton completed 37 floodplain, wetland and watercourse restoration activities in 2017.
- It's a team effort! Conservation Halton participated in more than 130 environmental partnership initiatives in 2017, including a major restoration undertaking at Courtcliffe Park in Hamilton, and the 12th anniversary of the very successful Halton Children's Water Festival.

# HOW CAN WE ENHANCE THE WATERSHED?

## What Can You Do?

- Increase natural vegetation on your property, especially along shorelines.
- Seek alternatives to road salt, fertilizers and pesticides.
- Reduce storm water runoff by redirecting water to permeable surfaces such as gardens or grass.
- Conserve water, use a rain barrel.
- Participate in community tree planning or restoration opportunities.
- Explore and enjoy the natural resources around you!



## What Can Your Community Do?

- Support initiatives to improve stormwater management.
- Adopt low impact development practices to help reduce runoff.
- Direct development away from areas of environmental significance.
- Minimize salt use and explore new alternatives.
- Protect wetlands and other natural heritage features.
- Support monitoring and restoration initiatives in order to track environmental change and improve conditions.

## What Can Agencies Do?

- Protect wetlands.
- Green their operations.
- Evaluate the effectiveness of environmental programs.

*Do you have questions not answered by this summary document? Visit [conservationhalton.ca](http://conservationhalton.ca) or contact us for more information:*

.....



### Conservation Halton

2596 Britannia Road West  
Burlington, ON L7P 0G3

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**Phone:** 905-336-1158 | **Fax:** 905-336-7014



City of Burlington  
426 Brant Street  
Burlington, Ontario  
L7R 3Z6

Members of Council,

Climate change is no longer a distant threat, but a visible reality. At IKEA Canada, we believe that climate change is one of the biggest challenges that humanity faces.

In the future, Canada and the world will see a dramatic sea-level rise, changes in weather patterns, and food and water crises. IKEA Canada is doing its part through a number of initiatives including the instillation of solar panels on our stores and our commitment that by 2025 our "last-mile" deliveries to customers will be through zero-emissions vehicles or other means. However, real action on climate change requires the support of everyone, including government.

IKEA Canada is proud to support the City of Burlington's proposed Climate Emergency Declaration. Local and regional governments are key players who are well-placed to develop collaborations with local stakeholders that are fundamental to tackling climate change.

IKEA Canada welcomes a process where we can work collaboratively with our local partners to affect real climate change solutions, including the City of Burlington's Climate Action Plan.

With thanks,

A handwritten signature in blue ink, appearing to read "Mirowski".

Melissa Mirowski  
Sustainability Leader  
IKEA Canada



# ... Memo

**To:** Members of Council

**From:** Mayor Marianne Meed Ward

**Date:** April 18, 2019

**Re:** Municipal Assets Initiative Project – Grindstone Creek

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Colleagues,

There is an opportunity for the City of Burlington in partnership with Conservation Halton, Royal Botanical Gardens and the City of Hamilton on a Municipal Natural Assets Initiative (MNAI) to protect our natural assets in the Grindstone Creek area of our Greenbelt.

The project would support and guide municipalities in identifying, valuing and accounting for natural assets in their financial planning and asset management programs and developing leading-edge, sustainable, cost-effective and climate resilient infrastructure. The program will assist participating organizations to better manage our infrastructure and natural assets in the face of climate change, development pressures, and increasing challenges associated with asset management. It also presents an opportunity to leverage financial contributions as the Friends of the Greenbelt Foundation is also contributing funds.

MNAI recently partnered with the Friends of the Greenbelt Foundation and is soliciting expressions of interest for up to 7 smaller/rural local governments (as attached) to host a pilot project located in a watershed area within or originating within Ontario's Greenbelt. Through this project, MNAI offers guidance and support through scientific, financial and municipal services management expertise. Partners are expected to commit to the approach, provide in-kind multi-disciplinary staff support, provide data, designate a project/partner lead, commit a total of \$105, 000 (split among the partners), and participate in evaluation interviews/follow up exercises for 3 years after the close of the project.

Conservation Halton has reviewed the Expression Of Interest (EOI) and is interested in partnering on a pilot project for either the Grindstone Creek (preferred) or Bronte Creek, both of which originate in the Greenbelt and flow through rural portions of Burlington and Hamilton. Grindstone Creek is preferred as this includes Hamilton, downstream lands in Burlington and the RBG.

