

CM-01-21

APPENDIX A

Burlington Lands Partnership

**TERMS OF REFERENCE**

January 2021

# CONTENTS

<b>Context</b> .....	<b>1</b>
What is the Burlington Lands Partnership? .....	1
Why is the Burlington Lands Partnership Needed? .....	1
Mandate of BLP .....	2
<b>Burlington Lands Partnership – Strategic Approach</b> .....	<b>4</b>
Vision .....	4
Mission .....	4
Principles .....	4
Strategic Focus .....	4
<b>Governance</b> .....	<b>6</b>
Overview .....	6
BLP Steering Committee .....	6
BLP Working Groups .....	7
Duration and Transition .....	7
<b>Term of Reference – At a Glance Summary</b> .....	<b>7</b>

## CONTEXT

### What is the Burlington Lands Partnership?

The Burlington Lands Partnership (“BLP”) is a flexible, multi-dimensional and integrated approach that seeks to address multiple areas of municipal strategic land management including acquisition and development. This strategic forward-looking approach will encompass the leveraging of future municipal land investments to maximize the potential benefits for the City and related partners. For the City, the BLP will initially focus on achieving tangible and measurable community benefits and returns in three areas: supporting economic growth and direct job creation, completing “city building” projects and delivering much needed affordable housing.

Oversight and strategic direction will be provided by a new steering committee that is ultimately accountable to Burlington City Council. The committee is proposed to consist of the Mayor, the City Manager, the Council member serving as current Chair of the Community Planning, Regulation and Mobility Committee, key senior municipal staff, and representation from Burlington Economic Development (both the Board and staff).

Additional partner-based stakeholders such as community leaders, the heads of community organizations, and representatives of private corporations are proposed be part of smaller project specific task forces that are accountable and report out to the BLP Steering Committee.

### Why is the Burlington Lands Partnership Needed?

- There are several strategically positioned and emerging municipal land development opportunities within Burlington, but there is no single entity that has the mandate and resources to realize the opportunities for the long-term benefit of the City.
- The establishment of a full-scale municipal development corporation (MDC), under the Municipal Act, would involve an onerous amount of capital investment and resources, which would challenge the City’s current strategic priorities, particularly in light of the COVID-19 pandemic. As reported to CPRM Committee (CM-29-20, Oct. 6,20), a different approach is needed at this time.
- There is widespread support for the City to take a greater strategic role in targeting municipal land development in Burlington.
- Burlington has many active community organizations and not-for-profits which could engage in mutually beneficial partnerships to aid in developing communities within Burlington.
- A partnership in this form allows for the City, Burlington Economic Development (Burlington EcDev), and a coalition of public and private sector partners to pursue

additional funding and strategic partnerships including but not limited to the Halton Region, Province of Ontario and Government of Canada.

## Mandate of BLP

Throughout 2020, urbanMetrics was engaged by the City of Burlington to assess the viability, function and structure of a municipal development corporation or other strategic land entity to facilitate the development of City owned lands with a focus on economic development and city building initiatives.

The study was undertaken in conjunction with a governance study conducted by MDB Insight to examine the role of the Burlington Economic Development Corporation. In addition to a case study review of the land development entities in other municipalities and an assessment of development opportunities within the City, the urbanMetrics study included an extensive consultation program with the Burlington business community, Council and City staff and the Burlington Economic Development Corporation. The recommended approach to a strategic land development entity, which was subsequently brought forward and recommended by the City Manager as the Burlington Land Partnership (BLP), involved the following:

- The internal strategic real estate structure would involve Burlington EcDev, as well as other, potential partners, such as Halton Region, other public agencies, private industry and private and public institutions including not-for-profit community groups, as required.
- Oversight and strategic direction would be provided by a steering committee that would ultimately be accountable to Council. The City Manager, as staff lead, would be responsible for strategic managerial leadership and would serve as chair of the steering committee. Outside consulting expertise would be engaged as needed.
- The mandate of the organization or partnership would be on leveraging real estate to:
  - Maximise opportunities for economic growth and job creation;
  - Develop and implement city building projects; and
  - Create opportunities for the development of affordable housing.
- Ultimately the BLP should have access to City staff and other resources to seek, identify and develop strategic land opportunities into viable projects; to direct the acquisition and disposition of related City lands; to undertake land and facility development visioning and design; to obtain necessary planning approvals; and to fully engage with outside partners.
- Initially, the BLP should be tasked with seeking, identifying and developing opportunities into viable strategic land projects. A number of opportunities have been presented through the urbanMetrics and Cresa studies. These, as well as others that may be

identified in the future, need to be more formally prioritized and envisioned complete with detailed project plans, recommended by the BLP Steering Committee and approved by City Council.

