



Corporate Services, Strategy, Risk and Accountability Committee Meeting

Revised Agenda

Date: September 14, 2022
Time: 9:30 am
Location: Hybrid meeting- virtual and Council Chambers, City Hall
Contact: Committee Clerk, Georgie.Gartside@burlington.ca, 905-335-7600 x 7492

Pages

1. **Declarations of Interest:**

2. **Delegation(s):**

Standing committee and City Council meetings are held using a hybrid model, allowing members of Council, city staff and the public the option of participating remotely or in-person at city hall, 426 Brant St. Requests to delegate to this hybrid meeting can be made by completing the online delegation registration form at www.burlington.ca/delegate, by submitting a written request by email to the Office of the City Clerk at clerks@burlington.ca or by phoning 905-335-7600, ext. 7481 by noon the business day before the meeting is to be held.

It is recommended that virtual delegates include their intended remarks, which will be circulated to all members in advance, as a backup to any disruptions in technology issues that may occur. If you do not wish to delegate, but would like to submit correspondence, please email your comments to clerks@burlington.ca. Any delegation notes and comments will be circulated to members in advance of the meeting and will be attached to the minutes, forming part of the public record.

3. **Consent Items:**

Reports of a routine nature, which are not expected to require discussion and/or debate. Staff may not be in attendance to respond to queries on items contained in the Consent Agenda.

3.1. Appointment to Aldershot Business Improvement Area Board (CL-33-22)

Appoint Lorna Hainsworth-Popper to the Aldershot Business Improvement Board of Management for a term to expire on November 14, 2022, or upon appointment of their successor.

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- 3.2. Investigation report from Burlington Ombudsman MUN-14027-0621 (CL-35-22) 5 - 33

Receive and file office of the city clerk report CL-35-22 regarding the investigation from the Ombudsman, file MUN-14027-0621.

- 3.3. Vision to Focus integrated reporting update as of June 30, 2022 (CS-10-22) 34 - 82

Receive and file the Vision to Focus (V2F) integrated reporting update as of June 30, 2022 as contained in Appendix A of corporate strategy report CS-10-22.

- 3.4. Financial status report as at June 30, 2022 (F-29-22) 83 - 100

Receive and file finance department report F-29-22, financial status report as at June 30, 2022.

- 3.5. Mid-year 2022 operating budget performance report (F-30-22) 101 - 106

Direct the Chief Financial Officer to report back on the city's year-end strategy upon confirmation of the 2022 year-end actual.

4. Regular Items:

- 4.1. 2022 Community Benefits Strategy and Bylaw (F-31-22) 107 - 199

Note: This item will be the subject of a Special Council meeting immediately following the September 14, 2022 Corporate Services, Strategy, Risk & Accountability Committee meeting.

Adopt the Community Benefits Charge (CBC) approach to calculate the charges on a uniform city-wide basis; and

Approve the capital project listing set out in chapter 4 of the CBC Strategy dated August 17, 2022, subject to further annual review during the capital budget process; and

Approve the creation of a Community Benefits Charges reserve fund which will contain all CBC monies collected, with associated bylaw as per Appendix D of finance department report F-31-22 to be brought forward to Council for approval; and

Impose the CBC of \$488 per apartment with 2 or more bedrooms and \$362 per bachelor and one bedroom apartment dwelling unit on the day before a building permit is issued; and

Approve the CBC strategy final report dated August 17, 2022 attached as Appendix A to finance department report F-31-22; and

Approve the CBC By-law as set out in Appendix B of the CBC Strategy dated August 17, 2022 with an effective date of September 14, 2022.

- a. *In person delegation from Anne and Dave Marsden, regarding 2022 Community Benefits Strategy and Bylaw (F-31-22)*

4.2. Halton Digital Access Strategy implementation (CM-21-22)

200 - 207

Receive and file city manager's office report CM-21-22 providing an update regarding the Halton Digital Access Strategy review; and

Approve, in principle, an implementation plan for a one-window plan to support the implementation of 5G technology in Burlington, as part of a region-wide approach, "Halton Digital Access Strategy Implementation Plan"; and

Delegate authority to the City Manager to negotiate and present for future Council consideration, the governance framework, associated multiyear financial plan, including incremental net revenue forecast, and related operating and other agreements in consultation with the Executive Director of Legal Services and Corporation Counsel and the Chief Financial Officer; and

Forward a copy of this report to the Town of Halton Hills, the Town of Milton, Town of Oakville, Halton Region and Burlington Hydro, for their information.

- 4.3. City of Burlington Coyote Response Strategy update and response to recent serious attacks on city residents (CM-26-22)

Note: This item will be the subject of a Special Council meeting immediately following the September 14, 2022 Corporate Services, Strategy, Risk & Accountability Committee meeting.

Receive city manager's office report CM-26-22 - City of Burlington Coyote Response Strategy update and, with regard to the City's immediate response to the recent serious coyote attacks on Burlington residents, endorse the actions taken by staff under established authority as outlined in the report at an estimated 2022 one-time cost of \$22,850; and

Approve the single source of a Certified Wildlife Professional (CWP) and authorize the Manager of Procurement Services to sign a multi-year agreement with the CWP for the remainder of 2022 and the duration of 2023, with the option to renew for three (3) additional one (1) year terms; and

Direct the Director of Building and By-law to proceed immediately with the design and implementation of a new two-year Coyote Action and Awareness Program specifically directed at delivering enhanced coyote response services based on the program scope outlined in city manager's office report CM-26-22; and

Direct the Chief Financial Officer to report back to City Council directly on September 20, 2022 with options and recommendations for funding the new Coyote Action and Awareness Program; and

Direct the Executive Director of Community Planning, Regulation and Mobility to report back in Q1 2023 in conjunction with City Council's 2023 budget consideration on the establishment of the proposed new By-Law Compliance Department (as recommended in companion report CM-24-22 in this agenda) inclusive of an enhanced coyote response model as part of the Animal Services function; and

Direct the Executive Director of Community Planning, Regulation and Mobility, following the hiring of a new Director of By-law Compliance, to undertake a full review and update of the current City of Burlington Animal Services By-law (By-law 60-2005) and Coyote Response Strategy by Q4 2023; and

Direct the City Manager, with respect to the February 2022 report, specifically the recommendations of the community association – Burlington & Oakville Coyote Management (BOCM) as outlined in

Appendix B of city manager's office report CM-26-22, to proceed with the implementation of the staff recommendations and next steps and report back on the status in Q1 2023; and

Direct the City Manager to initiate meetings, as required, with the Chief Administrative Officer of the Town of Oakville and senior staff of both Burlington and Oakville to develop and implement a coordinated workplan related to both the BOCM recommendations as well as other City/Town coyote response initiatives including, but not limited to, joint procurement of external professional wildlife management services, joint coyote related data collection, research and analysis and public educational and awareness programs and possible mutual coyote response service agreements; and

Direct the City Manager and Chief Financial Officer to include for consideration in the 2023 proposed budget the recommended resources to fully address all of the above noted service delivery requirements for an enhanced coyote action and awareness program.

a. *In person delegation from Stephen White, representing Burlington & Oakville Coyote Management (BOCM), regarding City of Burlington Coyote Response Strategy update and response to recent serious attacks on city residents (CM-26-22)*

b. *In person delegation from Lesley Sampson, representing Coyote Watch Canada, regarding City of Burlington Coyote Response Strategy update and response to recent serious attacks on city residents (CM-26-22)* 260 - 351

4.4. Designing and evolving our organization – updated department functional design and management structures (CM-24-22) 352 - 368

Receive and file city manager's office report CM-24-22, regarding designing and evolving our organization – updated department functional design and management structures.

5. Confidential Items:

Confidential reports may require a closed meeting in accordance with the Municipal Act, 2001. Meeting attendees may be required to leave during the discussion.

- 5.1. Confidential legal report - Committee of Adjustment appeal regarding 5002 DesJardines Drive (L-28-22)

Pursuant to section 239(2)(e) of the Municipal Act, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

- 5.2. Confidential legal report - update regarding 5111 New Street (L-42-22)

Pursuant to section 239(2)(e) of the Municipal Act, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

6. Procedural Motions:

7. Information Items:

8. Staff Remarks:

9. Committee Remarks:

10. Adjournment:



SUBJECT: Appointment to Aldershot Business Improvement Area Board
TO: Corporate Services, Strategy, Risk & Accountability Cttee.
FROM: Office of the City Clerk

Report Number: CL-33-22

Wards Affected: 1

File Numbers: 125-01

Date to Committee: September 14, 2022

Date to Council: September 20, 2022

Recommendation:

Appoint Lorna Hainsworth-Popper to the Aldershot Business Improvement Board of Management for a term to expire on November 14, 2022, or upon appointment of their successor.

PURPOSE:

To approve the appointment of one new member to the Aldershot BIA.

Vision to Focus Alignment:

- Building more citizen engagement, community health and culture
-

Background and Discussion:

On August 15, 2022 the Aldershot BIA appointed Lorna Hainsworth-Popper to the Board of Management. The Municipal Act, 2001 states in section 204 (3) that anyone selected by the BIA for the Board must be appointed by municipal Council:

“Composition

- (3) A board of management shall be composed of,
- (a) one or more directors appointed directly by the municipality; and

- (b) the remaining directors selected by a vote of the membership of the improvement area and appointed by the municipality. 2001, c. 25, s. 204 (3).”

The Aldershot BIA By-law 102-2010 contains the membership parameters for the Board:

“The Board shall consist of eleven board members, all of whom are appointed by Council, of which one shall be a member of Council, and the remaining ten members shall be:

- a) Persons who, on the last returned assessment roll, are assessed with respect to rateable property in the area that is in a prescribed business property class; or
- b) A tenant of such rateable property who, by the terms of their lease is required to pay all or part of the taxes on the property; and
- c) Who have been nominated by a vote of the membership consisting of persons described in Subsection 4(a) or (b).”

Currently the Aldershot BIA Board is comprised of one Council member and seven citizen members. Lorna Hainsworth-Popper’s appointment will increase the citizen members to eight, which is within the limits established by the by-law.

Financial Matters:

Not applicable.

Climate Implications

Not applicable.

Engagement Matters:

The Board appointments are conducted by the BIA and require Council endorsement. The BIA will be informed once the member has been approved by Council. Further communications regarding membership is the responsibility of the BIA.

Conclusion:

The Aldershot BIA has appointed Lorna Hainsworth-Popper to the Board of Management. Appointing the new member to the Aldershot BIA Board of Management will ensure that the BIA and municipality are in compliance with the Municipal Act, 2001.

Respectfully submitted,

Samantha Yew

Manager of Committee Services/Deputy City Clerk

905-335-7600 ext. 7490

Appendices:

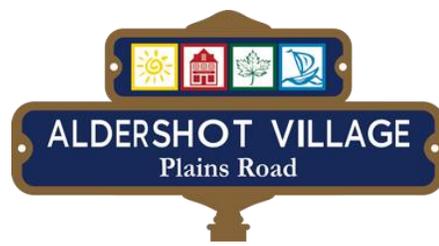
- A. Letter from Aldershot BIA regarding member appointment

Notifications:

Sonia Pagliuso, Chair, Aldershot BIA Board of Directors

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.



Aldershot Village BIA
195 Plains Rd E #6, Burlington, ON
L7T 2C4

Dear Samantha,

Please be advised that Lorna Hainsworth-Popper was voted in as a Board Member.

This motion was passed unanimously by the Board by email, on August 15, 2022

Please let me know if you require any more information.

Sincerely,
Sonia Pagliuso
Board Chair



SUBJECT: Investigation report from Burlington Ombudsman MUN-14027-0621

TO: Corporate Services, Strategy, Risk & Accountability Cttee.

FROM: Office of the City Clerk

Report Number: CL-35-22

Wards Affected: All

File Numbers: 110-03

Date to Committee: September 14, 2022

Date to Council: September 20, 2022

Recommendation:

Receive and file office of the city clerk report CL-35-22 regarding the investigation from the Ombudsman, file MUN-14027-0621.

PURPOSE:

To receive an investigation report from the City's Ombudsman.

Vision to Focus Alignment:

- Deliver customer centric services with a focus on efficiency and technology transformation
-

Background and Discussion:

The Public Sector and MPP Accountability and Transparency Act came into force on January 1, 2016. This legislation expanded the function of the provincial Ombudsman to include investigation of decisions or recommendations with respect to the administrative actions of a municipality. The Municipal Act enables a municipality to appoint their own Ombudsman, who is tasked with conducting investigations with respect to the administrative actions of the municipality.

In December 2020, Council re-appointed ADR Chambers as the Ombudsman for the City of Burlington. The established procedures require that any investigative reports with

recommendations must be considered by Council. This report has no recommendation, and is circulated to Council for information purposes only.

Process items Specific to Ombudsman Reports

- At the July 9, 2020 meeting committee requested that a summary be included as part of the package submitted with the report. ADR Chambers has complied, and it now forms appendix A to this report.
- Appendix B is an investigation report conducted by ADR Chambers on the file MUN -14027-0621, which features a narrative style of reporting on their investigation, it also includes a recommendation section (**no recommendation has been provided**).

Financial Matters:

The administrative fee for ADR Chambers is \$1,000 per month. There are additional costs for investigations. Total costs are reported publicly through an annual report process. The costs are paid from the Legal Contingency Reserve.

Climate Implications

Not applicable.

Engagement Matters:

Not applicable.

Conclusion:

This report transmits an investigation report from ADR Chambers and staff's response.

Respectfully submitted,

Kevin Arjoon

City Clerk

905-335-7600

Appendices:

- A. Executive Summary of Investigation MUN-14027-0621 from ADR Chambers
- B. Final Report regarding MUN-14027-0621 with findings from ADR Chambers

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.

Executive Summary

Complaint

The Complainant claimed that his neighbour, a commercial strip-mall property, improperly and contrary to the existing site plan for the plaza property, removed a dense tree line buffer between the plaza property and the complainant's residential property. The removal of the trees exposed the complainant to light and sound emissions and has diminished the enjoyment of his property free from such disturbances. Furthermore, wind, which was no longer blocked by the dense brush of the trees, blew over the line fence and caused damage to his vehicle. The Complainant erected a fence on his side of the property and also planted trees to mitigate the problem caused by the removal of the natural tree line buffer by the Plaza owner. The Complainant holds the City responsible for the damage to, and loss of enjoyment of his property due to the City's unwillingness or inability to enforce the site plan and require the plaza owner to replace the trees it removed in contravention thereof. The Complainant sought compensation for the cost of the trees and fence, and an apology.

Findings

Though the unfortunate situation remained unresolved from the perspective of the Complainant, it cannot be reasonably argued, nor do I find, that the City acted unreasonably in attempting to achieve compliance. The evidence provided by the City demonstrates significant (even if futile) efforts to resolve this matter. Its inability to do so (noting that the plantings remain an ongoing matter and have been partially fulfilled) was not due to a lack of effort or incompetence, but due to circumstance. Where the City may have improved in its handling of this case is in communicating these difficulties to the Complainant, which appears not to have been sufficiently or effectively.

It is my conclusion that the situation of the removed tree line buffer is a matter of site plan enforcement, and that the City of Burlington acted reasonably in attempting to achieve compliance in a difficult and complex legal and practical situation largely beyond its control. I do not find that the City erred in its handling of this situation – though I note City staff could probably have found a way to communicate more clearly with the Complainant about the difficulties the City was facing in regard to enforcement (though I also note there are likely compelling legal reasons, including privacy and privilege, as to why any such communications would have to be limited and may still not provide significant clarity in any event).

To be clear, I find it is wholly within the Municipality's discretion to determine the reasonable course(s) of action to achieve compliance with its site plan and by-law and point out that this discretion, subject only to a municipality acting unreasonably, has been upheld by the courts. I do not find this to be a case of unreasonableness, and accordingly make no findings against the City of Burlington.

Recommendations

I accordingly make no recommendations.



Appendix B - CL-35-22

INVESTIGATION REPORT

Complainant:	[Anon]
Complaint Reference Number:	MUN-14027-0621
Complaint Commenced:	June 16, 2021
Date Required Information Received:	March 21, 2022
Report Date:	May 19, 2022
Investigator:	Michael L. Maynard

Terms of Reference

This report has been prepared pursuant to the ADR Chambers Ombuds Office (“ADRO”) Terms of Reference for the City of Burlington (“Burlington” or the “City”) which describe the scope of ADRO's mandate, its process upon receiving Complaints, and the authority and responsibilities of an ADRO Investigator. Defined terms used below have the same meaning as in the Terms of Reference.

Complaint

The Complainant, [Anon] (the "Complainant"), claims that his next-door neighbour, a commercial strip-mall property (“Plaza”), improperly and contrary to the existing Site Plan for the Plaza property, removed a dense tree line buffer between the Plaza property and the Complainant’s residential property in 2018. The removal of these trees has exposed the Complainant’s family to light and sound emissions and has diminished the enjoyment of his property free from such disturbances. Furthermore, wind, which was no longer blocked by the dense brush of the trees, blew over the line fence and caused damage to the Complainant’s vehicle. The Complainant erected a fence on his side of the property and also planted trees to mitigate the problem caused by the removal of the natural tree line buffer by the Plaza owner.

Over the course of several years, the Complainant repeatedly contacted and engaged in back-and-forth communications with various City officials (including his local council

member) about this problem, but as of the date of this Complaint nothing had been done by the City to enforce Site Plan compliance on the part of the Plaza owner – or, if anything had been done by the City, it was not effective and did not result in site plan compliance by the Plaza owner. At varying points in time, the City made representations to the Complainant that the matter would be dealt with, however the issue persisted as no apparent action was taken by the Plaza, meaning that the City either did nothing to enforce its site plan, or otherwise was ineffective in whatever enforcement measures it attempted.

The Complainant holds the City responsible for the damage to, and loss of enjoyment of his property due to the City's unwillingness or inability to enforce the Site Plan and require the Plaza owner to replace the trees it removed in contravention thereof. Specifically, he has requested the following resolution:

"I would like trees to be planted immediately per the site plan and for this activity to be managed by someone other than Kelvin Galbraith due to the perceived conflict of interest as BIA board member, consultant to the property owner per Kelvin, and breach of trust based on false information via email and phone call.

I would like compensation for the trees I planted along my fence (approx. \$923 for three large maples) and the additional cost of the fence over the 6' allotted required to create buffer (additional cost for 8' was approx. \$3,000). I can provide receipts for all.

A written apology from Kelvin Galbraith and the city of Burlington acknowledging their lack of accountability and hardship they have put my family through due to excess noise, artificial light associated with plaza and delivery drivers that work in to early morning 7 days a week."

Investigation

The investigation included: (i) a review of the initial complaint and subsequent documentary evidence and various correspondence provided by the Parties; (ii) a telephone interview with the Complainant on January 14, 2022; (iii) a telephone interview with the Clerk, City of Burlington ("Clerk") on February 28, 2022; (iv) a telephone interview with the City's Manager of Planning Implementation and Community Planning (previously the Manager of Urban Design) (the "Planning Manager") on March 7, 2022; (v) a telephone interview with the City's Manager of

Development & Stormwater Engineering (“Engineering Manager”) on March 15, 2022; and, (vi) independent research, as necessary.

Evidence of the Complainant

The following information was provided by the Complainant in writing, and through the telephone interview process:

In or around May 2018, the Plaza that abuts the Complainant’s property removed a line of trees that had hitherto provided a significant natural buffer between the properties. At some point that year (though no records were provided as to dates), the Complainant asserts that he contacted the City by telephone to inquire about rectifying the situation.

Sometime in January 2019, the Complainant’s spouse contacted the City of Burlington by email requesting assistance with the matter; specifically, to inquire about what was required as a property line buffer and to notify the City that the Plaza appeared not to be in compliance with the City’s zoning requirements. She exchanged emails with various City staff throughout January 2019, including a Zoning Examiner (“Zoning Examiner”) and an Intermediate Landscaping Technician (“ILT”), the latter of whom wrote to the Complainant’s spouse on January 28, 2019 as follows:

The required landscape buffer on the south side of the plaza (10 Spruce trees and 6’ high solid board fence) is shown on the approved site plan, so the trees being cut down becomes a site plan enforcement matter.

I am following up with the plaza owner to correct the situation.

Feel free to contact me if you have any questions.

Later on, in May 2019, the Complainant’s spouse left a phone message for the ILT, apparently advising that the fence separating the properties had fallen on the Complainant’s car, and also making inquiries about the height of the fence and cost sharing relative to erecting a new fence (of a greater height than the existing 6 foot high board fence). The Complainant’s spouse was advised on May 6, 2019:

The plaza owner only has to maintain what was shown on the approved site plan. Replacing the fence to something taller is something you would have to work out with the adjacent land owner and would involve cost sharing.

Please consult with [anon], Zoning Examiner regarding maximum height permitted.

I am not sure what you mean by "How far out is it allowed to come out?". Please let me know and I will try to answer your question.

The Complainant's spouse was further advised by the ILT on May 7, 2019 as follows:

Thanks for your phone message. I have cc'd [anon], the Zoning Examiner who had previously commented (see email below) that "Zoning By-Law 2020 requires a 6 m landscape buffer abutting a residential zone.

Landscape Buffer

The area of a lot which serves to provide separation and to partially obstruct the view of adjacent land uses by means of a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing with evergreen or deciduous trees, shrubs, or berms."

The approved site plan shows "6'-0" high solid board fence", so the adjacent landowner is not obliged to put anything higher than that. If you have questions about the maximum height permitted for the fence (e.g. you mentioned a 10' high fence) please ask [Zoning Examiner]: [...]

The Complainant asserted in his Complaint that nothing was accomplished through his spouse's contact with the City. Accordingly, he also began to contact the City, through various means and to various departments, including the Mayor's office and via social media, in order to spur the City into action over the problem. This effectively remains the status quo as of the date of the Complaint to the Ombudsman's office (and, apart from several trees being planted toward the rear of the property, remains the status quo to at least the end of April 2022).

Throughout the course of this unfolding situation (since 2018) the Complainant has had numerous exchanges with various City officials. At some point, he believes in or around December 2018, he was informed that the City's site plan for the Plaza property required there to be a tree line buffer between the properties.

The Complainant is accordingly asking the City to enforce the Site Plan and/or applicable by-law(s) to establish a new buffer between the Plaza and his residence. He

insists this is necessary, not only because it is required by the site plan, but also because the commercial activities at the plaza are disruptive to his peaceful enjoyment of his property. In particular, he cited the light and noise emissions from a pizzeria, due to its delivery drivers, being disruptive to his children when they are trying to sleep at night.

In addition, the Complainant also wants to be compensated for some trees he planted himself along the property line, for the fence that he repaired / erected after it blew down (due to no longer being protected against the elements by the tree line buffer), and an apology from the City for its several years of apparent inaction.

Evidence of the Respondent

Interviews:

In a telephone interview with the City Clerk, he advised that the City was of the understanding the trees between the Plaza and the Complainant's property were to be planted. He provided the contact information for the appropriate individuals on staff.

The Planning Manager was interviewed. He advised that he was contacted by the ward Councillor after the Complainant had reached out to the Councillor for assistance. He ordered the site plan for the Plaza to be returned from the archives and found the original approval with a landscape plan showing trees along the property line between the Plaza and what is now the Complainant's property. At this point, he provided the information to Engineering Services, which is responsible for planning enforcement (which is separate from by-law enforcement).

His understanding at the time was that Engineering Services was working with the Plaza Owner to have new trees planted, and that the Plaza had a landscaper (the "Plaza's Landscaper") on a retainer. He understood that a plan had been worked out between the City and the Plaza. The goal in such situations is compliance, and the best way to achieve it, in the City's view, was through planning enforcement via Engineering Services. He is unsure if By-law Enforcement was ever involved.

Once he was made aware that a plan was in place, the Planning Manager "closed the loop" with the Councillor by updating him that the matter was being handled by landscaping staff in Engineering Services. All of this occurred in the early part of 2019.

I also interviewed the Engineering Manager, who was involved in this situation from 2019, albeit indirectly (as the matter was being managed by others in the Engineering Services department). He took carriage of the matter in January 2022, as the previous

ILT and Supervisor who were handling the matter no longer work for the City as of June and December, 2021, respectively.

The Engineering Manager indicated that the trees between the subject properties were removed sometime in 2018. The Plaza Owner had indicated that the trees were in poor condition, that root systems were damaging underground services, and that people were trespassing on the property and using the trees as cover for carrying out various anti-social activities behind the Plaza (e.g., graffiti, lighting fires).

The Engineering Manager was aware that the Complainant had reported experiencing noise and light emissions, as well as damage to the fence and to his car.

He was aware that the City staff contacted the Plaza Owner in January 2019 to advise that the property was under site plan control and required a 6 metre landscape buffer between it and adjacent lands. The definition of “landscape buffer” was vague (i.e., not clearly defined – this is further discussed below). He noted that subsequent communications were held with the Plaza Owner, including a letter sent to him in or around June 2020. He also noted that the fence was reinstalled sometime in 2019.

The Engineering Manager noted that the zoning by-law was updated in 2020. During that year, over the various exchanges with the Plaza Owner, it was stated by him that he could not afford to plant new trees due to the economic impacts of COVID-19 (though the Engineering Manager also noted that this situation pre-dated the pandemic and was not addressed by the Plaza Owner in 2019 either). The Plaza Owner referred to the Complainant as being “disgruntled” and wanted to have Council involved. However, the matter was kept at the staff level (notwithstanding that the Parties themselves contacted Members of Council and others – the Complainant to get them involved, and City staff to keep them informed).

The Engineering Manager noted that when staff reviewed the site plan for the Plaza (which dates from 1979) it was not sufficiently detailed to provide for enforcement of the landscape buffer. For example, it did not define what the buffer was required to be, nor did it provide for any maintenance requirements in perpetuity. In addition to this, staff reviewed the 2019 zoning by-law (prior to it being amended in 2020) and determined that the wording in the 2019 version did not provide sufficient details to allow for enforcement of the buffer requirement in the site plan. So, while the plan did require a buffer, it was not deemed to be enforceable due to a lack of clarity in the site plan and by-law themselves. In 2020, the by-law was amended to provide better wording which would allow for enforcement through site plan control (via the Engineering Services Department).

The Engineering Manager noted that staff had met with the Plaza Owner and the Plaza's Landscaper numerous times to try to resolve the matter. In July 2020, there was an agreement that planting of new trees would take place (with various details to be worked out). Eventually, it was determined that the trees would be planted in September 2020, but they were not planted. It was then relayed to the Plaza Owner and Landscaper that the plantings should happen no later than November 2020, after which it would have to wait until 2021. Staff continued to communicate with the Plaza Owner and the involved political representatives on actioning the plantings as agreed. During this period (the Fall of 2020) the Plaza Owner requested that the tree plantings be phased in due to economic impacts. Some plantings were done in 2021, which was confirmed by staff in the Fall of that year, but not all plantings which were agreed upon have been carried out yet.