Conservation Halton would be the lead and costs would be shared. Further information about the initiative is in the attached letter from Conservation Halton (Appendix A)

Total funding from City of Burlington up to the amount of \$35,000 is to be provided from the Tax Rate Stabilization Reserve Fund.

This initiative dovetails nicely with our ongoing work on climate change adaptation and mitigation and can be integrated into existing staff work programs. It is one of the initiatives mentioned in a handout we received at our Climate Change workshop from the speaker from the Intact Centre for Climate Adaptation



(see document “Combatting Canada’s Rising Flood Costs” via natural infrastructure), produced in partnership with the Intact Centre on Climate Adaptation.

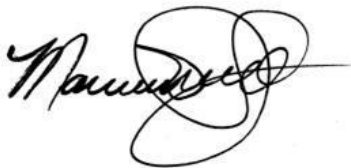
There is some urgency to indicating our interest to participate, as there is no formal intake period, but the EOI period will close as soon as suitable candidates are found. A copy of the EOI is attached as Appendix B MNAI can be found at <https://mnai.ca>.

I believe this program represents an opportunity for the city to continue our efforts to be flood resilient and protect our natural assets and infrastructure. Please find attached the letter of collaboration and the Appendix from MNAI.

I request that Council support the following motion:

- That Council endorse an Expression of Interest to participate in the MNAI program, including related financial and staff commitment.
- That Council authorize the Executive, Director of Capital Works and related departments to work with Conservation Halton and other parties to complete the application.
- That upon passage of this resolution, city staff continue discussions with counterpart staff at the City of Hamilton and Royal Botanical Garden to seek their participation in the program.

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

Appendix A



## **Municipal Natural Assets Initiative (MNAI):**

### **Watershed-level project in Ontario's Greenbelt**

#### ***("MNAI in Ontario's Greenbelt Project")***

#### **Call for Expressions of Interest**

**Date issued: January 24 2019**

**Expression of Interest period will close as soon as suitable candidates found**

## **1. Purpose**

This document is to solicit an expression of interest from up to 7 smaller/rural local governments<sup>1</sup> to host a single Municipal Natural Assets Initiative (MNAI) project located in a watershed area within or originating within Ontario's Greenbelt.

## **2. Project objective and components**

The objective of the *MNAI in Ontario's Greenbelt Project* is to help participating local governments identify, prioritise, value and manage key natural assets. This will result in the natural assets providing core services such as storm water management in a cost-effective and reliable manner for the long-term, which can in turn: save money relative to engineered alternatives; reduce risk and potential liability, and result in sustainable service delivery to the community. To achieve this, participating local governments will, together with MNAI:

- Identify: (a) natural assets of interest (e.g. wetlands, forested areas); (b) the ecosystem functions of the identified asset(s) (e.g. a wetland or forested areas may store water) and (c) the municipal services derived from the ecosystem function (e.g. a wetland's water storage function may reduce local or downstream flooding, or have potential to do so);
- Determine different scenarios to model – for example, finding out what will happen to natural asset in climate change scenarios, with land use intensification, or development;

---

<sup>1</sup> E.g. villages, towns, areas with lower population density and/or long-distance to area with higher population density.

- Determine beneficiaries of the services provided by the natural asset;
- Determine the economic value of the municipal functions provided by the natural asset; specifically, what it would cost the local government to provide the same service by an engineered means; and,
- Develop costed operations and maintenance plan and other measures to manage the identified natural asset effectively.

The participating local governments will have differing individual contexts but will be working collaboratively together within the framework of a single project.

### 3. What does MNAI provide to participating local governments?

MNAI supports *MNAI in Ontario's Greenbelt Project* local government participants by providing:

- a) Project scoping support to ensure a common understanding amongst the local governments of the initiative and its objectives;
- b) Municipal natural asset management guidance package developed by MNAI, and which draws on material from the Federation of Canadian Municipalities, the Canadian Network of Asset Managers Asset Management BC and others;
- c) Detailed templates for each of the 3 phases of the asset management cycle (assess, plan, implement – see Figure 1);
- d) A research paper on infrastructure/natural asset funding programs, and plain-language summaries of four other research papers already prepared for MNAI; and,
- e) Three in-depth, on-site workshops, one for each asset management cycle phase, as follows:
  - *Workshop 1:* introduce the asset management framework, ecosystem services and municipal natural asset management; describe how to conduct a natural asset inventory; and determine the condition and beneficiaries of natural assets as well as associated risks;
  - *Workshop 2:* provide guidance on how to estimate the value of the services provided by identified natural assets, including introducing methodologies and data requirements;
  - *Workshop 3:* provide guidance on: the development of operations and maintenance plans; the development of financial plans to maintain and replace the asset; and other strategies (e.g. Development Cost Charge Bylaws and Subdivision Bylaws; and private land issues) that may be considered to advance



the better management, rehabilitation and restoration of identified natural assets;

- f) “Help desk” technical support to participating municipalities over 12 months at approximately 35 hours per month across the participating municipalities. This typically involves: support for scoping data needs; support in finding data sources to enable modelling; trouble-shooting; training on modelling (e.g. EPA SWMM model); support for developing an Operations and Maintenance plan (or equivalent where private land is involved);
- g) Support to identify the natural assets of highest priority;
- h) Economic analysis to determine the value of the natural assets’ services in a single watershed;
- i) Modelling for prioritised natural assets in the watershed (approximately 425 hours of modelling time will be provided assuming 7 participants);
- j) Project evaluation at the end of the pilot (monitoring will be conducted throughout); and,
- k) A final 15-20-page public report that summarizes the project and its findings.

#### **4. What do the participating local governments provide as part of the project?**

Participating local governments are expected to:

- a) Demonstrate explicit written support (letter or resolution) from participating Council and/or the Chief Administrative Officer for the project, including for allocating additional staff capacity;
- b) Demonstrate clear commitment to a structured asset management approach across the organization;
- c) Commit to supporting the identification of data sources, providing data, and working individually and to do the work required to fill in the templates;
- d) Commit to exploring changes to decision-making as a result of the project, including, for example, costed Operations and Maintenance Plans;
- e) Commit the engagement of a multi-disciplinary staff team representing relevant departments such as Finance, Public Works, Planning, Engineering, and Parks. If the community already has an asset management committee then the involvement of someone from this group is needed;
- f) Designate a project lead that will also be the primary focal point for MNAI;
- g) Commit a total of \$105,000 (so if there are 7 participants this could be allocated at \$15,000/local government).
- h) Participate in project evaluation interviews at the close of the project; and,
- i) Commit to follow up exercises at 1, 2, and 3 years after the close of the project



so that MNAI can assess and communicate long-term impacts.

## 5. Additional considerations for applicants

- Local governments may wish to partner with Conservation Authorities for some aspects of their proposal;
- MNAI projects require incremental staff resources and thus needs to be built into workplanning;
- MNAI initiatives are most successful when they link to core municipal priorities such as storm water management planning;
- Participating local governments contribute a fraction of overall project costs; MNAI also receives funding for *MNAI in Ontario's Greenbelt Project* from the Friends of the Greenbelt Foundation. This means that local government contributions are highly leveraged;
- In addition to the financial contribution noted in 4(g), municipalities should be able to provide a suitable room(s) for each launch workshop. Suitable workshop locations will be determined with participants;
- Local governments are expected to share publicly their experiences with MNAI. Communication regarding project activities will be undertaken according to a communications protocol developed by MNAI; and,
- The primary natural asset services considered in this project relate to stormwater management.

## 6. Applying

*What should go in my expression of interest?*

Up to 7 local governments in a single watershed (or ecologically similar region) should develop a single letter, signed by each participants CAO or equivalent, that outlines:

- a) The rationale for hosting an MNAI watershed project;
- b) The watershed, specific natural assets, services and scenarios that are of greatest interest;
- c) The ability to contribute sufficient capacity to the project, as outlined in Section 7;
- d) A willingness and ability to contribute g. for a total of \$105,000, spread across the participating local governments if selected as an MNAI project.

*How are applications evaluated?*



Applications will be evaluated on:

- A commitment to asset management;
- A clear initial understanding of priority natural assets and project objective;
- Capacity commitment sufficient to successfully manage the project; and,
- A commitment to implementing / acting on the results of the project.

*What happens after we apply?*

Local government applicants will be contacted as soon as decisions are made. A memorandum of understanding will be signed with successful applicants.

