

City Council RCC-11-22

June 21, 2022

Dodged a Bullet?



Cannonball is Coming

- The lease on LaSalle expires at the end of the year.
 - What is Council/staff doing about it?
 - Will it be another last minute improv?
 - Are you just leaving the mess for the next Council?
-
- 6 Ps

Opening Script on Delegations

- If there are no questions it means that you have provided clear comments that don't require clarification.
- I obviously wasn't clear as the Mayor asked staff to clarify my slide on the Addendum to the EA. She wanted to ease the delegate's mind.
- Staff proceeded to mis-inform the committee.
- The floating wavebreak didn't erase the concern of icing preventing the swans from feeding. The Addendum to the EA is based on the Stakeholder meeting regarding the floating wavebreak.

Stakeholder Meeting Minutes.

- AM is Allan Magi
- LB is Liz Benneian

5. Agency/Stakeholder Round Table

AM asked if any concern with the proposed BW and wintering for the Trumpeter Swans

LB Commented that there are concerns with icing over of the water in the winter and that the City has spoken regarding a mitigation plan

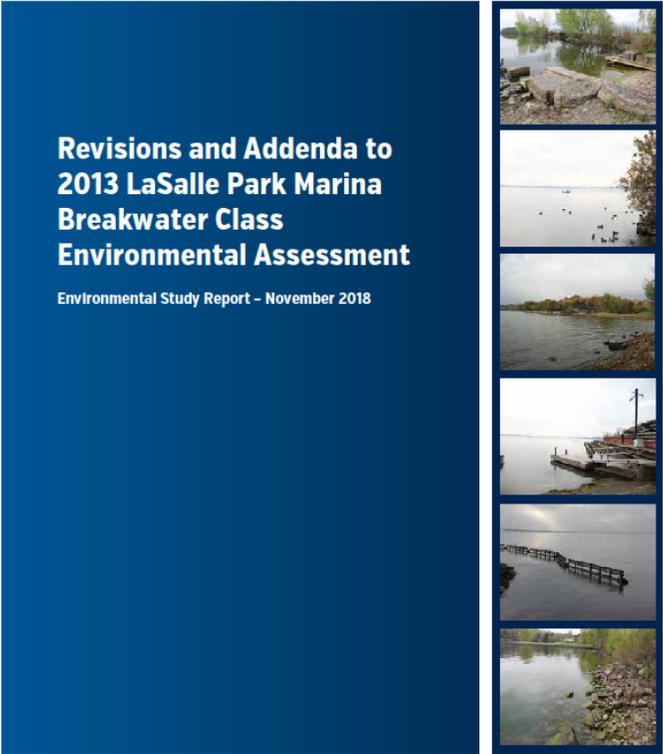
AM confirmed that the City and Trumpeter Swan Coalition had spoken and that a monitoring and mitigation plan would need to be put in place that would require an amendment to the City by-law and enhancement of signage and that the feeding would occur in the beech area and not on the pier.

JB had no objection to that proposal

LB had no objection to the process and or the new BW proposal

CP had no objection to the BW proposal at this time

The Addendum to the EA – November 2018



Page 4 of the Addendum

- The Addendum deals with the change of design from rock to floating Wavebreak
- It documents the agreement made at the Stakeholder meeting.

LaSALLE PARK MARINA
ENVIRONMENTAL STUDY REPORT
ADDENDUM

Public Information Centre

A Public Information Centre for the revised project was held on September 18, 2018 at LaSalle Park Pavilion. Notice of the meeting was provided in the local newspaper and on the City's web site. A total of 94 people signed the project sign-in sheet and 29 comment sheets were received. The majority of the respondents were supportive of the marina operations with concern over the performance of the existing floating breakwater, the desire to be able to leave the floating breakwater in over the winter and the opinion that the best solution for the marina is a fixed rock breakwater.

Concern was also expressed by Burlington Green that near shore habitat is not negatively impacted by the proposal, particularly during the winter months.

A summary of the responses, along with a copy of the responses received is included in Appendix E.

Preferred Breakwater Concept & Environmental Impact

Given funding constraints and the need to act in a timely manner to replace the existing breakwater at LaSalle Park Marina, Burlington City Council has approved funding to replace the existing floating breakwater with a new floating breakwater in substantially the same configuration as the existing, but with a more effective design to better dampen wave action in the marina and with the intent to leave the breakwater in place year round. The floating type design and shorter reach eastward as compared to the expanded 2013 proposed stone or rock fixed breakwater eliminates the concerns of Conservation Halton and the Hamilton Conservation Authority on impacts to aquatic habitat from rock fill in the Bay and impacts to water circulation. To address any potential impacts on wintering habitat for the trumpeter swans raised by the Trumpeter Swan Coalition the City will undertake as part of this project to:

1. Permit the Trumpeter Swan Coalition to monitor conditions through the winter.
2. Amend the City's by-laws with respect to feeding wildlife to permit licensed persons from the Coalition to feed the swans in the beach area to the east of the marina in extreme winter conditions.
3. Work with the Trumpeter Swan Coalition to improve educational signage on wildlife at the marina.

Next Steps

Subject to the completion of this addendum it is the City's intent to proceed to market for the procurement of a new floating breakwater for the LaSalle Park Marina and to have this installed and operational as soon as possible. During this time the City will pursue additional agency approvals as required for the breakwater replacement including:

1. Navigable Waters Act

Addendum to EA Page 4.

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City Undertook to Amend By-law

- That would be By-law 083-2015
- It needs to be amended as follows:
 - 5. That 19 (1) be added "No person shall feed any wildlife except for the licensed members of the Trumpeter Swan Restoration Group for the purpose of banding and tagging trumpeter swans for research and **to feed the swans in the beach area to the east of the marina in extreme winter conditions.**
- I don't understand why this is such a problem for City Staff.
- The Community Engagement Charter calls for an open and transparent process. How is it that the city staff decided that there was no need to modify the bylaw without informing any of the stakeholders?

Accountability

- The first item in the City Commitments in the Community Engagement Charter is Accountability.
- **Accountability:** The City of Burlington will be responsible to its citizens and stakeholders for decisions made and policies implemented, as well as its actions or inactions.
- So how will the City take responsibility for the inaction on the part of city staff with respect to amending the By-law?

Viability of Marina

- Councillor Galbraith stated that the marina is cash flow positive.
- That's because the Operating and Licensing agreement doesn't charge the LPMA enough to replace the wavebreak.
- CW-31-19 stated that the replacement cost of the wavebreak would be \$133,333/yr. The Operating and Licensing Agreement only charges \$85,000/yr. So \$48,333 is being subsidized by the City.