The Engineering Manager himself has continued to follow up on this matter since taking it over in early 2022, and recently (as of March 2022) contacted the Plaza Owner about the next steps for carrying out the remaining plantings.

The trees which have been planted to date are "nursery stock trees" of 2-3 metres in height (maybe slightly higher than the fence). He is unsure if there was any agreement in place as to species, maturity, or height requirements of the trees to be planted.

The Engineer Manager also asked By-law Enforcement, in March 2022, to look into the issue of light emissions from the Plaza property. Apparently, the By-law Enforcement officer tasked with this contacted the Complainant who was "taken aback and confused" by By-law Enforcement's involvement. The Engineering Manager noted that his intention was to be proactive and helpful.

He also noted that, because of the difficulty arising from this matter, and in particular in dealing with old site plan agreements such as this one, the City has initiated a process to develop a standard operating procedure to deal with similar issues moving forward. That process is underway, and involves the Development and Engineering, Planning, Forestry, Zoning, Legal, and By-law Enforcement departments. As noted, the difficulty with this situation was the fact that the site plan was too vague to be enforceable (in respect of the buffer) on the Plaza Owner. Furthermore, even if the City's legal advisors were confident in the ability to pursue a legal route to enforcement (which they were not), by 2020, the delays in the courts due to COVID-19 made that option impractical (in addition to being likely unsuccessful).

The Engineer Manager indicated that he was aware of the damaged fence / car issue, but he was not sure if the Complainant had submitted a formal claim to the City for damages.

The Engineering Manager was also asked about the involvement of the City Councillor and whether staff had delegated responsibility to the Councillor to deal with this matter. He stated he "...cannot imagine that staff would upload a matter of this type to a councillor" and that, "...one of our staff had commented that this is a matter that staff should deal with, not a councillor resolving the problem."

The City also provided extensive email records and other documents showing the various internal and external processes followed by City staff to deal with this issue. These records generally corroborate the interview evidence of the Planning Manager and Engineering Manager.

For example, email records indicate that on January 18, 2019, the Planning Manager emailed the office of Councillor Kelvin Galbraith, who by this point had been made aware of the situation (seemingly by the Complainant), that the site plan for the Plaza property had been ordered from storage. A further email of January 25, 2019 indicates that the site plan had been returned and reviewed, and that it "...required landscaping (10 spruce trees) on the south side of the plaza as indicated on the approved site plan," and that, in the Planning Manager's view, "...this becomes a site plan enforcement matter if these trees have been cut down."

On January 25, 2019, a copy of the draft compliance letter ("January 2019 Compliance Letter") from the City's ILT to the Plaza owner was shared among staff. It advised the Plaza owner that the property was under the City's site plan control and that the tree line buffer between the Plaza and the Complainant's property was required thereunder. The ILT offered to meet on site or by telephone to "discuss the necessary corrective measures."

Email records indicate that on May 6, 2019, the ILT emailed the Planning Manager and the Coordinator of Site Engineering to advise them that the Complainant's spouse had called about the fence falling on the Complainant's car. She also indicated that no response had been forthcoming from the Plaza owner regarding the above-noted January 2019 Compliance Letter. Further emails indicate that a "Final Letter of Compliance" was to be sent to the Plaza owner by registered mail, following which it would be escalated to the legal department as required (i.e., if the Plaza remained non-compliant). The question was also raised as to whether the fence was also part of the site-plan, and it was determined that it was.

Email records then pick up in May 2020, with the Complainant emailing the Mayor's office on May 19, 2020, indicating that the problem was unresolved, and that he had to "chase" the property owners (Plaza Owner) for the fence repair after it had fallen on his car. That email was forwarded to other staff, in particular, the Manager of Urban Forestry, who indicated he was unaware of the situation but would follow up. On May 22, 2020, he did, and by email to the Mayor's office and other staff (including the ILT and staff in the By-law Enforcement office) stated:

"I had a chance to follow up with my staff about this file. It is a bit unique, and requires a touchpoint to a number of departments, whom I've cc'ed on this email stream.

Any trees removed on private property that was completed prior to Jan. 27, 2020, would be exempt of the City's private tree bylaw. That being said, if it is a question of compliance with an approved site plan application, that would be a different subject. I've cc'ed [the ILT] on this email as she looks after site plan review and approvals. I'll commit to work with [ILT] to assist with any compliance concerns there and loop in legal if required.

Any issues from a property standards perspective (dilapidated fencing) is handled through our bylaw enforcement team. I've cc'ed [by-law officer] on the email.

I hope this can provide a step toward a resolution. I'm happy to coordinate with all parties."

An email chain commencing on June 29, 2020, between the ILT and the spouse of the Plaza Owner indicates that the ILT had followed up again regarding the situation with the tree removal, including by way of a telephone call in which it was indicated that the trees had been removed for various reasons, among them, that some were in "poor condition" and also that certain undesirable conduct (e.g., graffiti and lighting fires) was being done behind the Plaza with the trees used as a cover to shield the anti-social conduct from view. There were also emails exchanged between the Complainant and various staff, including a By-law Enforcement Officer and the ILT, about the ongoing unresolved situation.

Further emails of June 30 and July 6, 2020 indicate that the Plaza's Landscaper was looped into the emails (by the Plaza owner's spouse, at the ILT's request). The ILT indicated to the landscaper that a discussion was required to determine various factors

for the installation of new trees, including the number, size, and types of trees that would be appropriate, and possible root system barriers.

On August 7, 2020, the ILT followed up again with the Plaza Owner's spouse and the Plaza's Landscaper, writing in part:

"I am writing to follow up after our meeting on site to discuss the required tree plantings at 516 Plains Rd. E. As we discussed, a rough sketch is required, showing proposed tree plantings (size, species, location) based on our discussion, and availability at the nursery. I will need to show the sketch to discuss with the councilor prior to the trees being planted."

On August 20, 2020, the Plaza's Landscaper replied with a sketch proposal.

On September 9, 2020, the ILT replied, stating:

"Thanks for the sketch, it is very helpful. As I mentioned, I have to keep the local councilor informed of the planned replacement trees and rationale, since the removal of the trees has been escalated to the mayor's office and will differ from what was removed."

Could you let me know when you plan to order the plant material and install the trees?"

The Plaza's Landscaper replied later that day:

"Once I get the approval of my suggestions I will have to check availability of the trees. Then I will have to propose an estimate to [Plaza Owner's spouse] for approval. As we are getting late in the season it could take time to receive the trees of I have to find them."

I haven't ordered yet as I haven't got confirmation from you."

The following day (September 10, 2020) the ILT replied:

"I have informed the councilor of the proposed plantings and rationale behind the changes."

I am confirming the planting you have proposed. Please proceed with checking the availability and having the estimate approved for planting.

Please let me know if you have any other questions."

The ILT then followed up on September 18, 2020 for a status update and was advised by the Plaza's Landscaper that a quote had been submitted to the Plaza Owner's spouse, and that he was awaiting information on the availability of trees.

The ILT followed up with the Plaza's Landscaper again on September 26, 2020 and was advised that the Plaza Owner's spouse had still not provided an approval of the quote.

On October 8, 2020, the ILT wrote again to the Plaza's Landscaper and the Plaza Owner's spouse, as follows:

"Please provide a timeline for when the trees will be planted. The required replacement trees, as discussed, must be planted ASAP before the winter. The councilor and mayor's offices continue to be contacted and require a timeline."

The next emails in the chain include the City's legal counsel and are redacted due to solicitor-client privilege.

Another chain of email records then picks up in late September 2020, where a number of emails between the Complainant and various City staff, Councillor Galbraith, the Mayor's office, and the office of Burlington's Member of Parliament, demonstrate that the Complainant continued to follow up on (and escalate) his request – now at least more than a year and a half old. Of particular note:

- An email of September 26, 2020 from the ILT to the Complainant indicated that the ILT had followed up with the Plaza owner and landscaper about trees, and that they were awaiting information from the nursery.
- An email from Councillor Galbraith to the Complainant on October 5, 2020 indicating that he had been following the email exchanges.
- An email from the Complainant to Councillor Galbraith and various above-named individuals, including the ILT, the Mayor's Office, and a by-law officer, sent on October 19, 2020, indicating that nothing had been done; and a follow-up email from the Complainant on October 21, 2020 regarding same.

On October 21, 2020, the ILT emailed the Engineering Manager and the aforementioned Planning Manager and the Coordinator of Site Engineering to advise of the ongoing situation, writing as follows:

“As you know, I have been following up about this site plan compliance issue since at least January 2019 (date of the first letter to the property owners) and I have sent a follow up letter, consulted with Legal, met the property owner and landscaper on site and followed up with correspondences with the homeowner, property owners, landscaper and councilor to keep this moving forward. I reviewed the sketch of what was proposed to be planted as replacement, explained the changes to the councilor, and gave confirmation to the landscaper to get a quote, which was presented to the property owners.

The trees that were removed and are required to be planted (as the owner was informed in 2019) must be planted before the ground is frozen, which could be until mid-November (until frost) but is weather dependent, so the sooner the better.

If my job is to comment on and provide guidance regarding landscaping issues for private developments, then I have done so. Now the property owner requested to meet the councilor and mayor to be told to plant the trees (please see attached) because of COVID related financial hardship. The resident continues to send emails to myself, councilor, mayor, (has emailed [anon]) due to inaction.

Is there someone [anon] who should step for site plan compliance related issues? Is it my responsibility to ensure and enforce compliance with the Planning Act?

As noted in the email attached, the councilor was going to meet the property owner on Monday or Thursday this week, so I am not sure if that meeting took place. But it is also not up to the councilor to tell property owners weather they can be out of compliance with their approved site plan or not. Correct? Should a firm staff response be provided? (Firmer than mine, since I lack authority). The property owner is saying they can't afford to plant the trees due to COVID, but were first contacted in 2019 – pre COVID.”

A Response from the Coordinator of Site Engineering on October 22, 2020 read, in part:

Our role is to identify or be advised of non-compliance matters related to Section 41 (and previous versions of Sec. 41) of the Planning Act. Once these non-compliances have been identified, conveyed to the owner(s) and requested to repair, replace and/or reinstate, via an Order to Comply, we follow up to the point that the work is either done or not. If the work is not done within the specified timeframe, the matter needs to get escalated to the Legal Dept.

The Coordinator of Site Engineering went on to describe the potential role of the legal department in assessing and managing the circumstances related to compliance and enforcement of the site plan.

The ILT sent a further reply on October 26, 2020, stating:

"I just spoke with Councillor Kelvin Galbraith's assistant [anon], who is trying to set up a call with [Plaza Owner] in response to his email below (or Councillor Galbraith will cold call [Plaza Owner] who has not responded to several proposed times offered). [Councillor's Assistant] said that Councillor Galbraith's position is not to overstep staff recommendations (re: trees required to be replanted to come into compliance with approved SP) but wanted me to double check with you whether it could be offered as option, to re-plant the required trees in spring 2021, rather than push for fall 2020 (ASAP!).

As noted in the email below from [Plaza Owner] (one of the property owners) they are struggling financially due to COVID.

But as I discussed with [Councillor's Assistant], the property owners were notified in winter of 2019, so had the spring and fall of 2019 to follow up before COVID hit.

Please let me know whether the specified time in which to complete the work should be Fall 2020 (ASAP before the ground freezes) or if Spring 2021 would be acceptable (with some kind of written commitment?) before the issue is escalated to legal."

[In reference to the above, email records also show an email from the Plaza Owner to the ILT on October 9, 2020, indicating financial hardship due to COVID-19, and writing, in part:

I fail to see the justification of spending thousands of dollars on a few trees to satisfy one disgruntled individual while that same money can be used to help these desperately struggling, tax paying business owners. If the mayor and the councillor feel that planting a few trees to satisfy one disgruntled individual is more important than the survival of even one of these hardworking entrepreneurs, I'd like to hear it from the mayor and councillor, then I'll be happy to give them a timeline for a few trees to be planted.

The ILT provided the Mayor and Councillor's contact details to the Plaza Owner and followed up with staff internally (as indicated herein.)]

A reply from the Coordinator of Site Engineering on October 27, 2020, read:

"I would like to suggest that for the City to consider the delay in planting to next Spring (which will undoubtedly anger the neighbour), that the plaza owner provide a Letter of Credit in the amount of the proposed planting costs to guarantee the work will get done next Spring (provide a deadline) and that there will be no further attempt to delay or object to the required works (all included in a Letter of Undertaking). At the moment we have nothing (no securities) other than the Sec. 41 Agreement to rely on. With an L/C we will have the needed leverage to get the work done, albeit next Spring. If the plaza owner refuses, then we insist the planting is undertaken immediately. We will need his decision within 2 weeks and if planting is the option, it is to be done by November 30, no exceptions. Thx"

A further email from the ILT (copying an email exchange with the Plaza Owner's spouse, indicated the Plaza Owner was away until the second week of November (2020) and could not deal with the issue until then. The Coordinator of Site Engineering replied:

"I'm sure his wife can reach her husband, so I think we still need to know whether providing an L/C is an option. Otherwise, they need to get going on organizing a landscape firm to plant the necessary trees. We need a decision and the sooner the better. Plant the trees now or provide an L/C and plant in the Spring."

Further email exchanges between City staff, and including the City's legal counsel, indicate more communication about the unfolding situation, but are considered by the City to be solicitor-client privileged and are accordingly redacted.

However, the ILT sent an email to the Plaza Owner's spouse on October 27, 2020, providing the timeline of the various communications between them regarding this matter (detailing some 13 exchanges of emails, calls, or in-person meetings between January 28, 2019 and October 26, 2020), and writing:

"As outlined above, the first site plan compliance letter was sent in January 2019, one year before COVID. I have been discussing the required replacement trees with you (Lisa) since June, and confirmed the proposed plantings on September 10.

Waiting until the second week of November to continue discussions will be too late, since the trees should be planted by mid-November at the latest, before it is too cold (below 5° C) . (Planting conifer trees by end of October and deciduous trees from leaf-fall until the ground freezes is advised). If the trees can't be planted by mid-November (or before temperatures fall below 5° C), the weather may push plantings until Spring 2021.

To consider the delay, the city requires a Letter of Credit in the amount of the proposed planting costs, to guarantee the work will get done next Spring and a signed Letter of Undertaking confirming that there will be no further attempt to delay or object to the required works.

Please let me know whether a Letter of Credit (and signed Letter of Undertaking) can be provided, or whether the trees can be planted as soon as possible, or by mid-November at the latest (unless temperatures drop)."

On April 20, 2021, the ILT wrote to the Plaza Owner and his spouse, as follows:

I hope this email finds you well. I am just following up about the replacement tree planting, as it is the last week of April. I received confirmation from Councilor Kelvin Galbriath in December 2020 that after discussions you had committed to the tree planting in the spring

but depending on the financial situation (compromised by COVID) may request to phase the planting over two years.

The email attached the sketch from the Plaza's landscaper, an overhead photograph of what the site looked like before the trees were removed, and a request for a response. The ILT also forwarded her email (on the same date) to other staff, including the Manager of By-law Enforcement in case, "...further action is required from By-law Enforcement."

The ILT followed up with the Manager of By-law Enforcement and other City staff by email on May 17, 2021, writing as follows:

"I have not received a response from the plaza owners and would like to involve you in setting a date by which they must plant the trees and have follow-up by By-law Enforcement, as we discussed previously.

I have copied [By-law Officer], who has been involved in the ongoing complaints about this property (re: maintenance).

Councilor Kelvin Galbriath has requested a meeting about this tomorrow (Tuesday, May 18) at 9am, so if we could discuss this briefly today so I am clear on next steps that would be helpful."

Further emails between City staff indicate that nothing had come out of the meeting with the Councillor, and that By-law enforcement would discuss the matter further. Most of the remaining emails in the chain are redacted for solicitor-client privilege; however, among them is an email from May 17, 2021, from the Manager of By-law Enforcement to the ILT and other staff, stating:

"As noted at the last meeting, we need to understand what is being enforced. We can enforce the zoning by-law regulations but we do not enforce site plan agreements. I think at our last meeting there was some additional work that needed to be done to determine exactly what we are basing the enforcement on.

If it is zoning by-law, than we need to send a letter with the drop dead date and explain what part of the zoning by-law they are violating. Essentially, a Notice to Comply. We need to know what part of the by-law is not being met and then we could move forward from there. We can assist with the notice once we have clarification of the zoning issue."

The City's Coordinator of Zoning Examination ["CZE"] replied to this, indicating:

"The property is zoned MXG, Mixed Use General, under Zoning By-Law 2020, as amended. Part 5 Mixed Use Corridor Zones, Section 4.4 Landscape Area and Buffer requires a 6 m landscape buffer abutting a residential zone.

Landscape Buffer

The area of a lot which serves to provide separation and to partially obstruct the view of adjacent land uses by means of a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing with evergreen or deciduous trees, shrubs, or berms."

The By-law Enforcement Officer then replied:

Thanks [ILT] and [CZE] for the further response. I will await [By-law Enforcement Manager's] response but [ILT] are you able to clarify why they site plan agreement is unenforceable?

The responding email from this point is redacted due to solicitor-client privilege.

A different email chain with exchanges over December 2020 and January 2021, indicates further emails between the Complainant and City staff (including the ILT), who indicated in December that the Plaza Owner had committed to planting in the Spring; and that the Complainant wanted to know who from the City would supervise to ensure "proper density and height" of the trees. Further email records from January 2021 are redacted for solicitor-client privilege.

[It is noted that there are also emails between the Complainant and his Councillor during this period. Notwithstanding that the Complainant has some concern over the involvement and conduct of the Councillor, the Office of the Municipal Ombudsman has no jurisdiction over the conduct of City Councillors, who are elected representatives with a separate Code of Conduct and other laws (e.g., The Municipal Conflict of Interest Act) which they are must follow. Accordingly, such Complaints are the remit of the City's Integrity Commissioner.]

A further related chain of emails between staff from January 12, 2021 indicate a growing concern about the tone of the Complainant's emails, with some indication that they

were beginning to be viewed as harassing in nature. It was also revealed in these emails that the City's legal counsel determined that the Site Plan was not legally enforceable, with the ILT writing, in part:

"Legal has confirmed that the requirement to plant the trees is not legally enforceable based on the Site Plan agreement, so can I tell [Complainant] that this is not a by-law enforcement issue, that the fence is sufficient and the planting of trees is a courtesy the property owner is not obliged to do, so he should stop emailing anyone about it?"

In the future I will find out first if something is legally enforceable and if it is not, not pursue it further."

...to which the Manager of Site Engineering replied, in part:

"You can reply that you have already responded and there is nothing further that can be done until the Spring. Height and density will be discussed between the plaza owner and staff prior to planting when more information is available.

[...] the reality is (as confirmed by our Legal Dept.) the plaza owner is under no obligation to replace those trees and replanting the trees is being done as a courtesy and the City will continue to be involved in the committed work [...]"

On January 15, 2021, a further staff email exchange discussed the matters of site plan and by-law compliance, and culminated in an email from the Planning Manager to other relevant staff (including the ILT, the Manager of By-law Enforcement, and others) indicated as follows:

"I think we need to meet and discuss as the email thread is getting too long. I have copied [anon] on this email to set up a 1 hour meeting with everyone on this email so we can go through the issue and bring closure to the matter.

It would appear that we are caught between Site Plan enforcement and Zoning By-law enforcement.

Planning staff would not support a minor variance to the Zoning By-law definition of a landscape buffer so as to not require some trees and shrubs in the landscape buffer.

Regardless of the tree cutting occurring prior to our private tree by-law coming in to effect, trees need to go back in this landscape buffer.

We just need to determine the mechanism to require this and the timing of enforcement."

On May 17, 2021, the Complainant emailed the ILT, Mayor's office, and other City Staff, writing as follows:

"It's been spring for a while. We are approaching three years in a few months.

All stores in the plaza are open for business.

Nurseries are open and I have called several landscaping companies to ensure no shortage of trees, and everyone is working.

The property continues to be poorly maintained and full of trash. In fact they just mulch garbage today and I spent 30 minutes cleaning my property. Come see for yourself.

When will dense layer of trees be planted to separate commercial space from retail per city by-law?

I have seen mention of cleaning up aldershot in all BIA minutes, several development proposals in city minutes, sustainability minutes show no mention of social or governance (just outside consultations from academia).

Do you folks need help?"

The Complainant sent further emails and a message by social media in June, 2021.

On June 10, 2021, in response to the Complainant's further communications the ILT wrote to the Planning Manager, the By-law Enforcement Officer, and the Coordinator of Site Engineering, forwarding the communications with the Complainant, and writing:

“Another follow up email from the homeowner is below. Closing this ASAP would be much appreciated by all parties. An email to explain what has, and can be done might help to moderate the expectations. The draft email I sent (Jan 2021) with modifications is what I suggest, in order to discourage continued follow up (as we are realistically very limited as to what can be enforced).

Let me know if you think an email can be sent or whether you prefer to wait until after meeting with Legal (Friday, June 18).”

On June 24, 2021, the ILT emailed the Plaza Owner and his spouse, copying various City staff, as follows:

“Since I have not heard back from you, I will be passing your contact information and the background information on what we had previously discussed for replacement planting to the City’s Legal department, who will be handling it going forward.

As was outlined in letters I sent previously (dated January 28, 2019 and June 9, 2020), the approved site plan shows the trees that have been removed and were required to be planted as part of the original development approval. Site plan approvals (including all features shown on the approved plan), and their respective agreements (as registered on title of a property), are intended to exist in perpetuity or until the owner makes an application and receives approval to change the plans.

While I understand the rationale you provided for removing the trees (security and maintenance concerns due to antisocial behavior being hidden by trees), I have worked with you and your landscaper ([anon]) to find an alternative that is sensitive to your property maintenance and safety concerns, while maintaining the intent of the original site plan approval (provide a “Landscape Buffer”).

It is our expectation that plantings (as shown on the sketch, or equivalent size and species, based on plant availability) will be planted immediately, as you had committed to Councillor Galbraith to complete the plantings this spring.

Please reply all to this email and confirm the date by which you plan to plant trees, and whether you require phased planting, as you had discussed with Councillor Galbraith.

I am hopeful that a resolution can be found that satisfies both your concerns as a property owner (maintenance, safety and financial

constraints) and the City's responsibilities (maintain and enhance the urban tree canopy by replacing removed trees, and maintain the integrity of site plan agreements and particularly between different land uses such as residential and commercial).

Please reply all to this email by the end of the day on July 2, 2021, or legal staff will be seeking further instructions to pursue legal action to enforce the terms and conditions of the Site Plan Agreement to get the trees planted.

Let me know if you have any questions.

On July 2, 2021, the Plaza Owner's spouse emailed the ILT as follows:

Apparently [Plaza Owner] and councillor Galbraith have been in contact. He has also been in touch with [anon] Landscaping. There may have been a misunderstanding as it was discussed that the plantings would take place over 2 years while the Covid situation resolved as half of the commercial units have been shut down at the governmental level. This has put tremendous strain on both the tenants and our company. That being said, we have every intention of planting the said trees. It was agreed in the conversations that plantings during the high heat of summer would be difficult without a proper watering program and we are not onsite to perform what is required.

Please understand that it is our full intention to perform the required action. [Landscaper] suggests that September would be more ideal and has slotted space in their schedule to accommodate this.

Thank you for your continued patience in this matter.

On October 5, 2021, the Coordinator of Site Engineering emailed the Plaza Owner's spouse inquiring as the status of the tree plantings. The Plaza Owner's spouse replied

on the same date, writing: "Thank you for your message. The trees were planted over a week ago, I'm sorry it wasn't noticed." The email was acknowledged by the Manager of Site Engineering that same day.

Issues

The issues to be determined in this matter is whether the City of Burlington erred in its handling of the Complainant's situation, and if so, what are the appropriate remedies and/or recommendations moving forward.

Analysis

From the Complainant's perspective, this is an incredibly frustrating situation. He has awaited results for approximately 3.5 years and has yet to see any that satisfy his concerns. While there is evidence of communications with the City, including several instances where various undertakings appear to have been made (e.g., planned time periods for planting new trees) the reality is that those dates came and went without the work being done – and indeed, it remains the case to this day that the full complement of tree plantings has not been completed.

What the Complainant probably does not know (until now, in reading this report) is that the City appeared somewhat crippled in its ability to act, and this was of no fault of anyone in particular. The lack of results was not the result of a lack of effort, nor indeed a lack of competence, but in a confluence of circumstances that rendered the City essentially incapable of resolving the situation.

While most of the records containing legal advice have been redacted for privilege (and it is the City's legal right to do so) what is available for review has revealed that the City found, for legal and practical reasons, that the landscaping requirement (buffer) in the site plan was not enforceable – and indeed, it remains only weakly enforceable now, even after an amendment to the zoning by-law in 2020. This is a matter of legal interpretation by the City's legal department, as indicated by emailed discussions between staff (and as verbally confirmed by the Engineering Manager during his interview).

What appears not to have occurred, unfortunately (though there may be good reasons for this, including solicitor-client privilege, privacy, or other liability reasons), is clear and ongoing communication with the Complainant about the problems the City was

facing with enforcing the site plan. Indeed, it was only in January 2021 (according to the records provided) that it was even contemplated the Complainant be made aware that the site plan was not viewed as enforceable by the City's legal department, that the tree planting work was essentially being pursued by way of an agreement between the City and the Plaza Owner. This has left the Complainant to wonder, for three and half a years, why the City appeared to be ignoring his problem, when the extensive email records and other communications clearly indicate otherwise – i.e., that the City did take the situation seriously, spent many person-hours working on it, with numerous staff from numerous departments involved, and at least thirteen instances of communication between the City and the Plaza owner between early 2019 and late 2020 alone, including extensive negotiations and planning for replacement trees, as well as various follow-up communications since then (after the by-law was changed, and once staff determined how to – even if weakly – attempt to achieve compliance from the Plaza Owner with respect to the site plan).

In municipal enforcement matters (whether by-law or site plan related) the goal is always to achieve compliance. In this regard, particularly as it relates to by-law enforcement, though in my view the principle is the same either way, the courts had tended to show deference to the municipalities when determining how to deal with enforcement matters.

For example, in *Foley v. Shames* [2008] O.J. No. 3166, 2008 ONCA 588., the Ontario Court of Appeal held that:

"For it is one thing to say a municipality has a duty to enforce its by-laws. The way it enforces them is quite another thing. As I read the case law, a municipality has a broad discretion in determining how it will enforce its by-laws, as long as it acts reasonably and in good faith. That makes common sense. The manner of enforcement ought not to be left to the whims or dictates of property owners."