The first of three workshops will occur as soon as practically possibly following the signing of a memorandum of understanding. The project will run until Summer 2020.

*Where can I get additional information?*

The MNAI website is: [MNAI.ca](http://MNAI.ca). The MNAI Facebook page is: <https://www.facebook.com/municipalnaturalassets/>

**Please submit expressions of interest to: [info.mnai@gmail.com](mailto:info.mnai@gmail.com)**

Partial funding for this initiative is supported by the Friends of the Greenbelt Foundation. This project aligns with the Foundation's goals to increase climate resiliency in the region by promoting natural solutions such as green infrastructure.

## 7. Background

### About MNAI

MNAI offers a methodology and support for local governments to integrate natural assets into core asset management and financial processes using the same systems as for engineered assets. The methodology and support are based on traditional asset management systems (see Figure 1 below). The result is that natural assets are understood, managed and valued by local government in terms of the services that they provide (e.g. localized or downstream flood management). This, in turn, helps local governments manage risk by better understanding and accounting for services from natural assets and deliver services reliably and cost-effectively.



**Figure 1. Municipal natural asset management is based on standard asset processes with which Canadian local governments are increasingly familiar and required to adopt.**

**Source: Asset Management BC**

To date, MNAI has completed one national cohort to enable local governments to undertake municipal natural asset management; launched a second national cohort that will be complete by the end of 2019; launched watershed projects in Ontario and BC; and undertaken a range of research projects. Full details are at [MNAI.ca](http://MNAI.ca).

MNAI is a not-for-profit entity incorporated under the *BC Societies Act*. It was originally convened by: The Town of Gibsons, Smart Prosperity Institute, The David Suzuki Foundation, and Brooke and Associates.

Participating local governments will interact primarily with the Director of MNAI, the Technical Director, and Technical Team. The technical team comprises a hydrologist, GIS



specialist, modeler, water resources engineer, and economist.

Table 1 describes main differences between MNAI's national cohort initiatives, and watershed-level approaches.

#### *Friends of the Greenbelt Foundation*

The Greenbelt permanently protects over 2 million acres of agriculture and environmentally-sensitive lands, clean and abundant fresh water supplies and a vibrant rural economy. The Greenbelt also extends into the region's major city centres through 21 urban river valleys.

Through research, grants and communication activities, the Friends of the Greenbelt Foundation invests in climate resilient communities and working, rural landscapes, contributing to a high quality of life and prosperity in the region. In particular, the Foundation invests in the Greenbelt's already available natural solutions that provide over \$3.2B annually in public benefits such as flood protection, recreation, fresh water and local food. As the population and urbanization of the region expands, the Greenbelt will only become more important. Through a climate mitigation and adaptation lens, the health of the Greenbelt and its river valleys is essentially to improving resilience in the region.

The MNAI program, and municipal natural asset management in general, offers tremendous advantages to local municipalities in reducing infrastructure costs and vulnerabilities and protecting and improving the Greenbelt's natural systems.

#### *Why does municipal natural asset management matter?*

In municipalities across Canada, infrastructure is aging, capital and operating costs are rising, and service delivery is strained by growing populations and shifting conditions. Ecosystems are in decline in many communities. Climate change will exacerbate these challenges.

To provide community services in a cost effective and sustainable manner now and in the future, local governments are looking for ways to improve management of the critical assets that supply these services.

*Asset management* -- the process of inventorying a community's existing assets, determining the current state of those assets, and preparing and implementing plans to maintain or replace assets--allows municipalities to make informed decisions regarding a community's assets and finances. Within this context, there is growing evidence that natural assets provide, or could be restored to provide, services just like engineered assets,

and often at lower costs<sup>2</sup>.

However, most local governments lack policies and methods to measure the services provided by natural assets or the risks to services if the natural assets become degraded. In most communities, natural assets have not been considered on equal footing with engineered assets or included in asset management plans, limiting the possibility that their maintenance and rehabilitation is accounted for in municipal operating budgets and long-term financial plans.