- The BLP would be the first step towards the creation of a municipal development corporation, however this would not occur until 2023 (at the earliest) following a reporting to Council on the activities and accomplishments of the BLP in 2021/22.
- Establishing the BLP as a first step, achieves a good balance among the opportunities, the desire for augmented internal strategic land capabilities, the current resource capacity limitations and the need for due diligence and caution.
- The BLP will:
  - Place a priority corporate focus on realizing strategic land opportunities.
  - Build on and leverage existing skills, relationships and expertise within the City and Burlington EcDev.
  - Enable an interim integrating structure to build organization capacity and expertise and deliver key outcomes related to strategic land management.
  - Provide increased organizational capacity through the development and approval of ongoing due diligence contracts with external services firm(s) that have expertise across all facets of strategic land management.
  - Provide an integrated and accountable organizational structure including a steering committee, designated staff leads and enhanced business processes including Council oversight (both open and closed session reporting in keeping with the City's existing procedural by-law).
- After an initial start-up period of two years, the organization should be evaluated on an annual basis, with respect to achieving measurable results related to:
  - Supporting job creation, business creation and economic expansion;
  - Developing and implementation of community-wide "City building" projects;
  - Realizing tangible affordable housing opportunities and increased housing supply;
  - Fiscal impact (increased assessment base/taxes, development charges, other fees);
  - Enhancing the profile of the City and contributing to the public identity of Best City to Live in Canada;
  - Supporting the City's 25-year Strategic Plan, Council's Vision to Focus 4-year workplan and community planning and other land related policies; and
  - Delivering value for money and cost effectiveness to Burlington taxpayers.

## BURLINGTON LANDS PARTNERSHIP – STRATEGIC APPROACH

### Vision

Burlington remains a prosperous, vibrant and affordable community that continues to be one of Canada's best places to live and do business, with a remarkable quality of life strengthened through partnerships, economic development and city building initiatives.

### Mission

Through innovation, strategy and partnerships, the Burlington Lands Partnership, will pursue and unlock the potential of strategic land opportunities that enhance the quality of life and growth of Burlington residents and businesses.

### Principles

The Burlington Lands Partnership will:

- Place a priority corporate focus on realizing strategic land opportunities.
- Build on and leverage existing skills, relationships, and expertise within the City and Burlington EcDev.
- Facilitate coordination and cooperation between community organizations, not-for-profits, private corporations, and the City and Burlington EcDev.
- Enable an interim structure to build organization capacity and deliver key outcomes related to strategic land management.
- Provide an integrated and accountable organizational structure including a steering committee, designated staff leads and enhanced business processes including Council oversight (both open and closed session reporting).

### Strategic Focus

The Burlington Land Partnership will use a wide range of approaches depending on what is appropriate or possible and contingent on the needs, interested partners, and resources available for any one specific strategic land related project or opportunity. The BLP will:

- Lend expertise and enable connections to commercial and residential land development that is undertaken by the City of Burlington, land holding community organizations or not-for-profits or private developers interested in working with the BLP.

- Work with private businesses to foster job-creating commercial real estate developments in strategic areas such as the Innovation District and Major Transit Station Areas.
- Partner with Halton Region and other organizations with an affordable housing mandate, to develop affordable housing or seek to incorporate additional affordable housing into future private or public housing developments, including but not limited to the completion and implementation of the City of Burlington Comprehensive Housing Strategy starting in 2021.
- Work with other interested potential partners and key stakeholders to ensure all surplus school sites within Burlington are evaluated and where possible, developed in a manner that improves quality of life in the local neighbourhoods and generates public value.
- Place a strategic focus on the following three priorities:

### 1) Encouraging Economic Development.

**Objective:** *To maximize business development opportunities and advance future economic growth and job creation.*

**Key Stakeholders:**

- Local businesses
- Regional businesses seeking to expand their presence
- New businesses to the region
- Commercial property developers
- Regional Municipality of Halton
- Provincial and Federal funding partners

### 2) Implementing City-Building Initiatives

**Objective:** *To facilitate the implementation of city building projects that enhance the quality of life for all citizens.*

**Key Stakeholders:**

- City Building project partners
- Regional Municipality of Halton
- Local landowners and property developers
- Provincial and Federal funding partners

### 3) Delivering Affordable Housing

**Objective:** *Develop and implement projects that deliver an increased supply of affordable housing through proactive long-term strategies and innovative partnerships.*

**Key Stakeholders:**

- Regional Municipality of Halton
- Residential Property Developers
- Housing Focused Not-for-Profits (such as Habitat for Humanity)
- Provincial and Federal funding partners

## GOVERNANCE

### Overview

The Burlington Lands Partnership governance structure borrows from lessons in other municipalities and the ongoing operations of the Burlington Economic Development Corporation. First, BLP is led by and accountable to Burlington City Council. Second, BLP provides an integrated and accountable organizational structure including a steering committee, designated staff leads, and enhanced business process with Council oversight including both open and closed session reporting.

Oversight and strategic direction are provided by a steering committee that is ultimately accountable to City Council. The committee is comprised of the Mayor, the City Manager, selected members of Council and appropriate senior staff, and representation from Burlington EcDev.

### BLP Steering Committee

The BLP Steering Committee will provide ongoing strategic leadership and oversight and will be established by City Council with approval of BLP Terms of Reference.

Membership consisting of the following for a period of 2 years (with exception of Chair of CPRM committee which is 1 year concurrently with their term as chair).