In this case, though the unfortunate situation remained unresolved from the perspective of the Complainant, it cannot be reasonably argued, nor do I find, that the City acted unreasonably in attempting to achieve compliance. The evidence provided by the City demonstrates significant (even if futile) efforts to resolve this matter. Its inability to do so (noting that the plantings remain an ongoing matter and have been partially fulfilled) was not due to a lack of effort or incompetence, but due to circumstance. Where the City may have improved in its handling of this case is in communicating

these difficulties to the Complainant, which appears not to have been sufficiently or effectively.

In regard to the financial aspects of this case, I note that the Complainant is seeking compensation for damages related to the fence falling on his car, including the expenses he incurred to repair the fence. It is recommended that the Complainant submit a claim to the City for its insurance plan to consider, and failing that, the issue becomes a matter of civil law between the Complainant and the City or perhaps between the Complainant and the Plaza Owner. We are unable to provide legal advice or direction on this point and would advise the Complainant to seek independent legal advice should he wish to pursue any economic claims against either the City or Plaza through insurance or legal action.

In considering recommendations, I note that the City is already undertaking a process to develop a standard operating procedure (and indeed, the email records indicate this was contemplated along the way, in one of the many staff emails about resolving this matter). I believe this is a good step, and I would suggest that the City consider a communications plan as part of this procedure to ensure future property owners / ratepayers are kept better apprised of circumstances relating to their Complaints. However, as this work is clearly underway, and because I do not find that the City handled this situation incorrectly in the main, and as I make no specific findings against the City in regard to the conduct of its staff in this matter, I offer no specific recommendations for resolution, as none would be appropriate or effective in bringing this matter to a different conclusion than that for which it already appears to be on course. It is hoped that this report will itself shed sufficient light on the situation so that the Parties are better aware of what occurred and how to better move forward.

Conclusion

It is my conclusion that the situation of the removed tree line buffer is a matter of site plan enforcement, and that the City of Burlington acted reasonably in attempting to achieve compliance in a difficult and complex legal and practical situation largely beyond its control. I do not find that the City erred in its handling of this situation – though I note City staff could probably have found a way to communicate more clearly with the Complainant about the difficulties the City was facing in regard to enforcement (though I also note there are likely compelling legal reasons, including privacy and privilege, as to why any such communications would have to be limited and may still not provide significant clarity in any event).

To be clear, I find it is wholly within the Municipality's discretion to determine the reasonable course(s) of action to achieve compliance with its site plan and by-law and point out that this discretion, subject only to a municipality acting unreasonably, has been upheld by the courts. I do not find this to be a case of unreasonableness, and accordingly make no findings against the City of Burlington.

I accordingly make no recommendations.

I would like to thank the Parties for their assistance and cooperation. I trust this report clarifies the matters at issue and provides reasonable guidance through its conclusion(s).

All of which is respectfully submitted.

Yours very truly,

Michael L. Maynard
ADRO Investigator



SUBJECT: Vision to Focus integrated reporting update as of June 30, 2022

TO: Corporate Services, Strategy, Risk & Accountability Cttee.

FROM: Corporate Strategy

Report Number: CS-10-22

Wards Affected: All

File Numbers: 155-03-01

Date to Committee: September 14, 2022

Date to Council: September 20, 2022

Recommendation:

Receive and file the Vision to Focus (V2F) integrated reporting update as of June 30, 2022 as contained in Appendix A of corporate strategy report CS-10-22.

PURPOSE:

Vision to Focus Alignment:

- Building more citizen engagement, community health and culture
-

Background and Discussion:

The 2018-2022 Burlington's Plan from Vision to Focus (V2F) is a living document requiring monitoring, measuring and reporting. It is the role of leadership to be aware of changes in circumstances (e.g. global pandemic) and assess the impact of these changes on the overall 4-year plan (V2F, page 22). This monitoring, measuring and reporting is expected to occur annually.

In V2F, Burlington City Council made a commitment:

“We will share regular updates on the implementation and progress of the plan with the citizens of Burlington. We will let our community know our achievements and progress on the 2018 to 2022 Burlington Plan: From Vision to Focus that helps realize our long-term vision for the City of Burlington.” V2F, page 3.

In February 2022, Council received the first [V2F progress report](#) as of December 31, 2021 (refer [CS-02-22](#)).

Strategy/process

Successful Completion

Since our progress report as of end of Q4 2021, we have seen the completion of additional initiatives since December 31, 2021 to bring the totals to:

- 7 of the 12 key priorities as indicated on pages 5 and 6 of the [V2F progress report](#)
- 20 of the 39 key actions and 14 initiatives not considered key actions as indicated on pages 7 to 16 of the [V2F progress report](#).

Within the specific focus areas, the City has accomplished the following additional initiatives:

▪ **Focus Area 1: Increasing Economic Prosperity and Community Responsive City Growth**

- 1.03 Increasing options for housing in Burlington: Complete the City's Housing Strategy and implement the plan to address the needs related to young families, seniors housing, affordable housing, special needs housing, and newcomers.

Council approved the City's Housing Strategy in June 2022 setting out the long-term vision for housing in Burlington - "Everyone is welcome in Burlington. Burlington is a city where all current and future residents have access to the housing options that meet their needs at all stages of life, and that are attainable at all income levels." The Housing Strategy challenges the City of Burlington to take on an ambitious role in order to move the City closer to the Vision for housing by providing a set of city-wide housing objectives supported by 12 Actions; setting priorities, identifying quick wins; and recommending a monitoring approach and a flexible implementation plan identifying roles, tools and partnerships. City staff are now working to move the Strategy to action and will report back to Council in early 2023 with a status update on the implementation of the recommended actions as set out in the Strategy.

- 1.07 Maintaining and continually developing a safe city: Develop a Fire Master Plan to support the growth and change within the city

The primary objective of the Fire Master Plan (FMP) is to present a comprehensive analysis of the City of Burlington's Fire Protection Service community needs and circumstances over the next 10 years. The FMP is

a complementary document to the approved Community Risk Assessment (CRA) outlining community fire risk priorities. These documents provide valuable data and information to allow staff and council to make informed decisions about the existing and long-term service delivery needs of the Burlington Fire Department (BFD). The Fire Master Plan was received by Environment, Infrastructure and Community Services committee on June 9, 2022. Through the partnership with Finance, an implementation plan has been developed and will form part of the annual BFD work plans moving forward and subject to budget review and Council approval.

▪ ***Focus Area 2: Improving Integrated City Mobility***

- 2.04 Improving the transit and transportation modal split: Complete the Rural Active Transportation Strategy and implementation schedule.

As a City that Moves, Burlington’s vision is to have our rural areas connected to the City. The rural active transportation strategy is a key action to begin to realize this vision. Our rural and urban communities are brought together through Integrated Mobility Plan (IMP) (Initiative 2.01). The finalized rural active transportation network has been incorporated into the Preferred Network Solution as part of the Integrated Mobility Plan and the supporting technical report has been completed. The final IMP document will “roll up” the Rural AT Strategy Report and incorporate key findings and recommendations; while the identified projects will be prioritized through the final phases of the IMP.

- 2.07 Improving access to Burlington Transit Service: Develop annual transit service plans to implement a frequent grid-based network.

As a City that Moves, Burlington’s vision includes convenient and timely transit connections between municipalities and Transit rider access to regional and provincial transportation networks. A grid-based system is one component allowing for convenient transfers for riders between routes at intersections, providing greater connectivity to more destinations than a single local route could provide. Burlington Transit route modifications in September 2019 started the move to a grid-based network and the City’s plan to is to continue to move in this direction for all future services. This positive change along with other initiatives outlined in the Burlington Transit 5-year business plan work together to achieve this vision.

- 2.09 Increasing Burlington Transit service levels and growing overall ridership: Continue to review, develop and deliver incentive programs to encourage transit ridership.

- 2.091/2.092 Improving access to Burlington Transit service: Provide free transit for SPLIT pass program participants and provide free transit service pilot program for seniors 65+ during off peak hours

The City is encouraging and supporting ridership by implementing programs to attract riders of all ages and means. Burlington Transit offers free fares for children aged 12 and under and co-funds the Subsidized Passes for Low-Income Transit (SPLIT) program with Halton Region to provide a free monthly pass to residents of Burlington that meet the qualifications. The inclusion of the Free65 program supporting senior ridership during off peak hours is now a permanent feature in Burlington. Other actions outlined in the 5-year business plan will continue to be explored to encourage transit ridership.

▪ ***Focus Area 3: Supporting Sustainable Infrastructure and a Resilient Environment***

- 3.03 Promoting and working towards a lower carbon footprint community: Develop Burlington's Climate Change Adaptation Plan

Defining Burlington's first climate adaptation plan in Climate Resilient Burlington (CRB): A Plan for Adapting to Our Warmer, Wetter and Wilder Weather. This plan identifies the actions to manage the highest projected local risks of warmer, wetter and wilder weather. These actions focus on the next 10 years to build resilience and prepare for a changing climate as well as continue to shift the City from reactive to proactive measures. The overall goal is to lessen the damaging impacts to our infrastructure, services, environment, economy, and the health and well-being of the community.

- 3.10 Including citizen engagement; to be responsive to citizen's needs in infrastructure and new infrastructure growth: Increase advocacy with other levels of government.

An annual government relations workplan includes advocacy with other levels of government, continuing to seek funding for the city's infrastructure growth and renewal requirements. In addition, the City is a voice at the table in the Federation of Canadian Municipalities, Ontario Big City Mayors and Association of Municipalities of Ontario.

- 3.13 Protecting and enhancing the city's creeks, streams and waterfront: Assess the Home Retrofit Program with key stakeholders

Assessing the need for a small scale home energy efficiency retrofit program for Burlington homeowners supporting the implementation of specific measures to reduce the carbon footprint in the residential sector. Through a virtual delivery center/homeowner education and an interest-bearing loan of up to \$10,000 per household to cover the cost of an air source heat pump and leak sealing to improve energy efficiency, this program would be flexible to coordinate with other incentive programs.

- ***Focus Area 4: Building More Citizen Engagement, Community Health and Culture***

4.15 Improving community engagement with diverse communities: Provide different opportunities for residents to engage and contribute to the decision making process, whether it be in person, online, telephone or other means. Report back to the community on how their input shapes decision-making. Burlington's vision for An Engaging City sees its residents involved to enhance sound decision-making supporting good governance. Our community can participate in-person, virtually and through hybrid engagement opportunities to support and encourage broad participation and to give people a choice for their voice. Public engagement practices and process including annual reporting are embedded in operations supporting the provision of different opportunities for residents to engage and contribute to the decision-making process.

- ***Focus Area 5: Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation***

5.3.1 Enhancing City services and delivery of citizen self- service options through technology: CRM (Customer Relationship Management) (Phase 1) - Deliver on time, on budget and achieve realized benefits for major corporate technology projects.

CRM Phase 1 is complete with the launch to the Service Burlington consolidated contact center model achieved for Clerks, Transportation, Transit and Roads, Parks & Forestry departments. Customers now receive a live answer and an immediate response to Tier one inquiries. All inquiries are tracked and searchable to ensure the case history can be easily accessed for future inquiries. The Service Burlington model continues to take on additional services including Animal Service, By-law and Licensing services. The departments using the CRM platform now have access to data enabling them to make business decisions based on customer trends and needs.

Financial Matters:

Each initiative either has its own budget (e.g. projects, taskforces, etc.) or is contained within the base budget of the relevant service.

Total Financial Impact

Not applicable

Source of Funding

Not applicable

Other Resource Impacts

Not applicable.

Climate Implications

The City’s long-term vision sees City of Burlington as a leader in the stewardship of the environment while encouraging healthy lifestyles. Significant progress has been made in Vision to Focus’ Focus Area 3 – supporting sustainable infrastructure and a resilient environment - with the completion of a number of the key actions. These actions work collectively to not only reduce greenhouse gas emissions from city operations but also to support the City of Burlington in adapting to climate change.

Engagement Matters:

Staff leads for the V2F initiatives are engaged in the update process for timely status updates.

Conclusion:

Goals, strategies, objectives and activities are all achievable; some over longer time periods than others. What each has in common is the need to monitor and track to see how progress is made in achieving the stated goal or objective and completing the activities. Monitoring and reporting matter because of accountability. City of Burlington management and staff are accountable to City Council. City of Burlington council is accountable to the citizens of Burlington

Respectfully submitted,

Sheila M Jones

Executive Director, Strategy, Risk & Accountability

905-335-7600 ext. 7872

Appendices:

- A. CS-10-22 V2F Integrated Reporting – as of June 2022

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.

2018-2022 Burlington's Plan: From Vision to Focus

Status update as of June 2022

Information extracted from the City's
V2F Integrated Reporting

Welcome to the City of Burlington's Vision to Focus Integrated Reporting Tool

Click on a Focus Area icon to view strategic goals, initiative status and link to available metrics.

Click on the status bar below each icon to see more detail on current initiatives where a target date has been set.

Choose a tab above to view data-driven charts and completed initiatives from the Vision to Focus plan.

The legend refers to status of initiatives where a target date has been set.

Status Bar Legend

-  Complete
-  On Track
-  Needs Attention
-  Not Yet Started
-  Off Track or At Risk

**Focus Area 1:
Economic Prosperity**



**Focus Area 2:
Integrated Mobility**



**Focus Area 3:
Resilient Environment &
Sustainable Infrastructure**



**Focus Area 4:
Citizen Engagement**



**Focus Area 5:
Customer Centric Services**



Do you have comments or questions on this application? Please contact stephanie.venimore@burlington.ca to share feedback.

This updated information applies to to initiative status only; it does not reflect the City's progress to achieving the strategic goals.

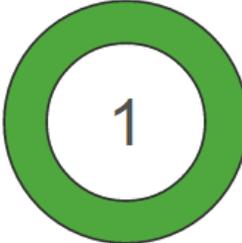
2018-2022 Burlington's Plan: From Vision to Focus

Each circle below represents a strategic goal and shows the number of initiatives connected with that goal, as part of the City's four-year work plan. Click on the coloured circles to see all of the initiatives connected with that goal.

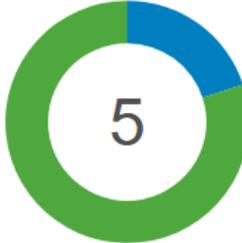
Where data-driven measures are available that relate to a strategic goal, click on the icon below each circle to see more.

Focus Area 1 : Increasing Economic Prosperity and Community Responsive City Growth

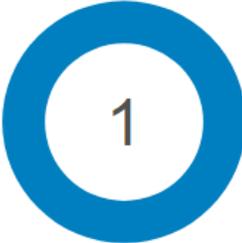
Increasing options for employment opportunities in Burlington



Supporting and maintaining a diverse economy in small business, commercial, industrial, and office sectors



Maintaining and continually developing a safe city



This measure is found on pages 33-34 of this document.



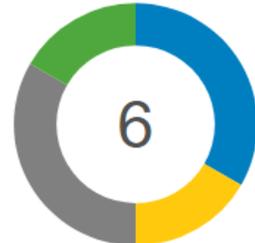
Creating a competitive business investment environment in Burlington (e.g. taxes, incentives)



Increasing options for learning institutions



Increasing options for housing across the City



This updated information applies to to initiative status only; it does not reflect the City's progress to achieving the strategic goals.

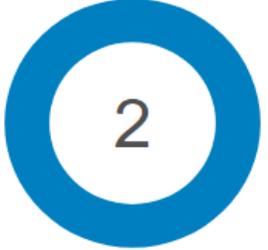
2018-2022 Burlington's Plan: From Vision to Focus

Each circle below represents a strategic goal and shows the number of initiatives connected with that goal, as part of the City's four-year work plan. Click on the coloured circles to see all of the initiatives connected with that goal.

Where data-driven measures are available that relate to a strategic goal, click on the icon below each circle to see more.

Focus Area 2 : Improving Integrated City Mobility

Increasing Burlington Transit service levels and growing overall ridership



Improving the transit and transportation modal split



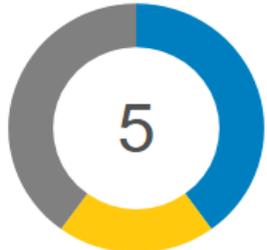
Being a vision zero city that strives to create safe streets for all users and eliminates fatalities and serious injuries on streets



This measure is found on page 35 of this document.



Improving traffic flow



Improving access to Burlington Transit service



This updated information applies to to initiative status only; it does not reflect the City's progress to achieving the strategic goals.

2018-2022 Burlington's Plan: From Vision to Focus

Each circle below represents a strategic goal and shows the number of initiatives connected with that goal, as part of the City's four-year work plan. Click on the coloured circles to see all of the initiatives connected with that goal.

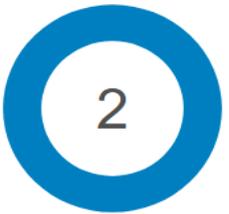
Where data-driven measures are available that relate to a strategic goal, click on the icon below each circle to see more.

Focus Area 3 : Supporting Sustainable Infrastructure and a Resilient Environment

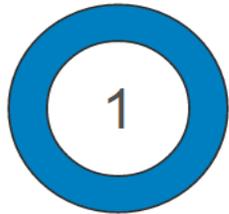
Reducing the infrastructure funding gap for all city owned assets



Promoting and working towards a lower carbon footprint community



Expectation of increasing the use of sustainable development materials



This measure is found on pages 38-39 of this document.



Delivering on carbon neutral initiatives



Protecting and enhancing the city's creeks, streams and waterfront

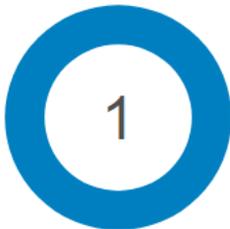


This measure is found on pages 37 of this document.

Increasing the tree canopy city wide



Including citizen engagement; to be responsive to citizen's needs in infrastructure and new infrastructure growth



This measure is found on pages 40-41 of this document.

Ensuring growth is financially sustainable and pays for new infrastructure



2018-2022 Burlington's Plan: From Vision to Focus

Each circle below represents a strategic goal and shows the number of initiatives connected with that goal, as part of the City's four-year work plan. Click on the coloured circles to see all of the initiatives connected with that goal.

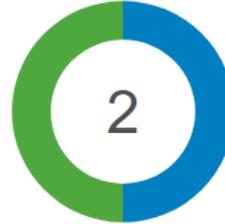
Where data-driven measures are available that relate to a strategic goal, click on the icon below each circle to see more.

Focus Area 4 : Building More Citizen Engagement, Community Health and Culture

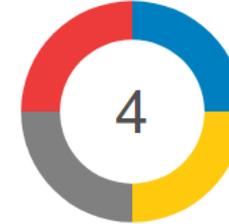
Building more parks associated with development in new growth areas across the city



Being a municipal leader in community engagement, collaboration and volunteerism



Focusing on increasing recreational programming for our growing and diverse communities across the entire City



Improving community engagement with diverse communities



Improving citizen advocacy and satisfaction with Citizen's Advisory Committees, Standing Committees, and public meetings



Increasing advocacy to other levels of government to ensure Burlington's voice is heard



Ensuring citizen wellbeing through walkable and bikeable access to green space



Focusing on the health and wellbeing of older adults and being recognized as an age friendly city



Improving satisfaction rates of City Services with all residents with an interest on connecting better with newcomers to Burlington



Increasing our commitment to arts and culture to be a welcoming city



2018-2022 Burlington's Plan: From Vision to Focus

This updated information applies to to initiative status only; it does not reflect the City's progress to achieving the strategic goals.

Each circle below represents a strategic goal and shows the number of initiatives connected with that goal, as part of the City's four-year work plan. Click on the coloured circles to see all of the initiatives connected with that goal.

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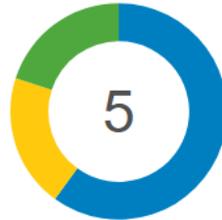
Focus Area 5 : Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation

Delivering on efficient and effective project management and accountable corporate performance



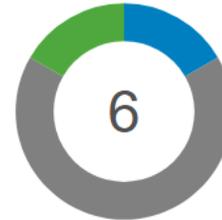
Ensuring that strategic initiatives and corporate projects are resourced and sustained

Ensuring efficient, effective and economical service delivery



Improving our employment identity to become a top employer in the Greater Toronto and Hamilton Area

Increasing community and customer input into how the city delivers services / Enhancing and emphasizing a customer first approach in all city service areas



Diversifying the employee demographics that participate in engagement activities



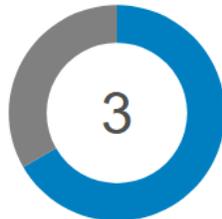
Ensuring financial sustainability with a reasonable tax rate increase that focuses on citizen services



Increasing corporate resilience to cyber-security threats through effective and proactive IT security management practices



Increasing employee engagement and workplace culture scores



This section is continued on page 8

2018-2022 Burlington's Plan: From Vision to Focus

This updated information applies to initiative status only; it does not reflect the City's progress to achieving the strategic goals.

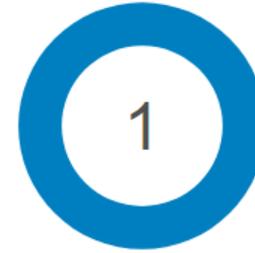
Each circle below represents a strategic goal and shows the number of initiatives connected with that goal, as part of the City's four-year work plan. Click on the coloured circles to see all of the initiatives connected with that goal.

Where data-driven measures are available that relate to a strategic goal, click on the icon below each circle to see more.

Focus Area 5 : Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation

Enhancing City services and delivery of citizen self-service options through technology

Developing employees to fill management vacancies from within



This section is continued from page 7



2018-2022 Burlington's Plan: From Vision to Focus



Completed



On Track



Needs Attention



Not Yet Started



Off Track or At Risk

Focus Area 1 : Increasing Economic Prosperity and Community Responsive City Growth

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
1.01		Increasing options for employment opportunities in Burlington Burlington Economic Development	Implement the recommendations of the Red Tape Red Carpet Taskforce to make it easier for businesses to locate and thrive in Burlington, attracting more investment. First priorities will be grading and drainage; Committee of Adjustment; and Zoning and Development Application and Approval business process reviews	2019 Q4 2022 Q4	An open dashboard has been developed to track the status of the 22 Red Tape Red Carpet (RTRC) Recommendations and is available at https://www.burlington.ca/en/council-and-city-administration/red-tape-red-carpet-progress-reporting.aspx . Reports on the deliverables are presented regularly to committee. In 2022 Red Tape cutting initiatives continue to be focused on reducing barriers for businesses this has included the streamlined patio approvals, new customer experience, development of the one window in City Hall and Streamline Development Application Process project. An update report on Red Tape Red Carpet will be brought forward in Q4 2022 on results to date and recommendations for the evolution of the RTRC recommendations.
1.02		Supporting and maintaining a diverse economy in small business, commercial, industrial, and office sectors Burlington Economic Development	Work with Burlington Economic Development Corporation to create and implement strategies to focus on: Creating jobs and achieving long term economic vision for the City of Burlington	2022 Q1 2024 Q2	Burlington Economic Development and Team Burlington including the City of Burlington are working collaboratively to review and reimagine Burlington's economic strategy with the new economic realities of COVID-19. Stakeholder workshops for the new Economic Development 2022-2025 Strategic Plan will begin in Q3 2022 and continue through Q2 2023 in coordination with City of Burlington Strategic Planning activities. We are looking at the future of employment in Burlington including impacts of COVID-19 to long term strategies for employment growth. This includes work on the GO Investment Corridor Vision (MTSAs) ECDEV-01-22, development ready lands strategy and opportunities and constraints to ensure Burlington remains competitive in attracting and retaining jobs. In 2022 Burlington Economic Development has continued its focus on supporting main street businesses through the new My Main Street Program and continuation of Digital Main Street programs which has resulted in almost \$600,000 in grants to hire additional staff and provide direct business supports. TechPlace has expanded its soft landing programming focusing on opportunities to bring high growth international startups to Burlington and will launch the new Acceleration Plus Program in collaboration with partners which will leverage \$3 Million in funding from FedDev to bring 45 companies to Burlington by 2024.
1.021		Creating a competitive business investment environment in Burlington (e.g. taxes, incentives) Burlington Economic Development	Reduce commercial and industrial office vacancies and reducing barriers in attracting business	2022 Q2 2023 Q3	We are developing approaches to increase the supply of shovel ready land in Burlington in order to attract more businesses. The MTO Prosperity Corridor Study and the Burlington Brownfield Community Improvement Plan are two tactics that have been advanced to help attract businesses to the City. Work is ongoing to assess the impacts of COVID-19 and hybrid work on commercial, industrial, and office vacancies. We are seeing very different impacts of COVID-19 to sectors and the office vacancy rate has increased while industrial vacancy remains too low to support market demands. The increase in office vacancy largely due to COVID-19 will affect our ability to attract future office development. In 2022 Community Planning, Customer Experience and Economic Development continued working together to map the current Customer Experience for business development customers and implement new process improvements and metrics.
1.022		Creating a competitive business investment environment in Burlington (e.g. taxes, incentives) BED	Developing attraction and retention strategies for knowledge-based/technology intensive industries	2022 Q4	2021 strategy developed and implementation in progress. Strategy to be updated annually.



2018-2022 Burlington's Plan: From Vision to Focus



Focus Area 1 : Increasing Economic Prosperity and Community Responsive City Growth

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
1.023		Creating a competitive business investment environment in Burlington (e.g. taxes, incentives) Burlington Economic Development	Developing and implement a Retail Strategy	2022 Q4 2023 Q4	The development of a long term retail strategy has been paused to focus on hands on supports for main street businesses during COVID-19 recovery. To date we have engaged over 1,000 businesses through the Digital Main Street program and Team Burlington have been approved for over \$200,000 in funding for the My Main Street Program which is providing hands on support to businesses in four geographic areas across Burlington through our four My Main Street Ambassadors and will bring \$400,000 in grants directly to main street businesses. Strategic planning discussions will take place in 2023 to determine the local vs regional role in retail and main street business supports.
1.024		Creating a competitive business investment environment in Burlington (e.g. taxes, incentives) Burlington Economic Development	Supporting small business and tech incubators	2022 Q1 2023 Q4	TechPlace has been adapting operations to meet the needs of entrepreneurs in the new hybrid workplace. As part of our response to COVID-19 we have expanded the TechPlace mandate to focus on main street business digitization supports through the Digital Main Street Program. Discussions are taking place on the new 2023-2028 TechPlace Strategy and business plan including the integration of main street business support, hybrid programming and the relocation of TechPlace to the former Bateman school site. TechPlace has expanded its soft landing programming focusing on opportunities to bring high growth international startups to Burlington and will launch the new Acceleration Plus Program in collaboration with partners which will leverage \$3 Million in funding from FedDev to bring 45 companies to Burlington by 2024.
1.03		Increasing options for housing in Burlington Community Planning	Determine the future vision for the downtown by completing the review of the Official Plan policies and the Interim Control Bylaw land use study	2020 Q2 2020 Q4	The interim control by-law land use study has been completed. The interim control by-law (ICBL) land use study was appealed to the Local Planning Appeals Tribunal (LPAT) in February 2020, so the ICBL remains in effect until the appeals are resolved. The recommended official plan policies and supporting information for the downtown was released in advance of Committee consideration. In October, Council approved the policies with a series of Council initiated amendments. Subsequently, the Region of Halton issued its Notice of Decision for the new Official Plan. The new Official Plan has been partially appealed to the Local Planning Appeals Tribunal.
1.04		Increasing options for housing in Burlington Community Planning	Define Burlington's expectations for population and jobs to 2041 as part of the Halton Region's Municipal Comprehensive Review	2020 Q3 2022 Q4	Wholly dependent on Halton Region's Municipal Comprehensive Review which is in progress. The Municipal Comprehensive Review (MCR) is being implemented in a phased approach. The first phase work has been implemented through ROPA 48 which was adopted by Regional Council in July, 2021 and approved by the Minister of Municipal Affairs in November 2021. The second phase of work has been implemented through ROPA 49. ROPA 49 implements the results of the Region's Integrated Growth Management Strategy (IGMS) providing direction on how the Region of Halton will accommodate population and employment growth to 2041. ROPA 49 was approved by Regional Council in June 2022 and is now with the Minister of Municipal Affairs and Housing for a decision.