**Table 1: National Cohort Approach versus Watershed Approach**

<b>National cohort approach</b>	<b>Watershed approach (this project)</b>
Participants located across country	Participants located in close proximity, in a single watershed (or connected/neighboring sub-watersheds)
Participants of all sizes	Participants are primarily smaller/rural local governments
One or more natural assets per community in each of 5 communities across Canada	Prioritised natural assets within single watershed
Participants collaborate mainly via webinar to share lessons	Collaboration in context of a single watershed is inherent part of project and is facilitated through 3 on-site workshops
Single launch workshop followed by extensive help desk support & webinars	Three on-site workshops with less help desk support and greater use of self-study with MNAI-developed templates
Participants expected to have made substantial progress in asset management.	Basic asset management is integrated as part of the curriculum, using as a foundation Asset Management BC and FCM approaches.
Local government participants do own modelling / scenario development with support from MNAI	MNAI does all modelling for prioritised natural assets in the watershed. These activities are additional to the project supported by NRCAN and Province of BC.

<sup>2</sup> Definitions related to municipal natural asset management can be found here: <http://mnai.ca/media/2018/02/finaldesignedsept18mnai.pdf>



905.336.1158  
 Fax: 905.336.7014  
 2596 Britannia Road West  
 Burlington, Ontario L7P 0G3  
[conservationhalton.ca](http://conservationhalton.ca)

Protecting the Natural  
 Environment from  
 Lake to Escarpment

April 3, 2019

Dear Mayor Meed-Ward,

There is an opportunity for Conservation Halton (CH) and the Cities of Burlington and Hamilton to partner on a project through The Municipal Natural Assets Initiative (MNAI). The project would support and guide municipalities in identifying, valuing and accounting for natural assets in their financial planning and asset management programs, and developing leading-edge, sustainable, cost-effective and climate resilient infrastructure. The objectives of the project are to help participating partners identify, prioritise, value and manage key natural assets with the goal of saving money relative to engineered alternatives, reduce risk and potential liability, and result in sustainability service delivery to the community. This project aligns with our goals to increase climate resiliency in the watershed by promoting natural solutions such as green infrastructure.

In my opinion, this represents an excellent opportunity to collaborate on a watershed project that has practical outcomes. It will help participating organizations better-manage our infrastructure and natural assets in the face of climate change, development pressures, and increasing challenges associated with asset management. It also presents an opportunity to leverage financial contributions as the Friends of the Greenbelt Foundation is also contributing funds.

The Initiative started in British Columbia but has grown over the past five years to provide services across Canada. Within our area, MNAI has worked on pilot projects with Oakville and Peel Region/Credit Valley Conservation. MNAI recently partnered with the Friends of the Greenbelt Foundation and is soliciting expressions of interest for up to 7 smaller/rural local governments (as attached) to host a pilot project located in a watershed area within or originating within Ontario's Greenbelt. Through this project, MNAI offers guidance and support through scientific, financial and municipal services management expertise. Partners are expected to commit to the approach, provide in-kind multi-disciplinary staff support, provide data, designate a project/partner lead, commit a total of \$105,000, and participate in evaluation interviews/follow up exercises for 3 years after the close of the project.

Conservation Halton has reviewed the Expression Of Interest (EOI) and is interested in partnering on a pilot project for the Grindstone Creek watershed which originates in the Greenbelt and flow through rural portions of Burlington and Hamilton. There is no set date for the submission of expressions of interest, but the EOI period will close as soon as suitable candidates are found. A copy of the EOI is attached. MNAI can be found at <https://mnai.ca>

Given the rolling intake (some urgency to submit), I'm reaching out to you to see if we can establish a partnership between CH, Burlington and Hamilton. CH would be the coordinating partner and costs would be shared. This project can provide the kind of urban/rural connections we need to look at to mitigate downstream stormwater costs by investing in, and valuing/accounting for upstream green infrastructure.

We look forward to sharing our expertise and combining our efforts to advance this initiative and work collaboratively with our colleagues from Burlington and Hamilton to establish Terms of Reference and a joint team to work on implementation.

Regards,  
Hassaan Basit

A handwritten signature in black ink, appearing to read 'Hassaan', followed by a horizontal line.

Chief Administrative Officer  
Conservation Halton  
2596 Britannia Road West, Burlington, ON L7P 0G3  
905.336.1158 | [conservationhalton.ca](http://conservationhalton.ca)

C.C: Councillor Rory Nisan, City of Burlington  
Tim Commisso, Interim City Manager, City of Burlington