- Mayor.
- Current Chair of the Community Planning, Regulation and Mobility Committee of Council.
- City Manager (Chair).
- Chief Financial Officer.
- Executive Director - Legal Services and Corporate Counsel.
- Executive Director - Community Planning, Regulation and Mobility.
- Executive Director - Environment, Infrastructure and Community Services
- Executive Director - Burlington Economic Development.
- Board Member – Burlington Economic Development.

The BLP will meet on a regular basis (anticipate 3-4 meetings/year) with agenda management including meeting notes prepared/completed to the satisfaction of the City Clerk in keeping with City's procedural by-law.



## BLP Working Groups

- To be determined by the Steering Committee with approval by Council on a project-by-project basis as part of a separate project brief/plan.

## Duration and Transition

The Burlington Land Partnership will function during an initial “pilot period” of two years including 2021 and 2022. A report on the strategic activities and outcomes of the BLP will be presented to Council prior to the end of their 2018-2022 terms and will include recommendations for consideration for the 2023-2026 term of Council.

The BLP represents a transitional approach that allows for the expansion of organizational capacity and a build-up of expertise that will in turn enable further consideration by Council of a formalized municipal development corporation (MDC) in line with other municipalities in Ontario and utilizing the powers allowed under the Municipal Act related to municipal corporations.

## TERM OF REFERENCE – AT A GLANCE SUMMARY

In October 2020, City Council supported the establishment of the Burlington Lands Partnership, a new organizational structure that will oversee the strategic lands management function of the City. The structure is intended to support and complement the ongoing City of Burlington Real Estate function and all other initiatives related to City-owned strategic lands. All members of BLP Steering Committee members will each bring their own expertise and perspectives. Overall, the Steering Committee will make recommendations to Council and decisions (where applicable) in the best interest of the City as a whole.

### BLP Steering Committee Structure and Meeting Protocol:

Structure Items	Burlington Lands Partnership (BLP)
Meeting dates	To be confirmed by Steering Committee
Time	9:00 a.m. – Noon
Frequency	Quarterly or as Required (Anticipate minimum of three (3) meeting/yr.)
Location	To be confirmed including virtual meeting platform if required
Duration	3 hours anticipated
Membership	City Manager
	Mayor
	Chair of Community Planning, Regulation & Mobility Committee

Structure Items	Burlington Lands Partnership (BLP)
	Executive Director of Legal Services & Corporation Counsel
	Executive Director of Community Planning, Regulation & Mobility
	Chief Financial Officer
	Executive Director of Environment, Infrastructure & Community Services
	Executive Director of Burlington Economic Development
	Board Member – Burlington Economic Development (to be confirmed)
Staff/Other Attendees	As required to present or participate in discussion with Steering Committee Staff Lead(s) for the three BLP strategic focus areas are to be confirmed by the Steering Committee at 1 <sup>st</sup> meeting in 2021.
Chair	City Manager
TOR Review	Annually

#### Agendas and Meeting Notes:

Agendas (including confidential materials as it related to property and legal matters) will be published ahead of meeting date, including attached documents required for discussion and decision making. Deadlines for attachments need to be respected to provide adequate time to read all required material to allow for comprehensive participation. If required, agenda items may be deferred at request of BLP member if materials are not distributed by deadlines. BLP agendas and meeting notes will managed/prepared by the City Manager's Office (CMO) and shared confidentially with Steering Committee members, City Clerk and Council Members.

Agenda Items	Burlington Lands Partnership (BLP)
Published	Monday by 12:00
Managed by	City Manager
Attachments	Submitted Friday prior to meeting date by 4:00pm
Agenda additions	BLP Steering Committee Members or Staff Team Lead(s)
Meeting Notes	BLP decisions/action items only (what/who/timeline) confirmed by Chair
BLP Support	CMO Office – To be confirmed
Closed Items	Property matters, legal matters in keeping with COB procedural by-law
Agenda Items	City Manager and Member Verbal Updates - Roundtable
	Detailed strategic land initiative/project reports & presentations by staff leads/external due diligence consultants. The focus of agenda items will be on strategic land related initiatives/projects vs strategic land policy.

	Ongoing strategic land opportunity updates
	Strategic land related communications
	Strategic plan and V2F related items

<b>Reporting Items</b>	<b>Burlington Lands Partnership (BLP)</b>
Reports to	Corporate Services, Strategy, Risk and Accountability Committee (CSSRA)/City Council.
BLP Reports	Staff Leads and other report authors are encouraged to present concise BLP Steering Committee reports c/w recommendations, including use of PowerPoint for presentation and/or handout purposes.

<b>Decision Items</b>	<b>Burlington Lands Partnership (BLP)</b>
Overall	Decisions by BLP will be in the form of: <ul style="list-style-type: none"> <li>A) Report recommendations (including closed session as required) to CSSRA Committee and Council related to strategic land matters.</li> <li>B) Operational directions to Staff lead and/or external due diligence consultants including approval of financial and other resources.</li> </ul>
Decision Making Process	Strive for 100% consensus by BLP Steering Committee. Final decisions on recommendations to CSSRA reside with City Manager, CFO and ED-Legal Services and Corporation Council as per existing Council reporting protocols.