2018-2022 Burlington's Plan: From Vision to Focus



Focus Area 1 : Increasing Economic Prosperity and Community Responsive City Growth

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
1.05		Increasing options for housing in Burlington Community Planning	Complete the area specific plans for Mobility Hubs	2021 Q4 2023 Q4	Work on the area specific plans for the Major Transit Station Areas continues but has faced delays and challenges. Community and Stakeholder engagement is on-going and focused around the MTSA Area Specific Plan Planning Study Final Report (June 2022) completed by Dillon Consulting. The Final Study Report and on-going technical work, feedback from Council and public engagement will together inform the creation of the area-specific plans for the MTSA's which will be available for an extended period of public consultation in 2023.
1.06		Increasing options for housing in Burlington Community Planning	Complete the City's Housing Strategy and implement the plan to address the needs related to young families, seniors housing, affordable housing, special needs housing, and newcomers.	2022 Q2 2022 Q2	The City's Housing Strategy, including a high level implementation plan, was approved by Council in June 2022. Staff are now working to move the Strategy to action and will report back to Council in early 2023 with a status update on the implementation of the recommended actions as set out in the Strategy.
1.07		Maintaining and continually developing a safe city Fire	Develop a Fire Master Plan to support the growth and change within the city	2020 Q2 2022 Q2	Fire Master Plan received by Environment, Infrastructure and Community Services committee on June 9, 2022. Through our partnership with Finance, an implementation plan has been developed and will form part of the annual work plans moving forward and subject to budget review and Council approval.
1.08		Creating a competitive business investment environment in Burlington (e.g. taxes, incentives)	Assess the use of one or more Community Improvement Plans including options for incentive programs for business development	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
1.09		Creating a competitive business investment environment in Burlington (e.g. taxes, incentives)	Remove constraints on availability of employment lands	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.



2018-2022 Burlington's Plan: From Vision to Focus



Focus Area 1 : Increasing Economic Prosperity and Community Responsive City Growth

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
1.10		Creating a competitive business investment environment in Burlington (e.g. taxes, incentives)	Develop a plan to activate key parcels of vacant employment lands and facilitate vacant employee land being shovel ready	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
1.11		Increasing options for housing in Burlington	Initiate the Zoning Bylaw Review	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
1.12		Increasing options for housing in Burlington	Start the process of reviewing the next Official Plan	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
1.13		Increasing options for learning institutions Burlington Economic Development	Develop a strategy and implementation plan to attract a post secondary education institution (e.g. University, college and technical institute) primary or secondary campus)	2025 Q4	In 2019 Council approved the Burlington Economic Development Post-Secondary Attraction Strategy which outlined a framework for post-secondary attraction and how Burlington could engage post-secondary partners. Burlington Economic Development has been leading discussions with Brock University to relocate their faculty of Education to Burlington as part of a campus expansion strategy. In 2020 an LOU and MOU were signed between Brock University and the City of Burlington outlining the commitment to work together to create a Brock campus in Burlington. In 2022 we announced the intent for Brock University to move their Faculty of Education to the former Robert Bateman High School Site. Discussions and partnerships continue with Brock and other post secondary partners to create more post secondary opportunities in Burlington and connect employers to talent and research and development opportunities.



2018-2022 Burlington's Plan: From Vision to Focus



Completed



On Track



Needs Attention



Not Yet Started



Off Track or At Risk

Focus Area 2 : Improving Integrated City Mobility

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
2.01		Improving the transit and transportation modal split Transportation	Complete the Integrated Mobility Plan and implementation schedule is in progress	2020 Q4 2022 Q3	Work on the Integrated Mobility Plan (IMP) is well underway and the final phase of the project (preparation of the implementation, financing and monitoring plans) are in-progress. A change in the workplan as related to preparation of project costs has resulted in capital and operating costs being prepared internally by City Staff. This requires a slight extension of project timelines in order to complete the work in-house and ensure project costing is accurately represented. Staff will present the final IMP to Council in early Q2 2023 at which time the project will be filed and the final round of engagement will commence (legislated engagement period as per the Municipal Class Environmental Assessment).
2.02		Improving the transit and transportation modal split Roads, Parks and Forestry	Review snow clearing service levels for all mobility modes (e.g. trails, sidewalks, bike lanes and roads)	2019 Q4 2022 Q2	A winter operations and related service level update report addressing this initiative was presented to council in September 2021. Opportunities for improved snow clearing on walkway linkages to various schools was an outcome of this report, with implementation dependent on agreements with both school boards. Further opportunities to increase winter service coverage to off-road facilities and better align winter maintenance services with the ideal pedestrian network will be undertaken as part of the city's Integrated Mobility Plan review.
2.03		Increasing Burlington Transit service levels and growing overall ridership Transit	Complete the Burlington Transit 5 Year Business Plan	2019 Q4 2020 Q4	Burlington Transit 5-year business plan was updated to reflect impact of COVID-19 pandemic situation, with revised ridership forecasts, timelines and budgets. The Business Plan will guide Burlington Transit over the next 5 years to regain ridership by focusing on the strategic directions define in the plan.
2.04		Improving the transit and transportation modal split Transportation	Complete the Rural Active Transportation Strategy and implementation schedule	2020 Q3 2022 Q3	Rural Active Transportation (AT) Strategy is directly linked to the Integrated Mobility Plan (IMP) (Initiative 2.01). The finalized rural active transportation network has been incorporated into the Preferred Network Solution as part of the Integrated Mobility Plan and the supporting technical report has been completed. The final IMP document will "roll up" the Rural AT Strategy Report and incorporate key findings and recommendations; while the identified projects will be prioritized though the final phases of the IMP. A final round of engagement on this work will be facilitated through the legislated engagement period of the IMP.
2.05		Improving traffic flow Transportation	In collaboration with Halton Region complete the QEW Prosperity Corridor Study and implement recommendations	2020 Q4 2023 Q2	Partnership between the City, Region and MTO. Phase 1 – Block Planning Framework and Approval Process complete. Phase 2 – Technical Analysis and Transportation Modelling near completion with preliminary Infrastructure Improvements being identified. Phase 3 – Implementation started but not yet complete. Project has incurred intolerable delays due to lack of consensus on modelling requirements of the study and subsequent modelling outputs and results. Senior Management continues to actively manage risks with partner agencies. Project Executive meetings have taken place with partner agencies and an agreement on outstanding modelling tasks has been reached. City and Consulting Team staff have met to determine a path forward. The project is currently on-hold until September, 2022 awaiting response from the Consultant (WOOD Engineering Inc.) and presentation of an updated project schedule.
2.06		Improving traffic flow Transportation	Use new technology and street design to reduce congestion and increase traffic flow	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.



2018-2022 Burlington's Plan: From Vision to Focus



Focus Area 2 : Improving Integrated City Mobility

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
2.07		Improving access to Burlington Transit service Transit	Develop annual transit service plans to implement a frequent grid-based network	2022 Q1	The Burlington 5-year business plan (2020-2024), approved by Council in December 2020 (TR-02-20), outlines Strategy 1A – Moving Towards a Grid-Based System. This work began with the September 2019 route modifications moving Transit in this direction, and the plan is to continue to move in this direction for all future services. A grid-based system also allows for convenient transfers between routes at intersections, providing greater connectivity to more destinations than a single local route could provide.
2.08		Improving access to Burlington Transit service Transit	Assess an alternative method of transit service delivery to move people more efficiently during off peak times	2023 Q1	The Burlington 5-year business plan (2020-2024), approved by Council in December 2020 (TR-02-20), outlines a number of strategies to accomplish this objective: Strategy 2A – Research and Implement On-Demand Alternative Service Delivery Models includes developing an on-demand transit service model and business case for low demand areas and time periods, allowing customers to use a mobile application to book a shared-ride demand-responsive service to connect to the conventional service.
2.09		Increasing Burlington Transit service levels and growing overall ridership Transit	Continue to review, develop and deliver incentive programs to encourage transit ridership	2022 Q1	The Burlington 5-year business plan (2020-2024), approved by Council in December 2020 (TR-02-20), outlines a number of strategies to accomplish this objective: Strategy 4 - Travel Demand Management including Free Midday Travel for Seniors, Affordability, Free Transit for Children (ages 12 and under), Student Fare Strategy (ages 13 – 19), Employer Partnerships, Enhanced Coordination with Other City Departments, and Reduce Transit's Carbon Footprint. Of these strategies, the city continues to offer free fares for children aged 12 and under and co-funds the Subsidized Passes for Low-Income Transit (SPLIT) program with Halton Region to provide a free monthly pass to residents of Burlington that meet the qualifications. In 2022, Council approved the permanent inclusion of the Free65 program supporting senior ridership during off peak hours. Other actions outlined in the 5-year business plan will continue to be explored.
2.091		Improving access to Burlington Transit service Transit	*Provide free transit for SPLIT pass program participants	2022 Q1	The Burlington 5-year business plan (2020-2024), approved by Council in December 2020 (TR-02-20), outlines a number of strategies to accomplish this objective: Strategy 4 - Travel Demand Management including Free Midday Travel for Seniors, Affordability, Free Transit for Children (ages 12 and under), Student Fare Strategy (ages 13 – 19), Employer Partnerships, Enhanced Coordination with Other City Departments, and Reduce Transit's Carbon Footprint. Of these strategies, the city continues to offer free fares for children aged 12 and under and co-funds the Subsidized Passes for Low-Income Transit (SPLIT) program with Halton Region to provide a free monthly pass to residents of Burlington that meet the qualifications. In 2022, Council approved the permanent inclusion of the Free65 program supporting senior ridership during off peak hours. Other actions outlined in the 5-year business plan will continue to be explored.
2.092		Improving access to Burlington Transit service Transit	*Provide free transit service pilot program for seniors 65+ during off peak hours	2022 Q1	The Burlington 5-year business plan (2020-2024), approved by Council in December 2020 (TR-02-20), outlines a number of strategies to accomplish this objective: Strategy 4 - Travel Demand Management including Free Midday Travel for Seniors, Affordability, Free Transit for Children (ages 12 and under), Student Fare Strategy (ages 13 – 19), Employer Partnerships, Enhanced Coordination with Other City Departments, and Reduce Transit's Carbon Footprint. Of these strategies, the city continues to offer free fares for children aged 12 and under and co-funds the Subsidized Passes for Low-Income Transit (SPLIT) program with Halton Region to provide a free monthly pass to residents of Burlington that meet the qualifications. In 2022, Council approved the permanent inclusion of the Free65 program supporting senior ridership during off peak hours. Other actions outlined in the 5-year business plan will continue to be explored.



2018-2022 Burlington's Plan: From Vision to Focus



Completed



On Track



Needs Attention



Not Yet Started



Off Track or At Risk

Focus Area 2 : Improving Integrated City Mobility

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
2.10		Improving traffic flow Transit	Assess and implement changes to increase connectivity of transporting modes and options	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
2.11		Being a vision zero city that strives to create safe streets for all users and eliminates fatalities and serious injuries on streets Transportation	Assess and implement changes to improve the state of good repair on all mobility modes	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
2.12		Improving the transit and transportation modal split Transportation	Assess the feasibility of bike sharing opportunities and costing	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.



2018-2022 Burlington's Plan: From Vision to Focus



Focus Area 3 : Supporting Sustainable Infrastructure and a Resilient Environment

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
3.01		Reducing the infrastructure funding gap for all city owned assets Engineering	Implement the Asset Management Financial Strategy and update the Asset Management Plan	2021 Q4 2021 Q3	Asset Management Plan (AMP) and associated Financial Strategy 5-year update in alignment with requirements set out in Ontario Regulation 588/17: Asset Management Planning for Municipal Infrastructure. This is a comprehensive update of the City's 2016 AMP. The final 2021 AMP was completed in Q3, and both the plan and financing strategy report recommendations were brought forward and approved by Council in Q4 2021.
3.02		Promoting and working towards a lower carbon footprint community Engineering	Develop Burlington's Climate Action Plan, addressing Burlington's Climate Emergency declaration and focusing on reducing the community's greenhouse gas emissions	2019 Q4 2020 Q1	Burlington's Climate Action Plan approved by Council on April 20, 2020. Refer Report EICS-01-20 in Environment, Infrastructure & Community Services Committee
3.03		Promoting and working towards a lower carbon footprint community Environment, Infrastructure and Community Service	Develop Burlington's Climate Change Adaptation Plan	2021 Q1 2022 Q3	Presented the draft Climate Resilient Burlington – a Plan for Adapting to Our Warmer, Wetter and Wilder Weather to EICS Committee on May 5th, made available on getinvolvedburlington.ca for review and presented final plan to EICS Committee on July 7th and approved by Council on July 12th.
3.04		Expectation of increasing the use of sustainable development materials Community Planning	Review and update the Sustainable Building and Development Guidelines	2021 Q1 2021 Q4	Following research and consideration, a staff report was prepared for Council discussion regarding options for facilitating green development and infrastructure, including the future consideration of a municipal green roof by-law.
3.05		Delivering on carbon neutral initiatives Engineering	Update the Corporate Energy and Emissions Management Plan to recognize achievements and identify new initiatives for implementation	2019 Q3	Completed and approved July 2019. Benefit of plan includes identifying action items to meet carbon neutral strategic goal
3.06		Protecting and enhancing the city's creeks, streams and waterfront Engineering	Update the Storm Water Management Plan while continuing to implement the current flood and storm management actions	2019 Q4 2020 Q2	Stormwater management design guidelines approved by Council June 22, 2020. Refer Report CW-14-20 in Environment, Infrastructure and Community Services Committee



2018-2022 Burlington's Plan: From Vision to Focus



Focus Area 3 : Supporting Sustainable Infrastructure and a Resilient Environment

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
3.07		Increasing the tree canopy city wide Roads, Parks and Forestry	Complete and implement the Urban Forestry Management Plan Update	2020 Q4 2023 Q3	The Urban Forest Master Plan and Woodland Management Strategy was awarded in Q1 to Diamond Head Consulting. The project is on track. Recent milestones that have been met include the completion of the state of the urban forest report; spatial canopy analysis using remote sensing technology; community and stakeholder engagement; and program updates to BLT. Public and stakeholder consultation is on pause over the summer break but will recommence in September with more consultation geared toward the Woodland Management Strategy.
3.08		Delivering on carbon neutral initiatives Roads, Parks and Forestry	Update the City's Green Fleet Strategy and develop an action plan to reduce the City's carbon footprint through alternative fuel sources	2021 Q2 2023 Q1	An RPF for a Green Fleet Consultant has been issued. Once awarded, the update for the Green Fleet Strategy will begin in September 2022. The consultant will aid in updating the strategy and an internal Project team consisting of stakeholders from Fleet Services, Environmental Sustainability, Fire and Transit will be established and consulted as part of this initiative.
3.09		Ensuring growth is financially sustainable and pays for new infrastructure Community Planning	Update the development charges Background Study and Bylaw	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
3.10		Including citizen engagement; to be responsive to citizen's needs in infrastructure and new infrastructure growth Strategy Risk and Accountability	Increase advocacy with other levels of government	2022 Q1	An annual government relations workplan includes advocacy with other levels of government, continuing to seek funding for the city's infrastructure growth and renewal requirements. In addition, the City is a voice at the table in the Federation of Canadian Municipalities, Ontario Big City Mayors and Association of Municipalities of Ontario.
3.11		Ensuring growth is financially sustainable and pays for new infrastructure Community Planning	Develop partnerships to assist with revenue generation to support infrastructure	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
3.12		Increasing the tree canopy city wide Roads, Parks and Forestry	Use the results and outcomes of the Roseland Private Tree Bylaw Pilot to determine where tree bylaws are appropriate	2023 Q1	The Private Tree bylaw was passed unanimously in January 2020. Over 2021, the program underwent a rigorous review by staff with updates provided in spring 2022 to the Strategy and Risk Team, and Council. Recent milestones that have been met include the creation of a tree preservation and enhancement policy and an update to the bylaw with a 'made in Burlington' approach; and participation in the Streamlined Development Application Funding (SDAF) continuous improvement project. Next steps for this program include the launch of a guide for tree preservation for applicants (Q3); and application integration with AMANDA software (Q4).



2018-2022 Burlington's Plan: From Vision to Focus



Focus Area 3 : Supporting Sustainable Infrastructure and a Resilient Environment

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
3.13		Protecting and enhancing the city's creeks, streams and waterfront Environment, Infrastructure and Community Service	Assess the Home Retrofit Program with key stakeholders	2022 Q3 2022 Q3	Better Homes Burlington Feasibility Study was completed by the Centre for Climate Change Management at Mohawk College with stakeholder engagement and the final report was presented to EICS Committee on March 3rd and approved by council on March 22nd with a recommended program design for a Burlington home energy efficiency retrofit program.
3.14		Protecting and enhancing the city's creeks, streams and waterfront Engineering	Use city growth, infill and redevelopment as an opportunity to enhance creeks, streams and water quality	Not Yet Set	This is currently done in all reviews, as a result of the flood in 2015, standards were updated to include this review and will continue to be integrated in new procedures.



2018-2022 Burlington's Plan: From Vision to Focus



Focus Area 4 : Building More Citizen Engagement, Community Health and Culture

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
4.01		Building more parks associated with development in new growth areas across the city Engineering	Complete the Parks Master Plan update and implement new actions, while continuing to act on current parks initiatives	2020 Q4 2022 Q4	The interim report for the Parks Provisioning Master Plan (referred to as the Parks Master Plan) was received by Council in July 2022. The final deliverable of this plan will be presented to Committee this December and will form as the foundation for the launch of the City's update to the 2009 Parks, Recreation and Cultural Master Plan (PRCMP) in 2023. The extra few months taken to deliver the Park Provisioning Master Plan will be to ensure complete alignment with the area specific planning within the MTSAs (Major Transit Station Area), the Provincial and Region Growth Plan(s), the recently approved Parkland Dedication Bylaw Amendment and anticipated September approval of the new Community Benefits Charge (CBC) Strategy and Bylaw.
4.02		Focusing on increasing recreational programming for our growing and diverse communities across the entire City Recreation, Community & Culture	Complete a strategic review of the Joint Venture Policy	2020 Q2 2023 Q4	COVID-19 Pandemic situation has delayed the work on the Joint Venture Policy.
4.03		Focusing on increasing recreational programming for our growing and diverse communities across the entire City Recreation, Community & Culture	Complete a Recreation visionary framework of principles, goals and an operating model to align with the changing needs of recreation in the community ensuring the inclusion of all diverse demographics	2019 Q4 2020 Q1	Framework for community recreation approved by Council February 10, 2020. Refer Report PR-11-19 in Environment, Infrastructure and Community Services Committee.
4.04		Focusing on increasing recreational programming for our growing and diverse communities across the entire City Recreation, Community and Culture	Complete a Neighbourhood Development Strategy	2020 Q4 2023 Q1	COVID-19 Pandemic situation has delayed the work on the Neighbourhood Development Strategy



2018-2022 Burlington's Plan: From Vision to Focus



Completed



On Track



Needs Attention



Not Yet Started



Off Track or At Risk

Focus Area 4 : Building More Citizen Engagement, Community Health and Culture

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
4.05		Improving citizen advocacy and satisfaction with Citizen's Advisory Committees, Standing Committees, and public meetings Office of the City Clerk	Conduct a review of citizen committees including structure and format. Through this review, consider alternative methods of engaging the community on subject matters other than just the traditional citizen committee format	2019 Q4 2023 Q3	On November 10, 2021 Clerks report CL-26-21 included a reconciled list of what had been accomplished. The report also indicated the project would require some change management expertise in order to be a success. Due to staffing changes in the Office of the City Clerk and the 2022 municipal election, the completion date for this project has been revised to Q3 2023.
4.06		Increasing advocacy to other levels of government to ensure Burlington's voice is heard City Manager's Office	Create and implement a strategy for advocacy with senior levels of government	2019 Q3 2022 Q4	A strategy was completed in March 2019 and the results from the workshop will be implemented and ongoing
4.07		Being a municipal leader in community engagement, collaboration and volunteerism Corporate Communication and Engagement	Initiate and implement a Corporate Volunteer Strategy based on recommendations from the Mohawk Future Ready Leadership Team to create a simple and seamless system for residents to volunteer their time with the city	2020 Q2 2022 Q2	Corporate Volunteer Strategy with supporting technology ready for implementation and launch in second quarter of 2022. Initial launch delayed due to COVID and a lack of opportunities where volunteers are required. Soft launch occurred in June and the official launch is on track for July 25, 2022.
4.08		Ensure citizen wellbeing through walkable and bikeable access to green space	Complete the priorities identified in the Community Trails Strategy	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
4.09		Ensure citizen wellbeing through walkable and bikeable access to green space	Advocate for the Greenbelt Plan at all opportunities to support the urban/rural boundary	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
4.10		Focusing on the health and wellbeing of older adults	Explore partnerships to expand recreation and social participation for older adults including individuals facing isolation or other participation barriers	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.



2018-2022 Burlington's Plan: From Vision to Focus



Completed



On Track



Needs Attention



Not Yet Started



Off Track or At Risk

Focus Area 4 : Building More Citizen Engagement, Community Health and Culture

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
4.11		Building more parks associated with development in new growth areas across the city	Ensure all new residential developments and renewal of City infrastructure provides quality amenity space in close proximity to eat the needs of the neighbourhood	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
4.12		Focusing on increasing recreational programming for our growing and diverse communities across the entire City	Determine the potential needs for new community facilities, including a capacity review of all recreational facilities (fields, arenas and community centres)	Not Yet Set	While not formally started, staff are developing a project plan with linkages to Parks Master Plan
4.13		Improving satisfaction rates of City Services with all residents with an interest on connecting better with newcomers to Burlington	Implement the recommendation of the welcome to Burlington for Newcomers project from the Mohawk Future Ready Leadership Team	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
4.14		Being a municipal leader in community engagement, collaboration and volunteerism	Annually employ a range of communication and engagement tactics to ensure citizen engagement represents all residents while also focusing on diverse demographic groups and communities	Not Yet Set	The Corporate Communications annual workplan identifies the communication and engagement tactics required throughout the year. In 2020, the City conveyed much needed information in many different formats and using a variety of tactics, including translating materials in the top 5-7 languages spoken in Burlington.
4.15		Improving community engagement with diverse communities Corporate Communications and Government Relations	Provide different opportunities for residents to engage and contribute to the decision making process, whether it be in person, online, telephone or other means. Report back to the community on how their input shapes decision-making	2022 Q2 2022 Q2	Public engagement practices and process including annual reporting are embedded in operations, as described in Corporate Communications and Engagement report CC-03-22 (May 4, 2022) providing a status update on community and staff engagement.
4.16		Increasing our commitment to arts and culture to be a welcoming city Community Planning	Burlington will become a member of the Intercultural Cities Programme and do the work necessary to apply the principles in our policies and practices	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.



2018-2022 Burlington's Plan: From Vision to Focus



Completed



On Track



Needs Attention



Not Yet Started



Off Track or At Risk

Focus Area 4 : Building More Citizen Engagement, Community Health and Culture

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
4.17		Increasing our commitment to arts and culture to be a welcoming city Community Planning	Review City policies with an intercultural lens and develop intercultural strategies to broaden Burlington's Inclusivity	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.



Focus Area 5 : Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
5.01		Delivering on efficient and effective project management and accountable corporate performance City Manager's Office	Complete the functional realignment of the City Manager's office	2019 Q4	Report approved at Council in September 2019
5.02		Ensuring efficient, effective and economical service delivery City Manager's Office	Initiate a corporate-wide service review program	2019 Q4	Provincial Audit and Accountability review in leaf collection, corporate fleet, winter maintenance, and pre-building permit development approval process service delivery functions completed on Nov 30th 2019. The Feasibility assessment of recommendations is in progress. Design and development of corporate-wide service review program to start in Q4 2020. If additional provincial Audit and Accountability funds become available prior to the design of the program, service reviews will be identified and the process will assist in informing the program requirements.
5.03		Ensuring that strategic initiatives and corporate projects are resourced and sustained City Manager's Office	Deliver on time, on budget and achieve realized benefits for major corporate technology projects	2019 Q4 2023 Q4	Corporate project updates contained in 5.031, 5.032, 5.033, 5.034, 5.035
5.031		Enhancing City services and delivery of citizen self-service options through technology City Manager's Office	CRM (Customer Relationship Management) (Phase 1) - Deliver on time, on budget and achieve realized benefits for major corporate technology projects	2020 Q2 2023 Q2	CRM Phase 1 is complete with the launch to the Service Burlington consolidated contact center model achieved for Clerks, Transportation, Transit and RPF departments. The CX and ITS teams are currently working to expand the Service Burlington model to Animal Service, By-law and Licensing services within the Building & By-law department with a target launch in Q2/2023. The departments that are using the CRM platform now have access to data that enables them to make business decisions based on customer trends and needs. Customers now always receive a live answer and an immediate response to Tier one inquiries. All inquiries are tracked and searchable to ensure the case history can be easily accessed for future inquiries. Additional deployments will continue as department and IT resources become available to support transformation to the Service Burlington model.
5.032		Ensuring efficient, effective and economical service delivery Information Technology Services	ERP (Enterprise Resource Planning) - Deliver on time, on budget and achieve realized benefits for major corporate technology projects	2022 Q4 2023 Q3	Negotiation for Implementation Services was completed successfully and the Implementation Partner (Kainos) is onboard. The planning phase is complete and project is now at the Design and Architecture phase. Based on the new project baseline approved at the end of negotiations, the ERP (Enterprise Resource Planning) Project is going according to Plan, Budget and Scope.



2018-2022 Burlington's Plan: From Vision to Focus



Focus Area 5 : Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
5.033		Ensuring efficient, effective and economical service delivery Information Technology Services	EAMS (Enterprise Asset Maintenance System) - Deliver on time, on budget and achieve realized benefits for major corporate technology projects	2021 Q4 2025 Q1	Project in progress. Decision taken Q2 to integrate financial portion direct to ERP. Resulting delay assessed and new schedule established, budget impact under assessment. Phase 1 complete, Phase 2 data, integration, and business process work progressing. Data and integration complexity and cross-system dependency continue to warrant attention and require management decisions. Project and business staff resourcing issues incurred, currently under review.
5.034		Ensuring efficient, effective and economical service delivery Information Technology Services	BI (Business Intelligence) - complete the implementation of a reporting and analytics tool supporting analytics, data driven decisions, and management dashboards	2020 Q4 2021 Q1	Business Intelligence has created the foundation for data analytics in decision-making and dashboard reporting with a suite of software tools, defined processes and in-house skill development. This project has transitioned to operations. Through this project, service leads and management have come to rely on the data analysis – provided through the BI platform – to support their service and business decisions. Key examples of the use of BI include the V2F Integrated Reporting, Emergency Control Group Dashboard, Transit route performance and ridership counts, parking lot utilization and parking infractions, and modal split analysis; to name a few.
5.035		Ensuring efficient, effective and economical service delivery Information Technology Services	Upgraded case management development application system (AMANDA 7) - Deliver on time, on budget and achieve realized benefits for major corporate technology projects	2020 Q2	Case management development application system (AMANDA 7) has been updated.
5.04		Increasing community and customer input into how the city delivers services City Manager's Office	Conduct a community-wide survey every two years, starting in fall 2019 to determine if residents feel they are being engaged and are part of the City's decision-making process and based on established municipal norms, including quality of life, city programs and services, value for taxes and governance	2019 Q4	Community survey completed in Fall 2019. Process in place to complete survey every two years.
5.05		Enhancing and emphasizing a customer first approach in all city service areas Facilities Environment Infrastructure and Community Service	Implementation of a one stop customer service counter for the Department of City Building	2020 Q4 2023 Q2	Construction of the first floor renovations at city hall is in progress including the alignment of the development service functions to be accommodated within this space. Construction schedule has been impacted by labour and market conditions.



2018-2022 Burlington's Plan: From Vision to Focus



Focus Area 5 : Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
5.06		Enhancing and emphasizing a customer first approach in all city service areas Community Planning	Develop and implement online/automated submissions, processing and approvals of development applications	2022 Q4 2024 Q4	While some progress has been made to support the digital submission and review of development plans, there is continued work needed on a public portal to achieve full end-to-end digital submission, review, processing and approvals. Before automation can occur, a business process must be reviewed and optimized. Staff are currently reviewing the pre-building permit process to maximize efficiency and enhance customer experience. When this review concludes, we will look to leverage technology to develop and implement this public portal.
5.07		Improving our employment identity to become a top employer in the Greater Toronto and Hamilton Area Human Resources	Complete the assessment of salary competitiveness and implement recommendations.	2020 Q4 2023 Q3	RFP issued in July 2020 to advance the work and consultant working with staff to implement new JE system for non-union employees. Ratings are being completed and a new salary pay band structure is being created. Initiative will take a phased approach for implementation of the results.
5.08		Diversifying the employee demographics that participate in engagement activities Human Resources	Complete and implement a diversity and inclusivity strategy for Burlington as an employer	2020 Q3 2023 Q2	Due to COVID19 impacts on staff capacity this project was delayed but got underway in 2022. The City is working with the Canadian Centre for Diversity and Inclusion (CCDI Consulting Inc.) to create an employee-facing Diversity, Equity & Inclusion (DEI) Strategy. The policy /document reviews and leadership growth activities are currently being completed. The next phase of this project includes: City-wide awareness training, the diversity & inclusion survey, facilitated working sessions, and the development of a well-informed DEI strategy. The City continues to be a CCDI partner which provides staff with on-demand access to online DEI resources and webinars.
5.09		Increasing corporate resilience to cybersecurity threats through effective and proactive IT security management practices	Continue implementation of the Corporate IT Strategy inclusive of an IT security framework	Not Yet Set	IT annual workplan contains actions to support continued implementation of the Corporate IT strategy.
5.10		Ensuring financial sustainability with a reasonable tax rate increase that focuses on citizen services	Engage council and management to review and improve the city's budgeting processes	Not Yet Set	Annually the Finance Department sets the budget framework and works with Council and management to improve the budgeting process.



2018-2022 Burlington's Plan: From Vision to Focus



Focus Area 5 : Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
5.11		Ensuring financial sustainability with a reasonable tax rate increase that focuses on citizen services	Assess the feasibility of multi year budgeting	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
5.12		Delivering on efficient and effective project management and accountable corporate performance City Manager's Office	Develop corporate performance measures and a citizen dashboard to communicate the progress of the corporate workplan	Not Yet Set	While corporate performance measures have not been identified, the V2F integrated reporting tool was introduced to Council and is expected to be made available to the public during 2021. As performance measures are identified, they will be included in the reporting tool.
5.13		Delivering on efficient and effective project management and accountable corporate performance City Manager's Office	Develop a monitoring tracking and reporting process for corporate continuous improvement and major corporate initiatives	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
5.14		Ensuring financial sustainability with a reasonable tax rate increase that focuses on citizen services	Undertake and implement the recommendation of the 2019 BMA Municipal Financial Health Report	Not Yet Set	Financial condition assessment (F-29-19) provided to Committee of the Whole Meeting July 08, 2019
5.15		Increasing community and customer input into how the city delivers services City Manager's Office	Communicate and engage staff and customers in the implementation of the "Launch and Cultivate" phases of the Service Brilliance Corporate Customer Service Strategy Actions, including:	Not Yet Set	This initiative has 5.151 and 5.152 associated with it for completeness



2018-2022 Burlington's Plan: From Vision to Focus



Completed



On Track



Needs Attention



Not Yet Started



Off Track or At Risk

Focus Area 5 : Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
5.151		Enhancing and emphasizing a customer first approach in all city service areas City Manager's Office	*Identify and deliver convenient community based service options	Not Yet Set	Work on this initiative has not yet started as the initiative is not included as Key Action as identified in Appendix A - Action Plan at a Glance (pages 27 - 29) in 2018-2022 Burlington's Plan From Vision to Focus.
5.152		Enhancing and emphasizing a customer first approach in all city service areas City Manager's Office	*Establish innovative techniques, process, location and technology for connecting with customers and delivering service options	Not Yet Set	This initiative is connected with Customer Relationship Management solution implementation
5.16		Developing employees to fill management vacancies from within Human Resources	Invest in employee development through succession management programs and employee development initiatives	Not Yet Set	Succession management programs and employee development initiatives are integrated into human resource practices.
5.17		Improving our employment identity to become a top employer in the Greater Toronto and Hamilton Area Human Resources	Strengthen recruitment channels to ensure a positive candidate experience and improve inclusivity	Not Yet Set	Tactics and practices are included in the annual Human Resources workplan.
5.18		Increasing employee engagement and workplace culture scores City Manager's Office	Conduct employee surveys to measure staff engagement and staff awareness of City goals and objectives	Not Yet Set	The city conducts an employee survey every two years with in interim pulse check recently conducted in 2020. The next full employee survey is expected in the latter part of 2021/early 2022



2018-2022 Burlington's Plan: From Vision to Focus



Completed



On Track



Needs Attention



Not Yet Started



Off Track or At Risk

Focus Area 5 : Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation

Initiative #	Current Status	Strategic Goal and Lead Department	Key Actions	Target Date \ Revised Date	Initiative Comments
5.19		Diversifying the employee demographics that participate in engagement activities City Manager's Office	Employ a range of communication and engagement tactics to attract diverse demographics	Not Yet Set	This initiative is related to 5.08 - Complete and implement a diversity and inclusivity strategy for Burlington as an employer

Completed Initiatives

Initiative #	Key Actions	Target Date / Revised Date	Initiative Comments
Focus Area 1 : Increasing Economic Prosperity and Community Responsive City Growth			
1.022	Developing attraction and retention strategies for knowledge-based/technology intensive industries	2022 Q4	Creating a competitive business investment environment in Burlington (e.g. taxes, incentives)
1.03	Determine the future vision for the downtown by completing the review of the Official Plan policies and the Interim Control Bylaw land use study	2020 Q2 2020 Q4	Increasing options for housing in Burlington
1.06	Complete the City's Housing Strategy and implement the plan to address the needs related to young families, seniors housing, affordable housing, special needs housing, and newcomers.	2022 Q2 2022 Q2	Increasing options for housing in Burlington
1.07	Develop a Fire Master Plan to support the growth and change within the city	2020 Q2 2022 Q2	Maintaining and continually developing a safe city
Focus Area 2 : Improving Integrated City Mobility			
2.02	Review snow clearing service levels for all mobility modes (e.g. trails, sidewalks, bike lanes and roads)	2019 Q4 2022 Q2	Improving the transit and transportation modal split
2.03	Complete the Burlington Transit 5 Year Business Plan	2019 Q4 2020 Q4	Increasing Burlington Transit service levels and growing overall ridership
2.04	Complete the Rural Active Transportation Strategy and implementation schedule	2020 Q3 2022 Q3	Improving the transit and transportation modal split
2.07	Develop annual transit service plans to implement a frequent grid-based network	2022 Q1	Improving access to Burlington Transit service
2.09	Continue to review, develop and deliver incentive programs to encourage transit ridership	2022 Q1	Increasing Burlington Transit service levels and growing overall ridership
2.091	*Provide free transit for SPLIT pass program participants	2022 Q1	Improving access to Burlington Transit service
2.092	*Provide free transit service pilot program for seniors 65+ during off peak hours	2022 Q1	Improving access to Burlington Transit service

Completed Initiatives

Initiative #	Key Actions	Target Date / Revised Date	Initiative Comments	
Focus Area 3 : Supporting Sustainable Infrastructure and a Resilient Environment				
	3.01	Implement the Asset Management Financial Strategy and update the Asset Management Plan	2021 Q4 2021 Q3	Reducing the infrastructure funding gap for all city owned assets
	3.02	Develop Burlington's Climate Action Plan, addressing Burlington's Climate Emergency declaration and focusing on reducing the community's greenhouse gas emissions	2019 Q4 2020 Q1	Promoting and working towards a lower carbon footprint community
	3.03	Develop Burlington's Climate Change Adaptation Plan	2021 Q1 2022 Q3	Promoting and working towards a lower carbon footprint community
	3.04	Review and update the Sustainable Building and Development Guidelines	2021 Q1 2021 Q4	Expectation of increasing the use of sustainable development materials
	3.05	Update the Corporate Energy and Emissions Management Plan to recognize achievements and identify new initiatives for implementation	2019 Q3	Delivering on carbon neutral initiatives
	3.06	Update the Storm Water Management Plan while continuing to implement the current flood and storm management actions	2019 Q4 2020 Q2	Protecting and enhancing the city's creeks, streams and waterfront
	3.10	Increase advocacy with other levels of government	2022 Q1	Including citizen engagement; to be responsive to citizen's needs in infrastructure and new infrastructure growth
	3.13	Assess the Home Retrofit Program with key stakeholders	2022 Q3 2022 Q3	Protecting and enhancing the city's creeks, streams and waterfront
Focus Area 4 : Building More Citizen Engagement, Community Health and Culture				
	4.03	Complete a Recreation visionary framework of principles, goals and an operating model to align with the changing needs of recreation in the community ensuring the inclusion of all diverse demographics	2019 Q4 2020 Q1	Focusing on increasing recreational programming for our growing and diverse communities across the entire City
	4.06	Create and implement a strategy for advocacy with senior levels of government	2019 Q3 2022 Q4	Increasing advocacy to other levels of government to ensure Burlington's voice is heard

Completed Initiatives

Initiative #	Key Actions	Target Date / Revised Date	Initiative Comments
Focus Area 4 : Building More Citizen Engagement, Community Health and Culture			
4.14	Annually employ a range of communication and engagement tactics to ensure citizen engagement represents all residents while also focusing on diverse demographic groups and communities	Not Yet Set	Being a municipal leader in community engagement, collaboration and volunteerism
4.15	Provide different opportunities for residents to engage and contribute to the decision making process, whether it be in person, online, telephone or other means. Report back to the community on how their input shapes decision-making	2022 Q2 2022 Q2	Improving community engagement with diverse communities
Focus Area 5 : Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation			
 5.01	Complete the functional realignment of the City Manager's office	2019 Q4	Delivering on efficient and effective project management and accountable corporate performance
5.02	Initiate a corporate-wide service review program	2019 Q4	Ensuring efficient, effective and economical service delivery
5.031	CRM (Customer Relationship Management) (Phase 1) - Deliver on time, on budget and achieve realized benefits for major corporate technology projects	2020 Q2 2023 Q2	Enhancing City services and delivery of citizen self-service options through technology
5.034	BI (Business Intelligence) - complete the implementation of a reporting and analytics tool supporting analytics, data driven decisions, and management dashboards	2020 Q4 2021 Q1	Ensuring efficient, effective and economical service delivery
5.035	Upgraded case management development application system (AMANDA 7) - Deliver on time, on budget and achieve realized benefits for major corporate technology projects	2020 Q2	Ensuring efficient, effective and economical service delivery
5.04	Conduct a community-wide survey every two years, starting in fall 2019 to determine if residents feel they are being engaged and are part of the City's decision-making process and based on established municipal norms, including quality of life, city programs and services, value for taxes and governance	2019 Q4	Increasing community and customer input into how the city delivers services
5.10	Engage council and management to review and improve the city's budgeting processes	Not Yet Set	Ensuring financial sustainability with a reasonable tax rate increase that focuses on citizen services
5.14	Undertake and implement the recommendation of the 2019 BMA Municipal Financial Health Report	Not Yet Set	Ensuring financial sustainability with a reasonable tax rate increase that focuses on citizen services
5.16	Invest in employee development through succession management programs and employee development initiatives	Not Yet Set	Developing employees to fill management vacancies from within
5.17	Strengthen recruitment channels to ensure a positive candidate experience and improve inclusivity	Not Yet Set	Improving our employment identity to become a top employer in the Greater Toronto and Hamilton Area

Completed Initiatives

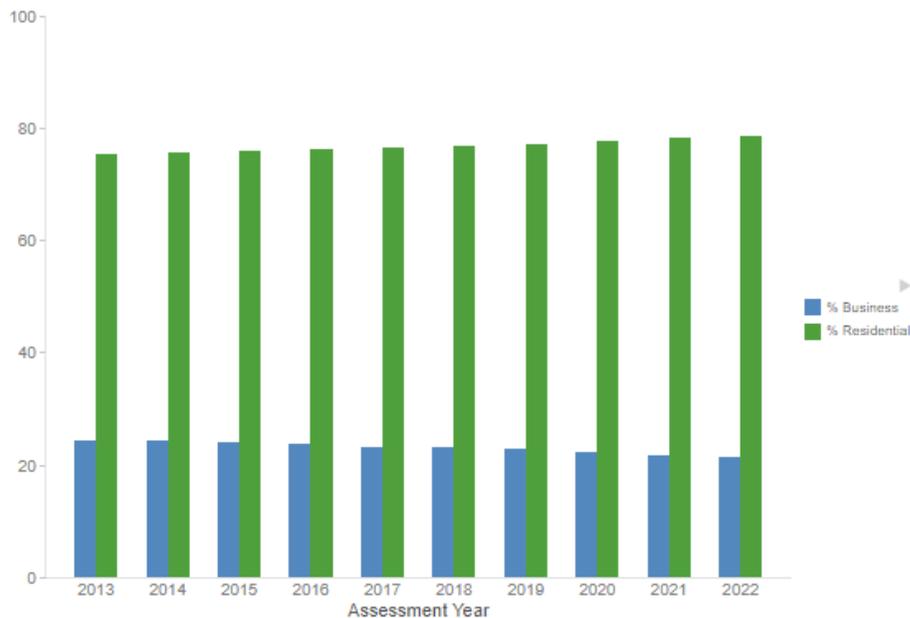
Initiative #	Key Actions	Target Date / Revised Date	Initiative Comments
Focus Area 5 : Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation			
5.18	Conduct employee surveys to measure staff engagement and staff awareness of City goals and objectives	Not Yet Set	Increasing employee engagement and workplace culture scores

Strive for a Weighted Assessment Ratio of Nonresidential to Residential of 25/75

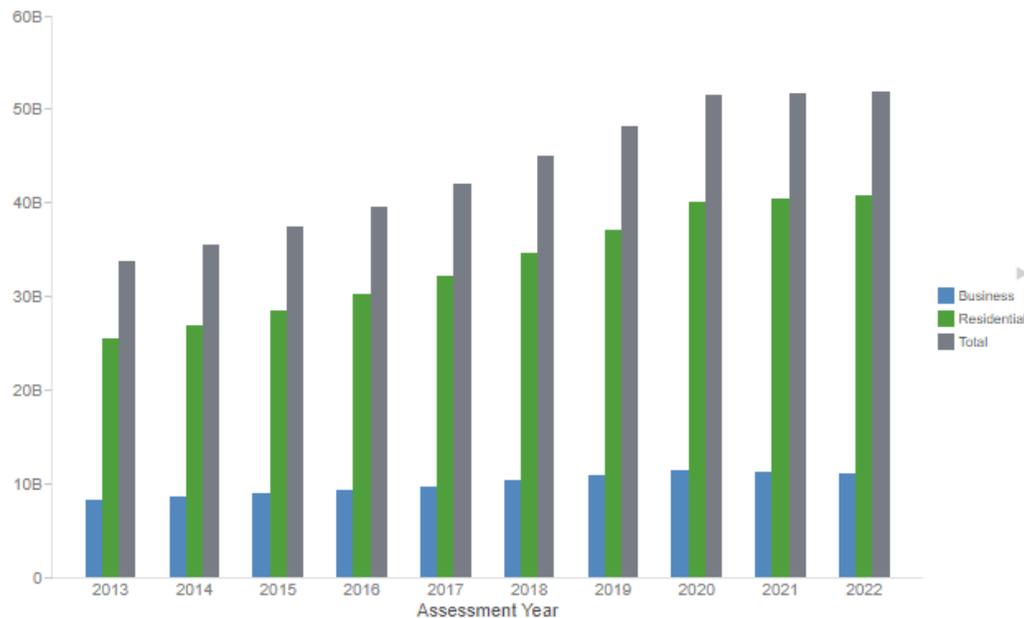


Target: 25% Business : 75% Residential
Current: 22.23% Business : 77.77% Residential

Weighted Assessment Ratio Split



Weighted Assessment Dollar Value



Why is this important?

This measure is important for Finance because assessment base and composition are important indicators of fiscal strength. Weighted assessment reflects the basis upon which property taxes are levied. Monitoring assessment is important because taxation is the largest source of revenues to support City programs, services and the replacement of assets. A strong assessment base provides a stable long-term funding source. Burlington's assessment composition represents a good balance between residential and non-residential.

This measure is important for Economic Development because it helps ensure that Burlington is competitive in attracting, retaining and supporting the growth of businesses through appropriate business tax policies for both industrial and commercial tax classes.

How is this measured?

Assessments are received from the Municipal Assessment Corporation (MPAC) each year in December and used in taxation for the following year. Properties are classified by tax class based on use. Tax rates for each tax class are determined as a ratio of the residential rate. Tax ratios are set through tax policy at the regional level. To determine the tax impact of each tax class we must multiply the assessment value by the tax ratio. We refer to this as the weighted assessment. Each tax class is categorized into either business or residential to determine the split of weighted assessments.

Strive for a Weighted Assessment Ratio of Nonresidential to Residential of 25/75



Target: 25% Business : 75% Residential
Current: 22.23% Business : 77.77% Residential

What progress are we making?

For Economic Development, Team Burlington (which includes Burlington Economic Development, Burlington Chamber of Commerce, Tourism Burlington, Aldershot BIA and BDBA) actively monitor the competitiveness of the commercial and industrial tax assessment ratio.

The industrial tax ratio was reduced by Halton region in 2020 to ensure industrial taxes remain competitive regionally.

The Burlington Chamber of Commerce and BDBA have been actively supporting the city of Burlington in looking at additional tools and advocacy to reduce tax assessment burdens on downtown business created by significant rises in the MPAC assessment values.

Burlington Economic Development has been working with the City of Burlington and Halton Region to identify tax policy tools that would support the continued viability of agriculture in Burlington.

Learn more

Visit the BEDC Data Centre for more information on economic indicators:

[Research & Data | Burlington Economic Development \(investburlington.ca\)](https://investburlington.ca)

Learn more about tax policy and property taxes in Halton Region:

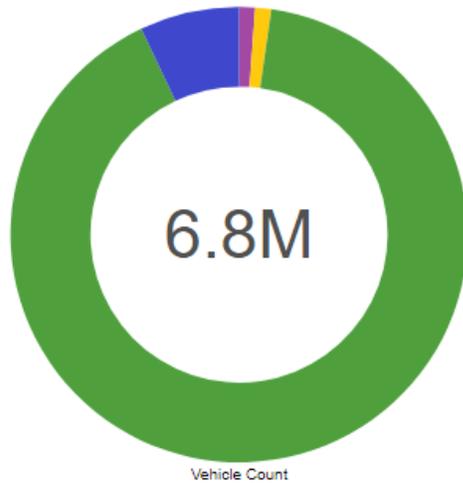
<https://www.halton.ca/The-Region/Finance-and-Transparency/Property-Taxes>

Increase Modal Split to the following by 2022

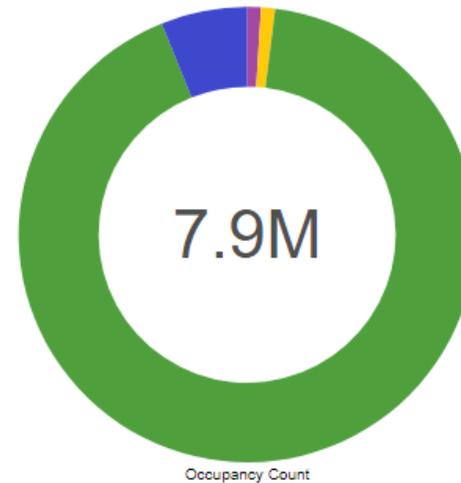


Target: • Transit - 10% • Active Transportation - 8% • Auto - 82%
Current • Active Transportation - 7.1% • Auto - 91.9%

To meet the goals set by Vision to Focus, the number of trips completed by transit and active modes of travel must increase. We need to continue to provide mobility choices that are convenient and competitive in order to reduce the reliance on the single occupant vehicle while promoting active and sustainable modes of travel such as transit, walking and cycling.



Mode
 ■ Bicycle
 ■ Heavy Vehicle
 ■ Light
 ■ Pedestrian



Mode
 ■ Bicycle
 ■ Heavy Vehicle
 ■ Light
 ■ Pedestrian

Why is this important?

Through Burlington's Vision to Focus, the city is encouraging its residents to reduce reliance on the single occupant vehicle and make the switch to transit or active modes of travel. By increasing the share of sustainable transportation modes, the City will achieve substantial benefits such as a reduced carbon footprint and lowered emissions, as well as realize efficiencies in traffic operations through increasing the people-carrying capacity of the transportation network.

How is this measured?

Through the City's intelligent transportation systems at select intersections, we have the ability to detect and quantify vehicles, buses, pedestrians, and cyclists. Each mode of transportation has an accompanying assumption of how many people each detection represents. Based on vehicle occupancy studies, it has been determined that for every detection of a standard passenger vehicle (cars, vans, etc.), there is an average of 1.2 occupants. In 2019, transit ridership reported that across all operating hours there was an average of 7.18 passengers on-board. Detection of a pedestrian or cyclist is recorded as an equivalent of one person. Once the conversion of vehicles to passengers is computed the calculation of modal split is completed based on the percentage of number of people taking each mode of transportation.

Over time, as more people switch to sustainable modes of travel, the share of transit and active transportation trips will increase while auto mode share will decrease.

What progress are we making?

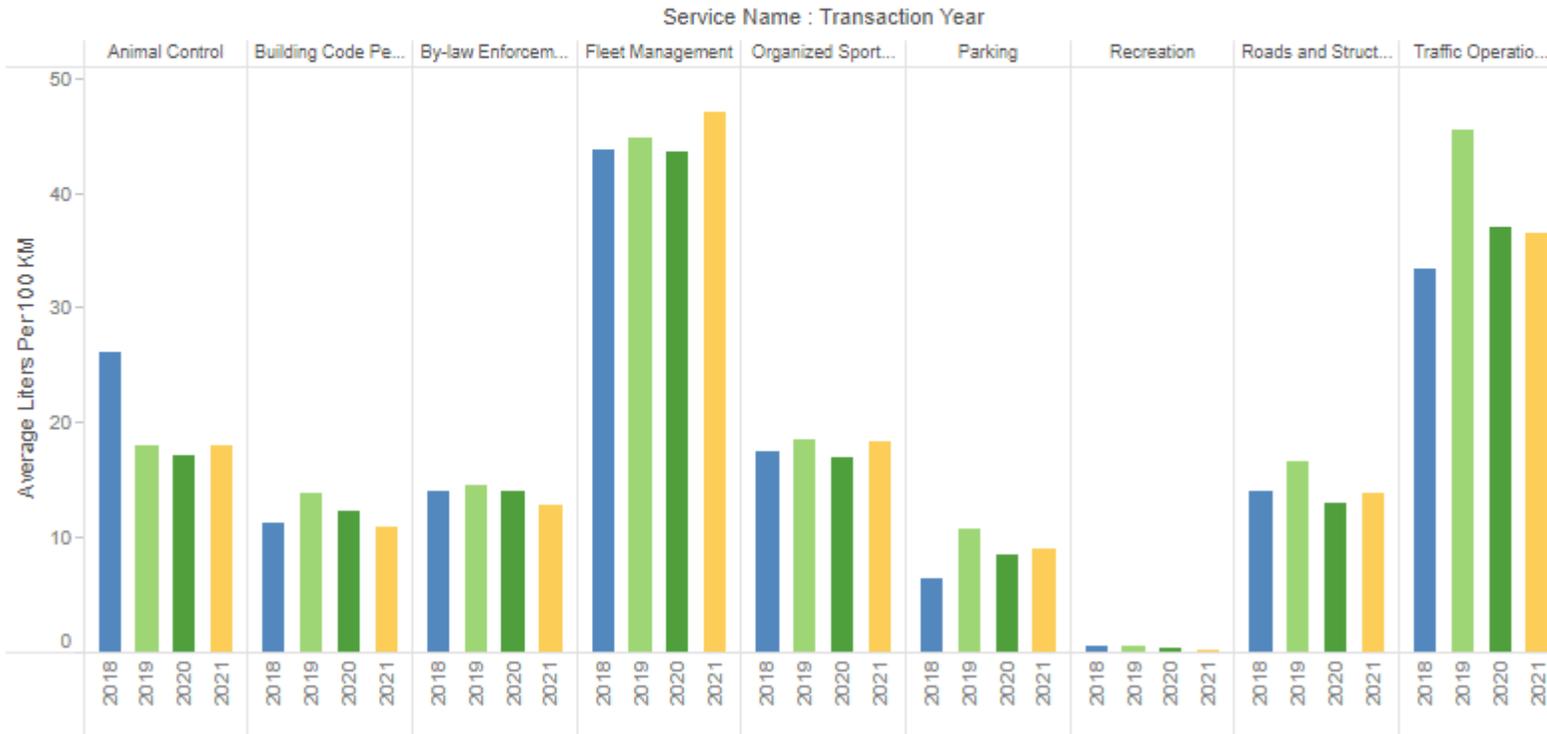
The current data is a representation of a single intersection; however, staff are continuing to extract data from other locations throughout the City to strengthen our understanding of a true modal split in the City of Burlington.

Reduce the Corporate Greenhouse Gas Emissions

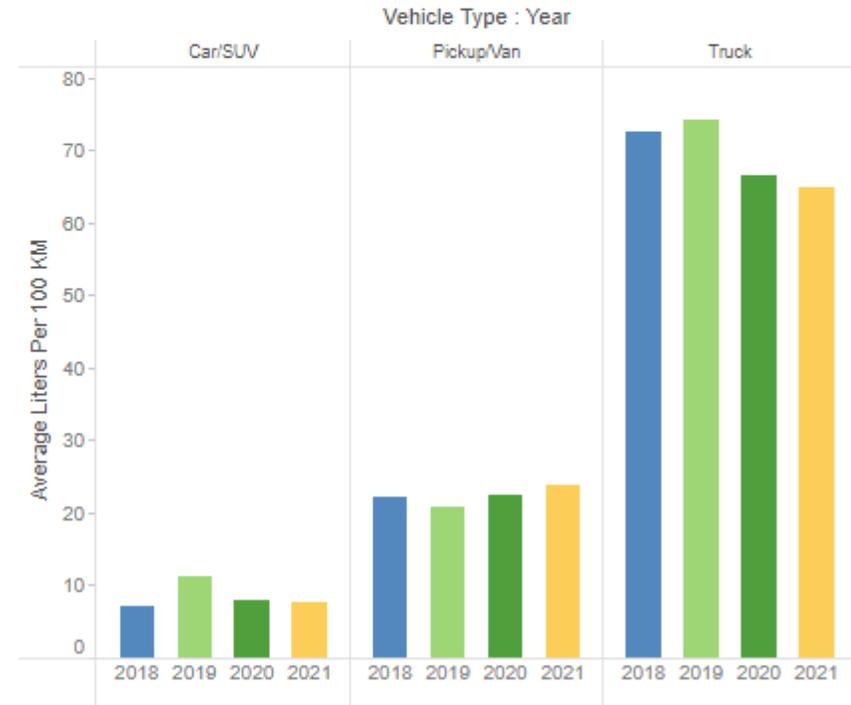


Target: 21% Reduction by 2024
Current: Establishing Baseline

Average Liters per 100 KM
by Service Area and Year



Average Liters per 100 KM
by Vehicle Type and Year

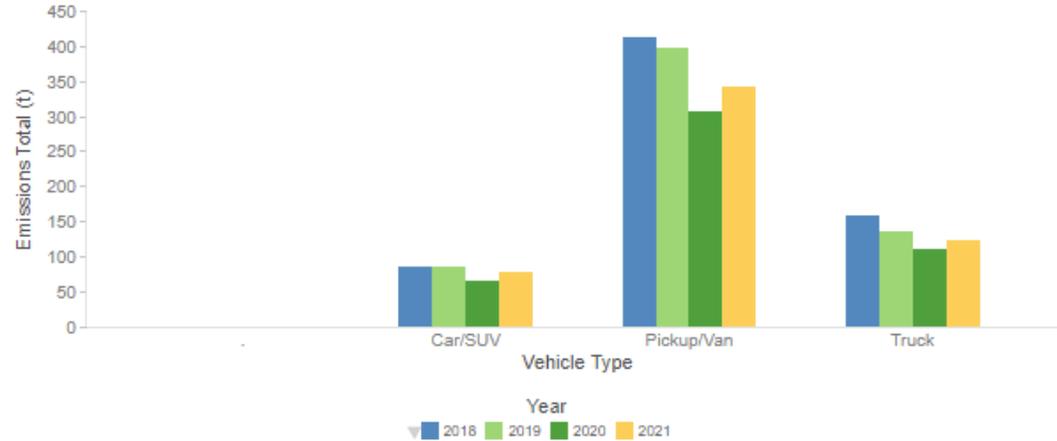


Reduce the Corporate Greenhouse Gas Emissions



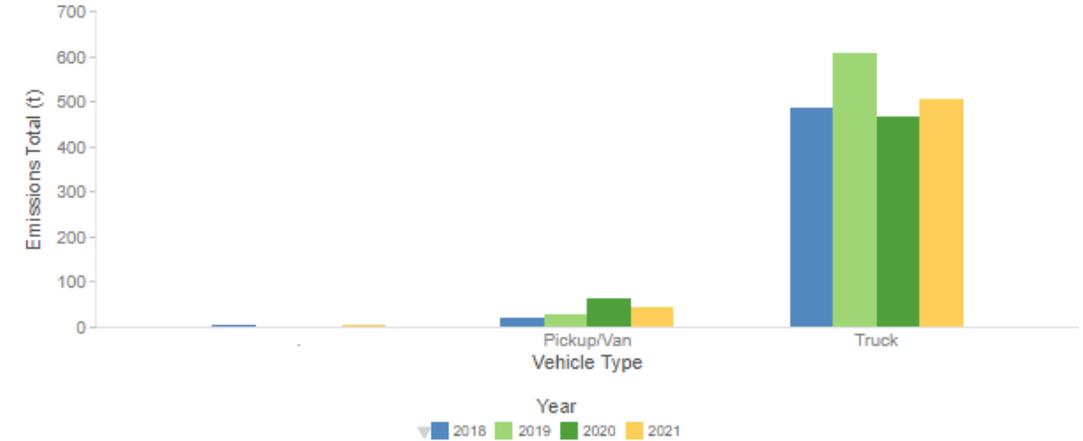
Target: 21% Reduction by 2024
Current: Establishing Baseline

Vehicle Emission Totals
by Vehicle Type and Year - Unleaded Gasoline



t = tonnes (CO2)

Vehicle Emission Totals
by Vehicle Type and Year - Diesel



t = tonnes (CO2)

Why is this important?

This KPI is important as the Corporation looks to lead by example by reducing greenhouse gas emissions and meet the City's Carbon Neutral target for City Operations by 2040. This target is aggressive however staff and the community are more likely to make the switch as they experience the benefits of this change. All services within the Corporation who operate Corporate Fleet (with the exception of Transit) contribute to this KPI.

How is this measured?

Greenhouse gas emissions are measured by reviewing the annual average for fuel consumption of each vehicle (L/100km).

Additionally, emissions can be calculated by multiplying the total annual fuel consumption by the emission factor for the fuel type. The Emission Factor is determined by Natural Resources Canada.

What progress are we making?

Currently Fleet teams are moving as many vehicles and equipment to Light Emission Vehicles & Zero Emission Vehicles as possible including light duty vehicles, hand tools, and ice resurfacers. The City's first fully electric vehicles were purchased in 2020. Alternative technologies are being explored for vehicles that may not currently offer light or zero emissions options.

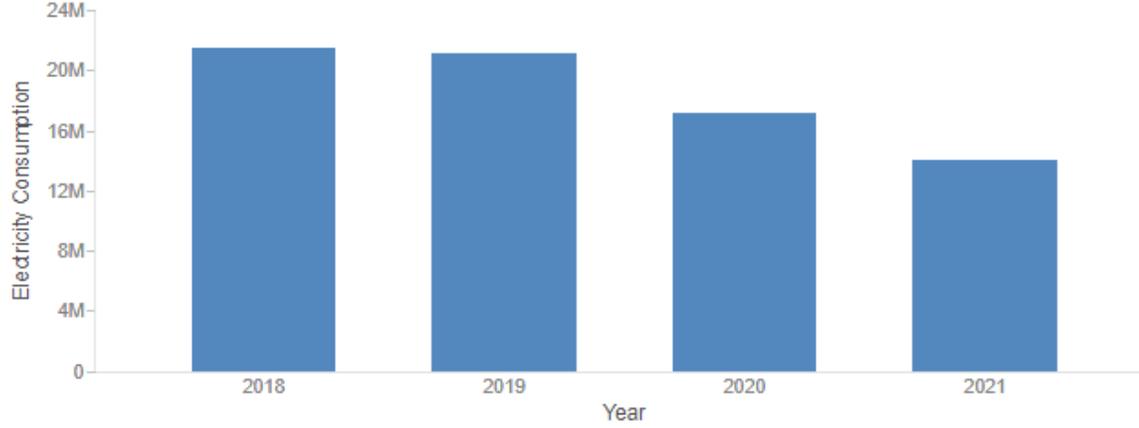
All vehicles and equipment become eligible for replacement, operating groups are aware and conscious of the carbon neutral goals. At every opportunity, Fleet looks to replace with Zero Emission Vehicles and pilot alternative technologies when available.

Promoting and working towards a lower carbon footprint community.

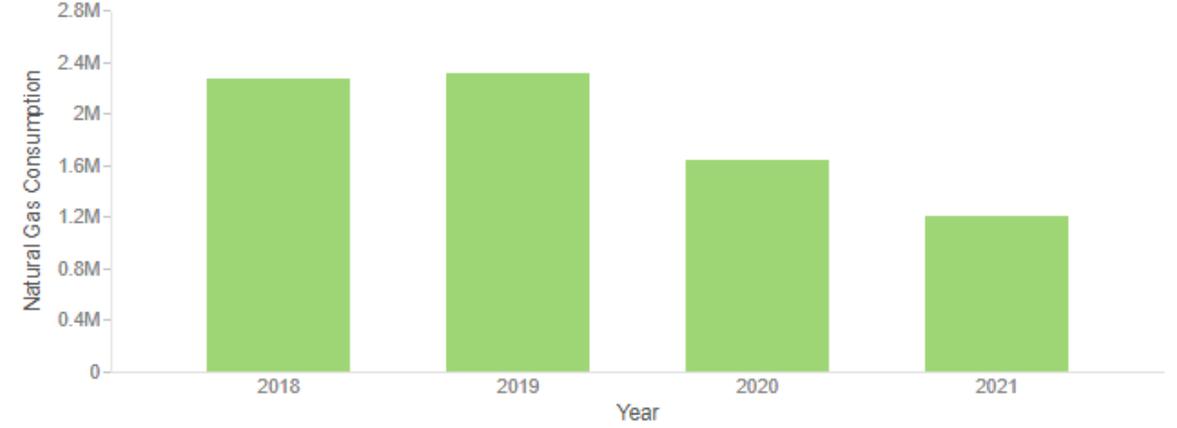


Target: Reduce the greenhouse gas emissions by 21% by 2024
Current: Corporate Energy are focusing on staff engagement and education in 2020 as well as future planning for deep energy retrofits and renewable energy installations at City facilities.

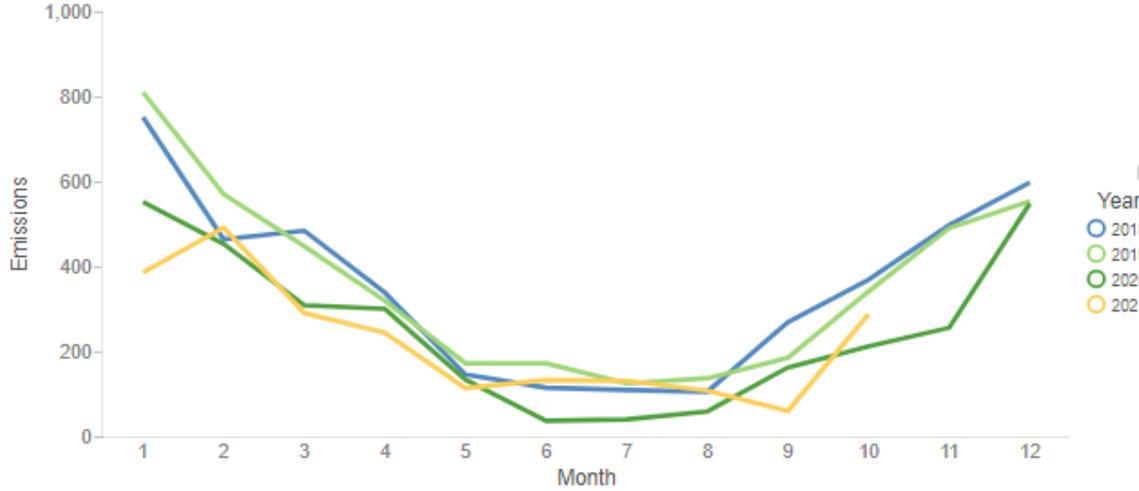
Electricity Consumption for City Facilities Total (kWh)



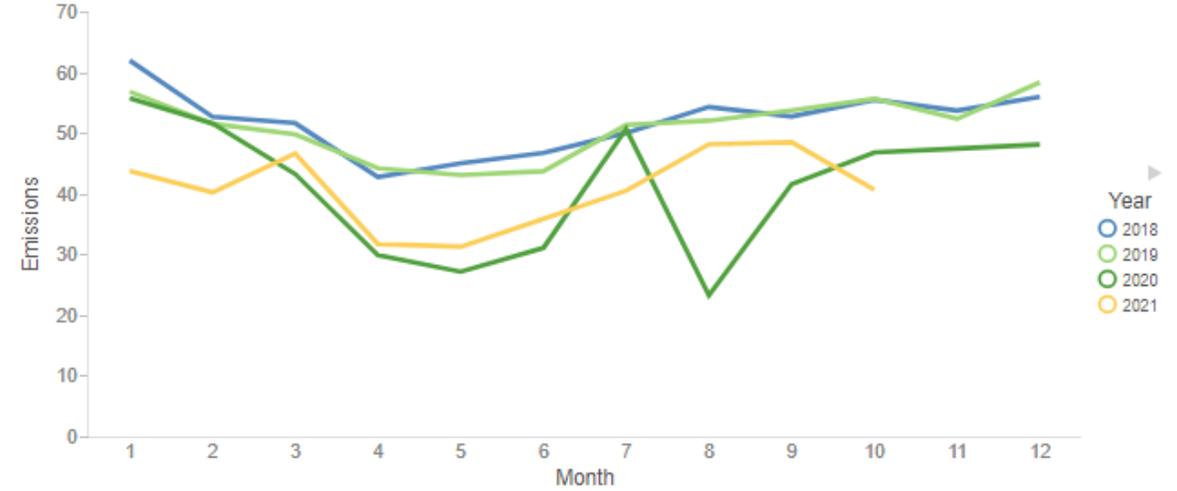
Natural Gas Consumption for City Facilities Total (Cubic Meters)



Greenhouse Gas Natural Gas Emissions by Month in (T CO2)



Greenhouse Gas Electricity Emissions by Month in (T CO2)



Promoting and working towards a lower carbon footprint community.



Target: Reduce the greenhouse gas emissions by 21% by 2024

Current: Corporate Energy are focusing on staff engagement and education in 2020 as well as future planning for deep energy retrofits and renewable energy installations at City facilities.

Why is this important?

Our strategic plan goal of having city operations to be net carbon neutral by 2040 is one of the most ambitious emissions reduction targets in the province. The two biggest factors for our corporate emissions are the electricity and natural gas used in our facilities and fuel used by our corporate fleet.

The facility data shown here accounts for approximately 65% of our total corporate emissions.

How is this measured?

Emissions from our facilities are measured in tonnes (T) of Greenhouse Gas and are calculated using the electricity consumption data from Burlington Hydro and Natural Gas consumption data provided by Enbridge that are shown below.

This consumption data is then multiplied by factors provided annually in the National Inventory Report which is produced by the Federal Government.

What progress at we making?

Staff are currently working on providing meaningful individual facility targets and monthly reports to facility operations staff. This regular interaction and discussion is providing information about how events, projects and weather influence energy consumption and emissions.

Energy Audits are also being completed at city facilities to identify small energy conservation measures as well as system selection for deep energy retrofits when major building elements and systems are due for capital renewal.

Energy and Environment staff have also begun a series of Lunch and Learns available to all city staff throughout 2020 to educate and inform about various topics including home energy conservation, electric vehicles and flood protection.

All of these actions are establishing a culture of conservation and mindfulness toward sustainable habits both at home and in the workplace.

Learn more

Corporate Energy and Emissions Plan
[Burlington Corporate Energy and Emissions Plan](#)

Climate Change Action Plan
[Climate Change Action Plan](#)

Increase the viability of the urban forest by ensuring biodiversity of Family/Genus/Species of trees.



Target: Increase the City's tree canopy to 35% by 2041

Current: Data being updated regularly, with i-Tree Analysis to be completed in 2020.

Why is this important?

Increasing the canopy coverage City-wide is one of the most cost-effective ways to sequester carbon, combat the Urban Heat Island Effect, improve air quality, and absorb stormwater. Known as ecosystem services, these criteria can be measured for an Urban Forest over time and is a useful tool for Urban Forest Management. Growing the Urban Canopy is achieved not only by maintaining what is currently growing, but also investing in tree planting programs.

By planting the right kinds of trees in the right places, we can grow the urban tree canopy the right way. This means that the trees we plant are well suited to their existing conditions so they will grow well with fewer stress factors. The species that are selected are diverse which creates greater resiliency long term to pests and diseases, as well as changing environmental conditions.

A more resilient urban forest can grow for a very long time, growing large, healthy trees that provide a significant return on ecosystem services.

How is this measured?

Canopy coverage can be measured with remote sensing tools, including LIDAR (Light Detection and Ranging), leaf-on aerial imagery, and GIS systems. These tools can be used individually or in concert to evaluate existing canopy coverage. Online tools are also available for use, such as the i-Tree Suite (previously UFORE), developed by the US Forest Service. i-Tree will measure the canopy coverage of a given community and also analyze the ecosystem services an urban forest provides in simple dollars and cents. The City uses i-Tree technologies for this reason.

What progress are we making?

An urban tree canopy (UTC) assessment was completed by the City in 2010; it was found that the City had 23% canopy coverage. Since that time, the City's urban forest has been impacted by the effects of Emerald Ash Borer (EAB), as well as a major Ice Storm. An updated urban tree canopy assessment is forthcoming for 2020/2021, as part of an update to the City's Urban Forest Management Plan.

A Risk Governance Framework is currently being developed which will guide analysis of Vision to Focus (V2F) goals and initiatives.



SUBJECT: Financial status report as at June 30, 2022

TO: Corporate Services, Strategy, Risk & Accountability Cttee.

FROM: Finance Department

Report Number: F-29-22

Wards Affected: All

File Numbers: 100-1

Date to Committee: September 14, 2022

Date to Council: September 20, 2022

Recommendation:

Receive and file finance department report F-29-22, financial status report as at June 30, 2022.

PURPOSE:

Vision to Focus Alignment:

Delete this line and the areas that do not apply.

- Deliver customer centric services with a focus on efficiency and technology transformation

Background and Discussion:

PART A - FINANCIAL POSITION

Since 2020, the impact of the Covid-19 pandemic has created considerable volatility in both the global and Canadian economy. The Bank of Canada promptly cut interest rates from 1.75% to 0.25% in 2020 to support economic activity and keep inflation low and stable. For the City, these interest rate cuts had a negative impact on the ability to generate interest income. This required greater reliance on the ability to trade investments for capital gains to meet budget. In the first half of 2022, the economic recovery from the pandemic shifted dramatically. Record high inflation, supply chain issues and geopolitical tensions led to diminishing bond prices. The Bank of Canada responded to the high levels of inflation by raising interest rates at a significant pace.

The overnight rate was increased from 0.25% to 1.50% as of June 1st with additional hikes expected throughout the remainder of 2022. These factors have restricted the ability of consistent capital gains to be recognized during the first half of the year. Staff have responded to this shift in the market by repositioning the City's investment holdings to take advantage of rising interest rates. It is expected that these trends will continue through the remainder of 2022 and could potentially put a strain on the City's ability to meet its investment budget.

Given current market conditions, investment income could face a potential unfavourable position for year-end, in the range noted below:

	Projected December 2022	Actual December 2021
Total Interest	4,359,846	3,816,574
Budget	5,300,000	5,300,000
Favourable/(Unfavourable) Variance	(940,154)	(1,483,426)
Capital Gains	405,946	1,788,391
Favourable/(Unfavourable) Variance	(500,000)	304,965

The attached Appendix A shows investment income (interest earned, and capital gains realized) to June 30, 2022 on the total investment portfolio. The overall investment portfolio has increased \$2.0M from the previous year.

Investment income as of June 30, 2022, has decreased compared to prior year. As noted above, economic conditions in the first half of 2022 have significantly decreased prices in the bond market. This has limited the ability to achieve capital gains through active trading. Staff will continue to monitor market fluctuations taking advantage of trades for capital gains where prudent to do so in accordance with the City's investment policy.

Appendix B provides a listing of the current portfolio by type of investment, and weighted average yield, in accordance with the Ontario Regulation 438/97. In following the City of Burlington's investment policy, the City can purchase Region of Halton bonds, up to but not greater than, the amount of the debenture issued on behalf of the City. As of June 30, 2022, the City's investment portfolio included \$16.2 million Region of Halton bonds.

As at June 30, 2022, the City’s investment portfolio is compliant with the guidelines set out in the City’s investment policy and goals adopted by the City.

PART B - PROPERTY TAX COLLECTION

The City of Burlington collects property taxes for the city, Region of Halton and the Halton Boards of Education as legislated under the *Municipal Act, 2001*. Appendix C reflects the property tax status at June 30, 2022 compared to June 30, 2021. The 2022 total levy is \$454.2 million compared to \$442.4 million in 2021.

Collections for the current taxation year are 69.1%, which is consistent with prior years. The exception was 2020, which was affected by the tax relief offered in response to the Covid-19 pandemic. (City council approved the waiving of penalties from April to August 31 as well as the final billing due dates were extended from June and September to August and October).

As at June 30	2022	2021	2020	2019	2018	2017
Current year Collections	69.1%	69.0%	46.9%	69.1%	69.3%	69.8%
Current year Outstanding*	30.9%	31.0%	53.1%	30.9%	30.7%	30.2%

*includes final installments not yet due

Overdue property tax notices are sent four times per year to aid in collections. In addition to the overdue notices, tax collection letters are sent to owners with arrears in both the current year and two previous years. Typically, letters are sent to business properties in the first quarter and residential properties in the second quarter. In 2021, due to the ongoing pandemic, 334 collection letters were sent in July. In 2022 we chose to again send the letters in July and 315 were sent.

One residential property had a tax arrears certificate registered against title in 2021. Full payment was received in July 2022. In 2022, two properties required registration of a tax arrears certificate. Staff will continue to try to work with the property owners over the upcoming year to arrange payment or extension agreements.

On January 11, to provide additional assistance to those financially impacted by the on-going Covid-19 pandemic, City Council approved a new 2022 Covid-19 Property Tax Payment Plan. The program allows eligible property owners who are unable to pay their property taxes by the regularly scheduled due dates to make payments under a pre-

authorized payment plan, including arrears dating back to March 2020. The plan allows for a start date between March 1 and July 1 with property taxes being paid in full by December 1, 2022. Sixty-nine applications have been received.

The city continues to offer its three regular pre-authorized payment plans which provide a convenient and reliable payment method for property owners. Approximately one third (22,000) of all property accounts are enrolled in these pre-authorized payment plans.

PART C - DEBT AND FINANCIAL OBLIGATION LIMIT

Debt Capacity: As of June 30, 2022, the City's total debt charges as a percentage of own source revenue is estimated to be 10.8%, which is below the council approved guideline of 12.5%, and below the provincial limit of 25%. (See Appendix D). Further, the city has an estimated \$74.8 million in total principal debt outstanding. Taking into consideration principal debt repayments of \$14.1 million, 2022 debt issuance of \$13.1 million, as well as \$42 million in debt which has been approved and not issued, total city principal debt outstanding at year end 2022 is forecasted at approximately \$115.8 million.

The reported debt capacity and forecasted principal debt outstanding are based on a snapshot at June 30, as such debt approved by Council after this date, will impact these figures. Any changes will be reported within the next quarterly update.

The city's debt is monitored on a regular basis, and debt capacity is projected based on debt that is retiring, debt approved (issued and to be issued), as well the capital forecast debt requirements. Any in-year debt approvals beyond what is included in the city's capital program will be reflected in an updated debt capacity. It is important to note that debt capacity changes from one year to the next, and capacity in one year is not necessarily indicative of the forecasted trend.

Debt Charges: The city's budget for debt charges is \$8.5 million, and as of June 30, this budget meets the planned needs of debt repayments in 2022.

2022 Debt Issuance: In June, the region issued \$13.1 million in debt on behalf of the city at a rate of 3.53%. This is trending higher than prior years, the city will continue to monitor the interest rate market in forecasting future debt repayments.

PART D - RESERVES AND RESERVE FUNDS

Reserves and reserve funds are an essential element of the City’s long-term financial plan. They allow the City to set aside funds for a future purpose and fulfil a critical financial need for the municipality. They make provisions for the replacement and rehabilitation of existing City assets, provide a contingency for one-time and unforeseeable events, and provide flexibility to manage debt levels and protect the City’s financial position.

Stabilization Reserves and Reserve Funds

Stabilization reserves are used to offset extraordinary and unforeseen expenditure requirements, one-time expenditures, cyclical expenses, revenue shortfalls and they help to minimize fluctuations in the tax levy.

<ul style="list-style-type: none"> • Contingency • Severe Weather • Tax Rate Stabilization 	<ul style="list-style-type: none"> • Planning Fee Stabilization • Engineering Fee Stabilization • Commodity Stabilization
<p>Target Balance of consolidated stabilization reserves and reserve funds (excluding building permit) is 10-15% of city’s own source revenues. Based on 2020 own source revenues of \$224 million the target range is: \$22.4 million to \$33.6 million</p>	
<p>June 30, 2022 <i>Uncommitted Balance</i>: \$21,710,050 → Currently at 9.7% of Target</p>	

As part of the City’s reserve and reserve fund policies the city sets a target balance for consolidated stabilization reserve funds (excluding Building Permit) at 10-15% of the City’s own source revenues. It is important to note that the target is based on the City’s uncommitted balance as an accurate depiction of funding available for future use. The cash balance includes funds approved by council to be spent on specific initiatives and therefore are not available for future spending. The City is currently at 9.7% which is below the City’s target range of 10-15%. The lower uncommitted balance is the result of the 2022 budgeted draw shown as a commitment given that additional Safe Restart Funding has not been announced by senior levels of government.

The severe weather reserve fund is used to alleviate the impact of unforeseen fluctuations in costs associated with severe weather events. The City’s policy with respect to this reserve fund is highlighted below.

Stabilization Reserve Fund	Recommended Balance	June 30 Uncommitted Balance
Severe Weather Reserve Fund	<p>A minimum balance of 25% of the five-year average of winter maintenance costs, this equates to \$1,134,085.</p> <p>Target balance equal to one year's expenditure requirements (2022) = \$5,845,956.</p>	\$5,339,363

As per the policy the balance in the reserve fund exceeds the minimum balance requirement, however, is less than the target balance by approximately \$0.507 million.

Building Permit Stabilization Reserve Fund

The building permit stabilization reserve fund is used to stabilize building permit revenues and expenditures, which can vary from year to year based on development activity levels in accordance with Bill 124.

Corporate Reserve Funds	Recommended Balance		June 30 Uncommitted Balance
Building Permit Stabilization	The reserve fund is capped at 163% of direct costs.	Total direct costs for 2020 were approximately \$3.6 million. Based on this the upset balance for the reserve fund is \$5.9 million.	\$2.9 million

Capital Reserve Funds

Capital reserve funds form a vital component of any Capital Financing Plan and are used extensively by the City in financing the capital program for maintenance and replacement of existing infrastructure to maintain assets in a state of good repair and the construction/purchase of infrastructure to service the growing community.

Capital Reserve Funds	Recommended Balance		June 30 Uncommitted Balance
Vehicle and Equipment Reserve Funds	The target balance for the consolidated capital reserve fund balance is a minimum of 2% of the asset replacement value.	The City's 2021 Asset Management Plan has total asset replacement value at approximately \$5.18 billion. Based on this amount the recommended balance is \$104 million.	\$30.5 million
Parks & Recreation Infrastructure Reserve Funds			
Transit Related Reserve Funds			
Other Capital Reserve Funds			

Corporate Reserve Funds

Corporate reserve funds provide for various contingent and potential future liabilities. The City budgets annually for the current year costs expected to be incurred from these liabilities but does not budget for the estimated future liability. The impact of post-employment benefit expenses is communicated annually as part of the financial statements.

Corporate Reserve Funds	2021 Actuarial Valuation Liability	June 30 Uncommitted Balance
Employee Accident	\$12.4 million	\$6.5 million
Benefits	\$15.9 million	\$4.4 million

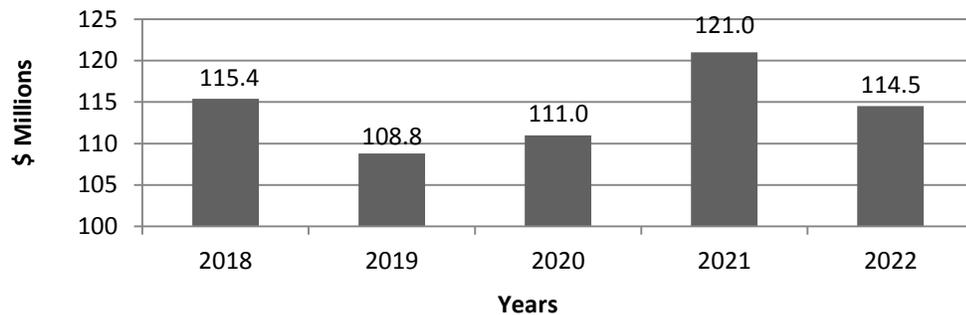
The status of the City's Reserves and Reserve Funds balances are disclosed in Appendix E.

At June 30, 2022, the total of the reserve and reserve fund balances amounted to \$178.3 million, which is \$2.9 million lower than the corresponding figure of \$181.2 million at June 30, 2021. Contributing to the decrease is the timing of capital project allocations and receipt of funding from Burlington Hydro.

Of the total Reserves and Reserve Funds \$63.8 million is committed for various projects leaving an uncommitted balance of \$114.5 million. The commitments represent expenditures approved by Council or funds held for specific future purposes. Additional commitments in 2022 are a result of Council approving the purchase of Lion's Club Park.

The following chart provides a historical perspective of uncommitted reserve and reserve fund balances as at June 30:

Uncommitted Reserve and Reserve Fund Balances as at June 30



PART E - 2022 BUDGET MONITORING

The 2022 Current Budget Performance Report as of June 30, 2022, will be reported at the September Corporate Services, Strategy, Risk and Accountability Committee meeting.

Report reference: F-30-22

PART F - Financial Position

The financial status report provides information on significant balances on the City's statement of financial position. Information is provided on the City's short- and long-term investments and cash balances. Information is also provided on taxes receivable. The reserve fund balances contain obligatory reserve funds which are shown as deferred revenue on the City's statement of financial position. Our net long-term liabilities are discussed in the section on debt and financial obligation limits. Significant balances are as follows:

As at June 30th

(Amounts are in thousands of dollars)

	2022	2021
	\$	\$
Cash & temporary investments	67,038	124,139
Taxes receivable*	145,937	143,391
Long term investments	285,868	226,750
Investment in Burlington Hydro Electric**	140,000	137,693
Deferred revenue - obligatory reserve funds	36,568	33,260
Net long-term liabilities	74,826	88,667

*** Reported net of allowance for write-offs**

**** 2022 balance is as at December 31, 2021**

The City's statement of financial position provides a long-term view of the City's financial health. A year over year comparison helps to identify indicators that may be of concern or interest. As of June 30, 2022, the significant balance changes include:

- Decrease in cash and temporary investments and increase in long-term investments which are addressed in Part A of the report. Staff continue to monitor these balances daily and will report to Council on a regular basis.

Financial Matters:

Not applicable.

Total Financial Impact

Not applicable.

Source of Funding

Not applicable.

Other Resource Impacts

Not applicable.

Climate Implications

Not applicable.

Conclusion:

To present the financial status of the City as at June 30, 2022.

Respectfully submitted,

Greg Henderson

Coordinator of Financial Reporting

Greg.Henderson@burlington.ca

Appendices:

- a. Securities Position and Performance
- b. Investment Portfolio
- c. Property Tax Collection
- d. Debt and Financial Obligation Limit
- e. Reserve Funds and Reserves

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.

City of Burlington

SECURITIES POSITION AND PERFORMANCE

Period Ended

	June 30, 2022		June 30, 2021		Variance
	Actual	Budget (where applicable)	Actual	Budget (where applicable)	
Net bank position	\$ 31,097,786		\$ 89,139,113		\$ (58,041,327)
Short term investments	35,939,900		35,000,000		939,900
Long term investments	285,868,409		226,749,765		59,118,644
Total City funds invested	<u>\$ 352,906,095</u>		<u>\$ 350,888,878</u>		<u>\$ 2,017,217</u>
Total Investment Income	<u>\$ 2,615,402</u>	5,300,000	<u>\$ 3,654,222</u>	5,300,000	<u>\$ (1,038,820)</u>
		(Current Fund Only)			

City of Burlington

INVESTMENT PORTFOLIO		
as at June 30, 2022		
	PORTFOLIO HOLDINGS (\$000's)	CURRENT YIELD (Weighted Average on cost)
Long Term (at cost)		
Government of Canada	\$ 42,300	2.17%
Province of Ontario	50,724	2.35%
Region of Halton	16,181	3.39%
Other provinces	105,980	2.37%
Other municipalities	60,639	2.57%
Major banks	10,044	1.90%
Total Bonds	\$ 285,868	2.53%
Short Term		
Money market	\$ 35,940	1.40%
Cash in bank	31,098	1.85%
Total Investments	\$ 352,906	2.28%

City of Burlington

PROPERTY TAX COLLECTION

COMPARISON OF THE SECOND QUARTER OF 2022 WITH 2021

	Period ended				Variance
	Jun 30, 2022		Jun 30, 2021		
	Amount	Percent of Current Levy	Amount	Percent of Current Levy	
Total Levy	\$454,246,124	100.0%	\$442,442,814	100.0%	\$11,803,310
Current Year Collections	\$313,767,523	69.1%	\$305,068,247	69.0%	\$8,699,276
Current Year Arrears	\$140,478,601	30.9%	\$137,374,567	31.0%	\$3,104,034
	Amount	Percent of Total Arrears	Amount	Percent of Total Arrears	Variance
Total Arrears*	\$146,106,515	100.00%	\$144,215,843	100.00%	\$1,890,672
Prior Years Arrears	\$5,627,914	3.85%	\$6,841,276	4.74%	(\$1,213,362)
Current Year Arrears	\$140,478,601	96.15%	\$137,374,567	95.26%	\$3,104,034
	Amount	Annual Budget	Amount	Annual Budget	Variance
Penalties and interest earned on taxes	\$1,187,429	\$2,175,000	\$1,335,293	\$2,150,000	(\$147,864)

*Arrears amounts include outstanding taxes not yet due

City of Burlington
DEBT AND FINANCIAL OBLIGATION
as at MARCH 2022

Calculation of Net Debt Charges (2020 FIR)

Gross Debt Charges		\$ 15,944,358
Long Term Commitments		2,149,160
Lease & Liabilities (2020)	\$ 1,919,160	
Joseph Brant Hospital Annual Cash Commitment (2020)	\$ -	
Randle Reef (2020)	\$ 230,000	
NET DEBT CHARGES		\$ 18,093,518

Calculation of Annual Repayment Limit (2020 FIR)

Total Revenue Fund Revenues	\$ 281,182,375	
Contributed Capital Assets	\$ -	
Total Revenue Fund Revenues		\$ 281,182,375

EXCLUDED REVENUE AMOUNTS:

Government Grants		16,893,577
Ontario Grants	\$ 14,084,645	
Canada Grants	\$ 2,808,932	
Deferred Revenue Earned		8,738,711
Provincial Gas Tax	\$ 495,169	
Canada Gas Tax	\$ 8,243,542	
Other Municipalities		20,228,945
Sale of Land & Capital Assets		(197,527)
Deferred Revenues Earned		7,166,240
Development Charges	\$ 2,857,456	
Recreation Land	\$ 4,141,308	
Other	\$ 167,476	
Donated Tangible capital assets		844,962
Government Business Enterprise Equity		1,401,890
Other		1,975,742
Total Exclusions		\$ 57,052,540

NET REVENUE FUND REVENUES		\$ 224,129,835
25% of Net Revenue Fund Revenues		56,032,459
Less Net Debt Charges		(18,093,518)

ANNUAL REPAYMENT LIMIT AT JAN 01/21	\$ 37,938,941
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2022 UPDATED ANNUAL REPAYMENT LIMIT

2020 Annual Repayment Limit		\$ 37,938,941
Net Adjustments		
Change in Debt Charges		(4,458,388)
Gross Debt Charges 2022	\$ 15,877,940	
Debt Charges (2022 Issue)	\$ (214,082)	
Debt Charges Approved Not Issued	\$ (4,310,725)	
Change Long Term Commitments		(1,570,075)
Lease & Liabilities	\$ 1,727,840	
Joseph Brant Hospital Annual Cash Commitment	\$ 1,761,395	
Randle Reef	\$ 230,000	
Total NET ADJUSTMENT		\$ (6,028,464)

2022 Adjusted Annual Repayment Limit	\$ 31,910,477
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City's Debt Charges as a Percentage of Net Revenues Fund Revenues	10.76%
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Note: City Debt Charges excluding Long Term Commitments (hospital, randle reef) is approximately 9.9%

City of Burlington Reserve Funds and Reserves

As At June 30, 2022 with Comparatives from December 31, 2021

1. CAPITAL RELATED RESERVE FUNDS AND RESERVES

A) Development Related Reserve and Reserve Funds	Uncommitted Balance As at Dec 31, 2021	BALANCE	COMMITMENTS	UNCOMMITTED BALANCE
Growth Studies*	(304,220)	50,423	350,000	(299,577)
Library	73,543	55,525	-	55,525
Transit	817,730	780,065	-	780,065
Transportation*	17,811,657	15,929,217	(1,399,589)	17,328,806
Storm Drainage	2,764,872	1,498,440	-	1,498,440
Fire Protection*	(973,990)	104,170	1,049,589	(945,419)
Parks & Recreation	582,393	360,168	-	360,168
Park Dedication	4,929,729	3,583,083	-	3,583,083
Public Benefits	-	1,079,117	1,079,117	0
Future Services	3,673,586	9,758,126	6,365,265	3,392,861
Future Services Signs & Barricades	511,747	511,747	-	511,747
Future Services Trees	77,323	27,323	-	27,323
Development Charge Exemption	603	603	-	603
Total Development Related Reserve Funds	\$ 29,964,971	\$ 33,738,007	\$ 7,444,383	\$ 26,293,625

B) Vehicle and Equipment Reserve Funds	Uncommitted Balance	BALANCE	COMMITMENTS	UNCOMMITTED BALANCE
Vehicle Replacements - Fire	1,541,614	1,198,404	-	1,198,404
Vehicle Replacements - RPM & PR	964,357	1,434,478	-	1,434,478
Vehicle Replacements - Transit	321,203	742,353	-	742,353
Vehicle Replacements - Tyandaga	343,651	226,163	-	226,163
Total Vehicle and Equipment Reserve Funds	\$ 3,170,825	\$ 3,601,398	\$ -	\$ 3,601,398

*The committed balance represents borrowing between Development Charge Reserve Funds for capital projects. The current outstanding amount borrowed is disclosed in the commitment however repayment is expected to take place over a number of years.

C) Transit Related Reserve Funds	Uncommitted Balance As at Dec 31, 2021	BALANCE	COMMITMENTS	UNCOMMITTED BALANCE
Provincial Gas Tax	3,095,766	2,272,101	-	2,272,101
Federal Gas Tax - Transit Dedicated	1,031,688	(524,312)	-	(524,312)
Total Transit Related Reserve Funds	\$ 4,127,454	\$ 1,747,789	\$ -	\$ 1,747,789

D) Other Capital Reserve Funds	Uncommitted Balance	BALANCE	COMMITMENTS	UNCOMMITTED BALANCE
Burlington Hydro Proceeds	5,391,556	149,447	-	149,447
Capital Purposes	3,788,673	5,921,910	10,000	5,911,910
Infrastructure Renewal	15,590,683	12,544,992	-	12,544,992
Information Technology Renewal	913,423	385,553	-	385,553
Federal Gas Tax	6,609,800	1,082,447	-	1,082,447
Public Art Reserve Fund	776,669	831,206	-	831,206
Railway Crossing	-	14,912,053	14,912,053	-
Joseph Brant Hospital	-	5,591,971	5,591,971	-
Strategic Plan	26,945	328,008	200,000	128,008
Strategic Land Acquisition	7,762,455	8,782,661	8,028,224	754,438
Total Other Capital Reserve Funds	\$ 40,860,203	\$ 50,530,249	\$ 28,742,248	\$ 21,788,001

City of Burlington
Reserve Funds and Reserves

As At June 30, 2022 with Comparatives from December 31, 2021

2. OPERATING RELATED RESERVE FUNDS AND RESERVES

A) Stabilization Reserves and Reserve Funds	Uncommitted Balance	BALANCE	COMMITMENTS	UNCOMMITTED
	As at Dec 31, 2021			BALANCE
Contingency	9,154,723	16,195,061	5,469,146	10,725,915
Severe Weather	5,339,363	5,339,363	-	5,339,363
Tax Rate Stabilization	4,299,405	9,614,206	8,526,818	1,087,388
Building Permit Stabilization	2,894,113	2,894,113	-	2,894,113
Planning Fee Stabilization	3,175,719	3,175,719	-	3,175,719
Engineering Fee Stabilization	272,289	272,289	-	272,289
Commodity Stabilization Reserve Fund	1,109,376	1,109,376	-	1,109,376
Total Stabilization Reserve Funds	\$ 26,244,988	\$ 38,600,127	\$ 13,995,964	\$ 24,604,163

B) Corporate Reserve Funds				
Employee Accident	5,600,642	8,835,311	2,363,772	6,471,539
Benefits	4,407,908	4,392,250	-	4,392,250
Election	-	824,847	824,847	-
Emergency	180,639	180,639	-	180,639
Total Corporate Reserve Funds	\$ 10,189,188	\$ 14,233,047	\$ 3,188,619	\$ 11,044,428

C) Corporate Reserves				
Insurance	(3,029)	8,526,211	8,526,211	-
Ontario Cannabis Legalization Implementation	83,726	83,726	-	83,726
Total Corporate Reserves	\$ 80,697	\$ 8,609,937	\$ 8,526,211	\$ 83,726

City of Burlington
Reserve Funds and Reserves

As At June 30, 2022 with Comparatives from December 31, 2021

3. LOCAL BOARDS AND PROGRAM SPECIFIC RESERVE FUNDS AND RESERVES

A) Program Specific Reserve Funds	Uncommitted Balance As at Dec 31, 2021	BALANCE	COMMITMENTS	UNCOMMITTED BALANCE
Parks & Recreation Infrastructure				
Waterfront Centre	178,850	168,850	-	168,850
Paletta Mansion	702,389	619,289	-	619,289
Senior's Centre	328,793	333,386	-	333,386
Tyandaga Facility	307,002	307,002	-	307,002
LaSalle Park Pavilion	431,319	411,319	-	411,319
Sports Fields	160,081	150,896	-	150,896
Haber Community Centre	589,266	603,266	-	603,266
Recreation Centre	141,271	112,115	-	112,115
Pools	259,686	282,953	-	282,953
Arenas	465,731	470,771	-	470,771
Culture	165,512	140,928	-	140,928
Youth Initiatives	84,158	84,158	-	84,158
Randle Reef	-	432,203	432,203	-
Community Heritage	275,358	275,358	-	275,358
Mundialization Committee	200,808	200,808	-	200,808
Naval Memorial	43,997	43,997	-	43,997
Policy Initiatives	184,253	1,305,896	1,021,643	284,253
Culture Initiatives	126,226	251,226	-	251,226
Energy Initiatives	114,983	146,632	31,118	115,513
Community Investment	285,915	281,221	-	281,221
Sims Square	812,813	620,465	-	620,465
Forestry	38,086	360,391	322,305	38,086
Parking District	204,862	204,862	-	204,862
Parking Renewal	2,619,523	2,304,523	-	2,304,523
Parking Growth	7,072,441	6,972,441	-	6,972,441
Fire Dispatch	677,644	677,644	-	677,644
Fire Suppression	46,709	46,709	-	46,709
Tree Planting Initiatives	429,154	429,154	-	429,154
Green Initiatives	283,905	283,905	15,000	268,905
Total Program Specific Reserve Funds	\$ 17,230,736	\$ 18,522,368	\$ 1,822,269	\$ 16,700,099

City of Burlington
Reserve Funds and Reserves

As At June 30, 2022 with Comparatives from December 31, 2021

B) Local Boards Reserve Funds	Uncommitted Balance	BALANCE	COMMITMENTS	UNCOMMITTED
	As at Dec 31, 2021			BALANCE
Downtown BIA	442,679	442,679	-	442,679
BEDC Operations	588,016	588,016	-	588,016
BEDC Strategic Initiatives	294,900	294,900	-	294,900
BEDC Innovation Centre	150,473	150,473	-	150,473
Library Capital	3,129,165	2,868,983	-	2,868,983
Library Operating	326,457	326,457	-	326,457
Tourism Burlington	250,924	270,490	19,567	250,924
Museums Board - Joseph Brant Operating	288,049	288,049	-	288,049
Museums Board - Joseph Brant Capital	168,040	168,040	-	168,040
Museums Board - Ireland House Operating	390,480	390,480	-	390,480
Museums Board - Ireland House Capital	98,149	94,417	-	94,417
Art Gallery of Burlington	113,696	113,696	-	113,696
PAC	1,796,802	1,720,331	10,279	1,710,052
PAC - CPRF	846,767	899,530	-	899,530
PAC Donations	9,236	14,515	5,279	9,236
Total Local Boards Reserve Funds	\$ 8,893,834	\$ 8,631,057	\$ 35,124	\$ 8,595,932
C) Program Specific Reserves				
Fire Extrinsication	37,718	37,718	-	37,718
Total Program Specific Reserves	\$ 37,718	\$ 37,718	\$ -	\$ 37,718
Total Reserve Funds	\$ 131,527,476	\$ 153,408,981	\$ 49,759,461	\$ 103,649,520
Total Reserves	\$ 9,273,138	\$ 24,842,715	\$ 13,995,357	\$ 10,847,359
Total Reserve Funds and Reserves	\$ 140,800,614	\$ 178,251,696	\$ 63,754,818	\$ 114,496,879



SUBJECT: Mid-year 2022 operating budget performance report
TO: Corporate Services, Strategy, Risk & Accountability Cttee.
FROM: Finance Department

Report Number: F-30-22

Wards Affected: All

File Numbers: 435-06

Date to Committee: September 14, 2022

Date to Council: September 20, 2022

Recommendation:

Direct the Chief Financial Officer to report back on the city's year-end strategy upon confirmation of the 2022 year-end actual.

PURPOSE:

Vision to Focus Alignment:

- Deliver customer centric services with a focus on efficiency and technology transformation
-

Background and Discussion:

The COVID-19 pandemic and associated provincial restrictions have continued to impact city service delivery resulting in significant financial impacts. This report will provide an update on the financial variances anticipated to year-end.

Appendix A, The Variance Accountability Report, highlights the significant drivers that impact the 2022 year-end financial position and provides additional commentary.

Strategy/process

In order to be proactive in identifying issues and initiating actions to mitigate increased expenditures and revenue shortfalls, budgetary performance is monitored monthly to

provide an early indication of potential problems and gives management time to consider appropriate actions.

The COVID-19 pandemic continues to impact the city. It represents one of the most significant financial challenges municipalities have ever faced. As reported monthly since the onset of the pandemic to July 2022, the financial impacts of COVID-19 have been substantial. In order to reflect the temporary impacts of the pandemic on the budget, city services identified one-time budget adjustments that were supported by a one-time funding plan so as not to impact the 2022 tax increase.

Safe Restart Agreement Funding

To date nearly \$20.5 million in funding has been announced under the Safe Restart Agreement. \$17M of this funding was used to offset the 2020 and 2021 year-end positions. The balance of the Safe Restart funding (\$3.4M) will be used to offset 2022 impacts including an estimated draw of \$3.3 million from the tax rate stabilization reserve fund should additional Safe Restart funding not be received. This will significantly impact the balance in that reserve fund. At the Association of Municipalities of Ontario (AMO) conference in August, members of council reiterated the need for additional safe restart funding to the Province.

Financial Matters:

Operating budget projections and variance analysis

The table below summarizes the corporate wide projected variances for the year- end. Refer to Appendix A for significant revenue and expenditure variances.

	2022 Budget	2022 Year End Projections	Variance*	F/U*
City Services	\$151,236,884	\$150,456,936	\$779,948	F
Corporate Expenditures	\$53,597,479	\$55,367,031	\$(1,769,552)	U
Corporate Revenues	\$(204,896,880)	\$(204,713,427)	\$183,452)	U
Total			\$(1,173,057)	U

Numbers may not add due to rounding

***F = Favourable, U = Unfavourable**

The pandemic has significantly impacted city revenues. Recreation, Community and Culture are significantly below the already reduced COVID-19 revenue estimates by \$1.38M at year end and Parking Bylaw by \$511K. In contrast, Transit revenues are trending higher than the planned COVID revenue impacts indicating \$865K in favourable revenues.

Other notable operational impacts include \$3.2M in anticipated human resource (HR) savings, this is a result of a significant number of vacancies as well as savings in part time wages. These savings in HR are offset by higher than anticipated Overtime costs, projected at \$1.3M over budget.

As inflation hits 8.1%, a 39 year high, the City records unfavourable variances of \$435K due to a rise in Fuel costs and \$572K in Contracted Services, as a result of higher than historical costs when renewing City contracts.

The City will need to make an additional provision of \$1,000,000 to the allowance account for prior tax year write offs as significant appeals relating to prior years taxes have resulted in an insufficient balance in this account.

Investment income as of June 30, 2022, has decreased compared to prior year, leading to an estimated \$500K unfavourable variance. Economic conditions in the first half of 2022 have significantly decreased prices in the bond market. This has limited the ability to achieve capital gains through active trading. This is partially offset by higher than anticipated supplementary tax revenue for current and previous years which are projected to exceed budget by \$300K.

2022 year-end position:

As indicated in the table above, the year-end position reflects an unfavourable position of \$1,173,057. Of this value, \$792,919 will be offset by the additional safe restart transit funding announced in March 2022 as a result of submitted reports to the province. The remaining \$380,138 will need to be funded from the Tax Rate Stabilization Reserve Fund. As a reminder, the 2022 Covid Budget committed \$2,888,612 from the Tax Rate Stabilization Reserve Fund which left an uncommitted balance in the reserve fund of only \$1M. Members of council continue to communicate the need for additional safe restart funding to the Province through Ontario's Big City Mayors and AMO.

We will continue to update these projections through Q4. As well, services will also continue to exercise their usual due diligence when authorizing large expenditures in order to ensure savings are realized in 2022

Conclusion:

This report provides an overview of the performance of the 2022 Operating Budget and projections for the City's year-end financial position. It serves to highlight areas that will have a significant impact on the 2022 year-end financial position.

The monitoring of corporate and service expenditures and revenues, as part of the Operating Budget Performance policy, exists as a key component of the City's financial management control system. Staff will continue to scrutinize expenditure and revenue patterns for the balance of 2022.

Our intended outcome through these challenging times is to minimize a year-end unfavourable financial position. Without additional safe restart funding, significant draws will be required on City reserve funds, this will impact the City's ability to mitigate future risks.

Respectfully submitted,

Gurpinder Grewal & Meri Gjeka
Financial Analysts Budgets & Policy
(905) 335-7600 ext. 7975

Appendices:

A. Variance Accountability Report

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.

CITY OF BURLINGTON
2022 MID-YEAR OPERATING BUDGET PERFORMANCE REPORT
VARIANCE ACCOUNTABILITY REPORT

Outlined in the table below are the explanations of the major Year End variance drivers .

Major drivers	Projected Year End Variance	F / (U)	Explanation of Variance
Tax Supported Revenues	\$ (1,112,707)	U	
Recreation, Community and Culture	\$ (1,382,607)	U	Recreation, Community and Culture have experienced loss of revenues in the program areas. Reduced revenues were budgeted through the onetime COVID impact budget for Q1 & Q2 and, in some instances, they ended up doing better than expected (e.g. rentals). Revenue for Q3 and Q4 was expected to return to pre-covid levels which is not happening. Changes in customer buying behavior has resulted in continued loss of revenue through Q3 which is the prime revenue generation period for many of our program areas and it is anticipated this change in behavior will continue to negatively impact revenues through the end of the year and possibly into 2023.
Parking By Law	\$ (511,100)	U	Unfavourable variance in Parking Bylaw revenues resulting from changes from a proactive enforcement of certain offences, to complaint basis only during State of Emergency, and the extension of these changes throughout summer to accommodate students and those working from home . The revenues were also affected by exemption extensions as required in the absence of city-wide paid permit system. In addition Beachway lot revenues were down compared to the same period last year.
Transit	\$ 865,000	F	2022 Approved Budget was prepared with anticipated lower Transit Fare Revenues compared to pre-COVID budgeted revenue to reflect the impacts of COVID and the anticipated recovery of ridership. Year to date fare revenue is reporting favourably during ridership recovery, with Q2 reporting a ridership reaching approximately 90% of pre-COVID ridership levels. Although the monthly boardings held strong in Q2, ridership was still low in Q1 and therefore the year-to-date revenues are not yet reporting 90% of pre-COVID revenues. This lag in revenues to date is expected to lessen as strong ridership recovery continues, and ultimately service reaches 100% of pre-COVID levels.
Private Tree Bylaw revenues	\$ (84,000)	U	Private Tree bylaw revenues are reflective of the new fee structure approved during 2022 . An adjustment to the Private Tree bylaw revenues will be required in 2023 .
Tenant Lease Revenue	\$ (77,578)	U	Unfavourable variance due to the loss of a tenant at 414 Locust Street
Non-Tax Supported Revenues	\$ 18,404	F	
Parking District Revenues	\$ (543,025)	U	Lower than anticipated revenues in Parking District due to a variety of factors such as Lot closures due to sensor installations, curbside pickup program occupying many on-street spaces early 2022, as well as staffing shortage due to enforcement officer turnover . These losses will be offset by lower provisions to the Parking District Reserve Fund.
Provision to Reserve Fund - Parking District	\$ 561,429	F	
Planning Fee Revenues	\$ (845,812)	U	Unfavourable variance mainly due to lower than budgeted Site Plan Application Revenues. There have been over 30 site plan pre-consultations year to date in 2022 , but many of these have not yet translated into formal applications. Bill 109 may be influencing this delay. These unfavourable variances will be offset by a draw from the Planning Fee Reserve Fund.
Draw from the Planning Fee Reserve Fund	\$ 845,812	F	
COVID Related costs	\$ (117,807)	U	
Additional costs (COVID related)	\$ (117,807)	U	Additional costs as a result of enhanced cleaning services , purchase of PPE and other COVID related costs. The unfavourable variance was slightly offset by lower than anticipated costs related to active screening and implementation of the enhanced vaccine certificate in Recreation, Community, and Culture .
Other Operational Impacts	\$ 1,321,835	F	
Human Resources (excluding Part time wages and Overtime costs)	\$ 2,590,987	F	Gapping savings realized from the full year cost of vacant new positions approved in the 2022 Budget and other temporary vacancies
Part time Wages	\$ 609,221	F	Recreation, Community and Culture have experienced some savings in part-time wages due to a stripped down program offering during various stages of covid recovery. Mountainside Pool closure along with the continued challenge to fill specific part-time positions are contributing to the favourability. In addition, savings were also realized in school crossing guard costs.
Overtime costs	\$ (1,337,995)	U	Unfavourable variance due to higher than budgeted costs in Fire Management and Transit Services resulting from COVID related pressures and temporary vacancies.
Utilities	\$ 236,373	F	Recreation, Community and Culture have experienced savings in hydro and water expenses. The favourability is due to the January closures which predominately impacted ice and indoor pools, combined with the gradual reopening of facilities due to the restrictions that were in place. In addition, there are savings due to the closure of Mountainside Pool.
Contracted Services	\$ (571,883)	U	Additional costs due to the May 21, 2022 Derocho storm. The city has submitted information to the Ministry of Municipal Affairs and Housing for municipal disaster assistance. Should funding not be forthcoming, a draw from the Severe Weather Reserve Fund may be required.
Draw from the Severe Weather Reserve Fund	\$ 545,000	F	

Fuel	\$ (434,982)	U	Russia's invasion in Ukraine has resulted in economic and fiscal sanctions which have driven up the price of fuel. Fuel prices began to increase steadily beginning in January and reached records highs during the first half of the year resulting in unfavourable variance in fuel costs.
Equipment Repair and Building Maintenance	\$ (100,210)	U	Unfavourable variance primarily as a result of higher than anticipated vehicle maintenance costs . These costs were slightly offset by some savings realized due to the Mountainside Pool closure.
Other - various	\$ (214,677)	U	Miscellaneous impacts in various areas
Corporate Expenditure	\$ (1,000,000)	U	
Provision for Prior Year Tax Write off	\$ (1,000,000)	U	Unfavourable variance due to significant appeals relating to prior years taxes resulting in an insufficient balance in the allowance account at year end.
Corporate Revenues	\$ (264,378)		
Investment Income	\$ (500,000)	U	Investment income as of June 30, 2022, has decreased compared to prior year. Economic conditions in the first half of 2022 have significantly decreased prices in the bond market. This has limited the ability to achieve capital gains through active trading. Staff will continue to monitor market fluctuations taking advantage of trades for capital gains where prudent to do so in accordance with the City's investment policy.
Payments in Lieu of Taxes	\$ (64,378)	U	Unfavourable variance as two Canada Post properties sold at the end of 2021 which are now taxable properties (no longer PIL revenue).
Supplementary Taxes	\$ 300,000	F	The City is expecting to realize higher than anticipated supplementary taxes for current and previous years.
Projected Year End Shortfall	\$ (1,173,057)		
Safe Restart Funding - Transit	\$ 792,919		
Additional Tax Rate Stabilization Reserve Fund Draw	\$ 380,138		
Projected Year End Position	\$ -		



SUBJECT: 2022 Community Benefits Strategy and Bylaw

TO: Corporate Services, Strategy, Risk & Accountability Cttee.

FROM: Finance Department

Report Number: F-31-22

Wards Affected: all

File Numbers: 460-01

Date to Committee: September 14, 2022

Date to Council: September 14, 2022

Recommendation:

Adopt the Community Benefits Charge (CBC) approach to calculate the charges on a uniform city-wide basis; and

Approve the capital project listing set out in chapter 4 of the CBC Strategy dated August 17, 2022, subject to further annual review during the capital budget process; and

Approve the creation of a Community Benefits Charges reserve fund which will contain all CBC monies collected, with associated bylaw as per Appendix D of finance department report F-31-22 to be brought forward to Council for approval; and

Impose the CBC of \$488 per apartment with 2 or more bedrooms and \$362 per bachelor and one bedroom apartment dwelling unit on the day before a building permit is issued; and

Approve the CBC strategy final report dated August 17, 2022 attached as Appendix A to finance department report F-31-22; and

Approve the CBC By-law as set out in Appendix B of the CBC Strategy dated August 17, 2022 with an effective date of September 14, 2022.

PURPOSE:

Respond to legislation.

As a result of Bill 108 and Bill 197, Community Benefits Charges (CBC) have been introduced by the Provincial government to replace the former section 37 provisions under the Planning Act. In order to implement a CBC, a CBC Strategy is required prior to the

passage of a CBC By-law. This Strategy must follow the requirements in the Planning Act, which are similar to that of Development Charges (DC) Background Study under the Development Charges Act (DCA).

Bill 197 provides a transition period of two years from the date of proclamation, which is September 18, 2020, after which the former section 37 is no longer applicable, and a community benefits charge strategy will need to be implemented.

The city has retained Watson & Associates Economists Ltd. to complete the 2022 CBC Strategy.

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
-

Background and Discussion:

Council received the following reports as it relates to the development of the Community Benefits Strategy, included herein;

- February 24, 2020 (F-09-20), highlighting amendments due to proclaimed portions of Bill 108.
- November 23, 2020 (F-47-20) highlighting amendments due to Bill 197.
- April 7, 2021 (F-11-21) update on Community Benefits Charges process
- July 11, 2021 (F-27-22) presentation on Community Benefits Strategy and Bylaw

A Community Benefits Charge (CBC) allows municipalities to levy a charge against certain forms of higher density development to fund associated development-related capital infrastructure needs. The CBC provisions replace the former section 37 height and density bonusing in the Planning Act, subject to transition rules.

Municipalities can use CBCs to fund capital costs, of any public service, that are related to the needs associated with new growth if those costs are not already recovered from development charges and parkland provisions. A CBC can be used to fund services provided for under a DC by-law, and for parkland acquisitions, as long as there is no duplication of recovery of the same capital costs.

A CBC can only be levied against higher density residential development, limited by the Act to developments that are:

- Five or more storeys, and,
- Contain 10 or more residential units.
- Note that a mixed-use development, a building that contains both residential and non-residential uses, can be subject to a CBC if it meets the above criteria.

The regulations to s.37 of the Act, O. Reg. 509/20, provide for a number of statutory exemptions from the payment of a CBC, as follows:

- Development or redevelopment of buildings with fewer than five storeys and 10 or less residential units;
- Long-term care & retirement homes;
- Colleges, universities and post-secondary indigenous institutes;
- Royal Canadian Legion;
- Hospice for end of life care;
- Non-profit housing.

The Planning Act prescribes that the maximum permitted charge that can be levied is four per cent of land value for a development with five or more storeys and ten or more residential units on the day before issuance of the building permit. Alternatively, the city can choose to impose a rate on another basis, such as a charge calculated on a per dwelling unit basis (similar to development charges).

Strategy/process

On July 11, 2022, at the Corporate Services, Strategy, Risk and Accountability (CSSRA) public meeting staff tabled the City's 2022 Community Benefits Strategy and bylaw for review and feedback. During the summer months, the Community Benefits Strategy has been posted online and available for public review prior to final approval.

On July 20th, 2022, the city held a consultation session with the development industry to provide an overview and receive any comments and/or feedback, in advance of anticipated passage of the bylaw in September. Overall feedback was positive, with a few questions which are reflected in two (2) written correspondences from the development community, attached as Appendix B and C. Appendix B includes questions posed from BILD, and the staff response. Appendix C includes comments regarding the strategy and bylaw from WE HBA. As no formal questions were provided by, WE HBA, staff is addressing the comments within report F-31-22, as follows.

- All Community Benefits Charges monies received by the City will be maintained in the city's newly created Community Benefits Charges reserve fund. Annually, the city provides to Council Treasurer's Statements outlining annual revenues and spending to/from the Development Charges, Park Dedication and Public Benefits (S.37) reserve funds. Going forward, these statements will now include revenues and spending associated with the Community Benefits reserve fund as required by the *Planning Act*. All statements are approved by Council and posted on the City's website. As part of the 2022 annual statements, staff will review and consider how to approach and include the value of in-kind contributions to provide a holistic view on CBC value received.

- In regard to the comments on land valuation associated with redevelopment projects, staff’s perspective is that this relates to municipalities that are imposing the charge as a percentage of land value and would not apply to the city’s per unit application of the charge. Furthermore, with respect to the treatment of redevelopment projects, this is clearly outlined in the city’s response to BILD, found in Appendix B.

Overall, based on the comments and questions received from the public and development community, staff are bringing forward the CBC strategy and by law with no amendments from what was presented to committee and the public on July 11, 2022.

As per the *Planning Act*, an update to the Community Benefits Strategy and bylaw is required every five years. The city will be undertaking a required update to the Development Charges Study and a comprehensive park dedication by law update in 2024. At this time, staff will consider updating the CBC prior to the five-year time horizon to ensure all growth needs are captured in the relevant studies, as these funding mechanisms work together to assist with the principle that growth pays for growth.

Financial Matters:

Chapter 5 of Appendix A (Community Benefits Strategy) summarizes the calculation of the CBC charge. Based on the requirements of the legislation, the city has identified \$4.1 million of net growth-related capital costs that are eligible related to high density growth developments as summarized in Table 1.

Table 1: CBC Eligible Cost by Service

Service	Gross Capital Cost Estimate (2022\$)	Net Residential Share (2022\$)	C.B.C.-Eligible Cost (2022\$)
Parking	\$18,500,000	\$3,515,000	\$2,339,295
Performance Arts Centre/Public Art	\$1,994,300	\$863,161	\$574,449
Facilities	\$6,282,095	\$600,854	\$399,879
Information Technology	\$1,489,000	\$462,591	\$307,863
Growth Studies	\$1,190,000	\$632,825	\$447,915
Total	\$29,455,395	\$6,074,431	\$4,069,400

As per the Planning Act, the maximum a municipality can impose for a CBC is equal to 4% of the land value of a property the day before building permit issuance. Based on the total eligible capital costs recovery of \$4.1 million and the underlying land value assumptions, the city is imposing a CBC at approximately 0.6% of land value.

The above translates to a per unit basis as follows:

Table 2: CBC Charge per Unit

Development Type	C.B.C. per Dwelling Unit
Apartments - 2 Bedrooms +	\$488
Apartments - Bachelor and 1 Bedroom	\$362

The city will be structuring the charge on a municipal-wide basis, as the services provided are not restricted to one specific area and are anticipated to be used by all residents within the municipality. Furthermore, as represented in Table 2 above, the charge will be presented as a per unit charge as this aligns with the city's DC structure for apartment dwelling units and assists with the ease of administration and implementation of the charges.

Total Financial Impact

The cash balance in the City's Public Benefits reserve fund is \$1.1 million as of June 30, 2022 (funds are fully committed as per former s.37 agreements). Based on the transition rules set out by the Planning Act, the balance in the reserve fund will be transferred over to the newly created Community Benefits reserve fund the day of bylaw passage. However, the funds will still be utilized as per the s.37 agreements under which they were collected.

Climate Implications

Not applicable.

Engagement Matters:

The Act requires that a municipality consult with such persons and public bodies as the municipality considers appropriate.

Staff tabled the CBC Strategy and Bylaw at the July 11, 2022, public meeting of the city's Corporate Services, Strategy, Risk and Accountability committee. After which, the city held a consultation session with the development industry on July 20th to provide an overview and receive comments and/or feedback, in advance of anticipated passage of the bylaw in September. This report details comments received, and respective staff response. Staff are bringing forward the CBC Strategy and Bylaw for final approval on

September 14 at CSSRA committee, followed by a special Council meeting. The date in which the bylaw will become effective is September 14, 2022, to meet legislated provincial deadlines.

The 2022 CBC Strategy and proposed bylaw is posted on the city's website through Council staff report and the city's *Community Benefits Charge* webpage, as of July 6, 2022 for public review.

A CBC bylaw may be appealed to the Ontario Land Tribunal. The last day for appealing the by-law is October 24, 2022, 40 days after Council approval. After passing the bylaw, the city will publish notice of bylaw passage within 20 days (October 4, 2022).

Once the bylaw is approved, should an eligible development application view the amount of the CBC as exceeding the amount permitted under legislation, the *Planning Act* requires payment under protest and a defined dispute process to be followed. Given, the city's proposed per unit charge rate as per Table 2 above is reflective of 0.6% of land value, significantly lower than the 4% maximum permitted by legislation, staff does not anticipate disputes on an individual property basis going forward.

Conclusion:

Staff are requesting that Council approve the CBC Strategy, bylaw and associated recommendations contained within this report on September 14, 2022 to meet the legislated deadline of September 18, 2022.

The Community Benefits Strategy presented has been prepared in accordance with the requirements of the *Planning Act* and recommends the imposition of a CBC and associated policies as defined by the proposed bylaw in Appendix B of the CBC Strategy, dated August 17, 2022.

Respectfully submitted,

Reena Bajwa

Coordinator of Financial Strategies and Business Consulting

X7896

Appendices:

- A. City of Burlington Community Benefits Charges Strategy Final Report: Watson & Associates (dated August 17, 2022)
- B. BILD submission & City Staff response

C. WE HBA submission

D. Community Benefits Charges Reserve Fund Bylaw

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.



Community Benefits Charge Strategy

City of Burlington

Final Report

August 17, 2022

Watson & Associates Economists Ltd.
905-272-3600
info@watsonecon.ca

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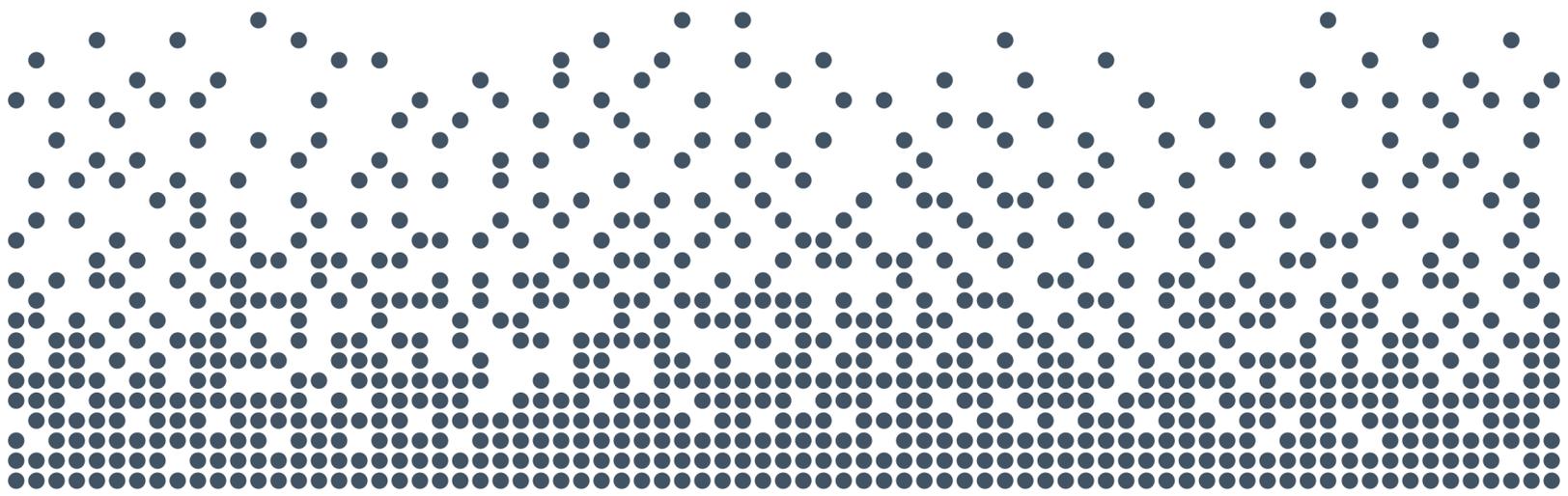
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List of Acronyms and Abbreviations

Acronym	Full Description of Acronym
B.U.A.	Built-Up Area
C.B.C.	Community Benefits Charge
C-I-L`	Cash-in-lieu
D.C.	Development charge
D.C.A.	Development Charges Act, 1997, as amended
D.G.A.	Designated Greenfield Area
G.M.S.	Growth Management Strategy
N.F.P.O.W.	No fixed place of work
O.L.T.	Ontario Land Tribunal
O. Reg.	Ontario Regulation
P.P.U.	Persons per unit
sq.ft.	square foot
sq.m	square metre



Report



Chapter 1

Introduction



1. Introduction

1.1 Purpose of this Document

This strategy report has been prepared pursuant to the requirements of the *Planning Act*, 1990, (section 37) and, accordingly, recommends the imposition of a Community Benefits Charge (C.B.C.) and associated policies for the City of Burlington (City).

The City retained Watson & Associates Economists Ltd. (Watson), to undertake the C.B.C. strategy process. Watson worked with City staff preparing the C.B.C. analysis and policy recommendations contained within this strategy.

The C.B.C. strategy report, containing the proposed C.B.C. by-law, will be distributed to members of the public to provide interested parties the background information on the legislation, the recommendations contained herein, and an outline of the basis for these recommendations.

This report has been prepared, in the first instance, to meet the statutory requirements applicable to the City's C.B.C. strategy, as summarized in Chapter 3. It also addresses the requirement for "rules" (contained in Chapter 6) and the proposed by-law to be made available as part of the approval process (included as Appendix C).

In addition, the report is designed to set out sufficient background on the legislation (Chapter 3) and the policies underlying the proposed by-law, to make the exercise understandable to those who are involved.

Finally, the report addresses post-adoption implementation requirements (Chapter 7) which are critical to the successful application of the new policy.

The chapters in the strategy report are supported by Appendices containing the data required to explain and substantiate the calculation of the charge. A full discussion of the statutory requirements for the preparation of a strategy and calculation to support the C.B.C. rate is provided herein.



1.2 Legislative Context

1.2.1 Bill 197 - COVID-19 Economic Recovery Act, 2020

The *COVID-19 Economic Recovery Act* received Royal Assent on July 21, 2020. Schedule 17 of the Act amends the *Planning Act* with respect to the provisions of community benefits and parkland dedication. These amendments were proclaimed and came into effect on September 18, 2020. Municipalities with agreements for community benefits have two years after the date of proclamation (i.e., September 18, 2022) to transition to the new rules under s.37 of the *Planning Act*. Eligible municipalities also have the ability to impose a C.B.C. under this authority.

Single-tier and lower-tier municipalities may adopt a by-law to impose a C.B.C. against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. The capital costs included in a C.B.C. may include:

- land for parks or other public recreational purposes in excess of lands conveyed or funded by cash-in-lieu of parkland payments under sections 42 and 51 of the *Planning Act*;
- capital costs for services under subsection 2 (4) of the D.C.A. that are ineligible for recovery under a D.C. by-law; and
- capital costs for municipal services ineligible for inclusion in a D.C. by-law.

There are restrictions on the application of the charges. A C.B.C. may be imposed only with respect to development or redevelopment that requires:

- the passing of a zoning by-law or of an amendment to a zoning by-law under section 34;
- the approval of a minor variance under section 45;
- a conveyance of land to which a by-law passed under subsection 50 (7) applies;
- the approval of a plan of subdivision under section 51;
- a consent under section 53;
- the approval of a description under section 9 of the *Condominium Act, 1998*; or
- the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.



As discussed later, the regulations limit the charge relative to the value of land at the time of building permit issuance thus, imposing the charge at the time of development requiring the issuance of a building permit would be prudent.

The *Planning Act* limits the imposition of the C.B.C. to certain types of development. Under s.37(3) a C.B.C. may not be imposed with respect to:

- development or redevelopment of fewer than 10 residential units, and in respect of buildings or structures with fewer than five storeys;
- a building or structure intended for use as a long-term care home;
- a building or structure intended for use as a retirement home;
- a building or structure intended for use by a university, college, or an Indigenous Institute;
- a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion;
- a building or structure intended for use as a hospice to provide end-of-life care; or
- not-for-profit housing.

Before adopting a C.B.C. by-law a municipality must prepare a C.B.C. Strategy that identifies the facilities, services and matters that will be funded with the charges. The municipality must consult with such persons and public bodies as the municipality considers appropriate while preparing the Strategy. Furthermore, Ontario Regulation 509/20 specifies the methodology that must be followed in the Strategy. This includes:

1. An estimate of the anticipated amount, type and location of development and redevelopment with respect to which community benefits charges will be imposed;
2. Estimates of the increase in the need for facilities, services and matters attributable to the anticipated development and redevelopment to which the community benefits charge by-law would relate;
3. For the facilities, services and matters included above, an identification of excess capacity and estimates of the benefit existing development;
4. Estimates of the capital costs necessary to provide the facilities, services and matters; and



5. Identification of any capital grants, subsidies and other contributions made to the municipality or that the council of the municipality anticipates will be made in respect of the capital costs.

Once the by-law is passed the municipality must give notice of passage and the by-law may be appealed to the Ontario Land Tribunal (OLT) within 40 days of by-law passage.

The amount of the charge cannot exceed an amount equal to the prescribed percentage of the value of the land on the date of building permit issuance. At present, the prescribed value is set by regulation at 4% of land value. Moreover, if the landowner is of the view that the amount of the C.B.C. exceeds the prescribed value, the landowner may pay the charge under protest. In this circumstance there is an obligation of the landowner and municipality to provide appraisals, and for the municipality to maintain a registry of at least three land appraisers.

A municipality may allow the landowner to provide in-kind contributions towards the facilities, services or matters in lieu of paying a C.B.C.

Revenue collected under a C.B.C. by-law must be maintained in a special account and used for the purposes that the charge was imposed. A municipality must report on the activity of the special account annually.

1.3 Current Policies

Historically, the City has imposed charges related to community benefits under the prior *Planning Act* section 37 provisions. Examples of the community benefits included contributions related to public art, parking, landscaping, and affordable housing.

1.4 Summary of the Process

Prior to passing a C.B.C. by-law, the *Planning Act*, subsection 37 (10) requires the City to consult with the public and such persons and public bodies as the City considers appropriate. As such, the strategy's purpose, approach, and proposed C.B.C. by-law will be presented to the public and members of Council at the July 11, 2022 Corporate Services, Strategy, Risk and Accountability Committee Meeting. Feedback on the strategy will also be received.



Figure 1-1 provides an outline of the schedule to be followed with respect to the C.B.C. strategy and by-law adoption and implementation process.

Figure 1-1
City of Burlington
Schedule of Key Dates in the C.B.C. Strategy Process

Item	Date
1. Data collection, land valuation analysis, growth forecast development, capital needs assessment.	March 2021 to June 2022
2. Presentation of approach to Strategy Committee	October 29, 2021
3. Preparation of C.B.C. calculations presentation to City Staff	June 2022
4. Release of C.B.C. Strategy Report and proposed by-law	July 11, 2022
5. Presentation of C.B.C. Strategy and proposed by-law to public and Corporate Services, Strategy, Risk and Accountability Committee	July 11, 2022
6. Council considers adoption of C.B.C. strategy and passage of by-law	September 14, 2022
7. Notice given of by-law passage	No later than 20 days after passage
8. Last day for by-law appeal	40 days after passage



Chapter 2

Anticipated Development in the City of Burlington



2. Anticipated Development

2.1 Requirement of the Act

Chapter 3 provides the methodology for calculating a C.B.C. as per the *Planning Act*. Figure 3-1 presents this methodology schematically. It is noted in the first box of the schematic that in order to determine the C.B.C. that may be imposed, it is a requirement of subsection 37 (9) of the *Planning Act* and O. Reg. 509/20 that “the anticipated amount, type and location of development and redevelopment, for which a C.B.C. can be imposed, must be estimated.”

The growth forecast contained in this chapter (with supplemental tables in Appendix A) provides for the anticipated development for which the City will be required to provide services over a 10-year (mid-2022 to mid-2032) time horizon.

2.2 Basis of Population, Household and Employment Forecast

The C.B.C. growth forecast has been derived by Watson. In preparing the growth forecast, the following information sources were consulted to assess the residential and non-residential development potential for the City over the forecast period, including:

- Halton Region Modified Preferred Growth Concept Land Needs Assessment Report, March 2022, prepared by Hemson Consulting Ltd., for the Region of Halton;
- 2006, 2011, 2016 and 2021 population and household Census data;
- 2006, 2011 and 2016 employment Census data;
- Historical residential building permit data over the 2012 to 2021 period;
- Residential supply opportunities as identified by City staff; and
- Discussions with City staff regarding anticipated residential development in the City.

2.3 Summary of Growth Forecast

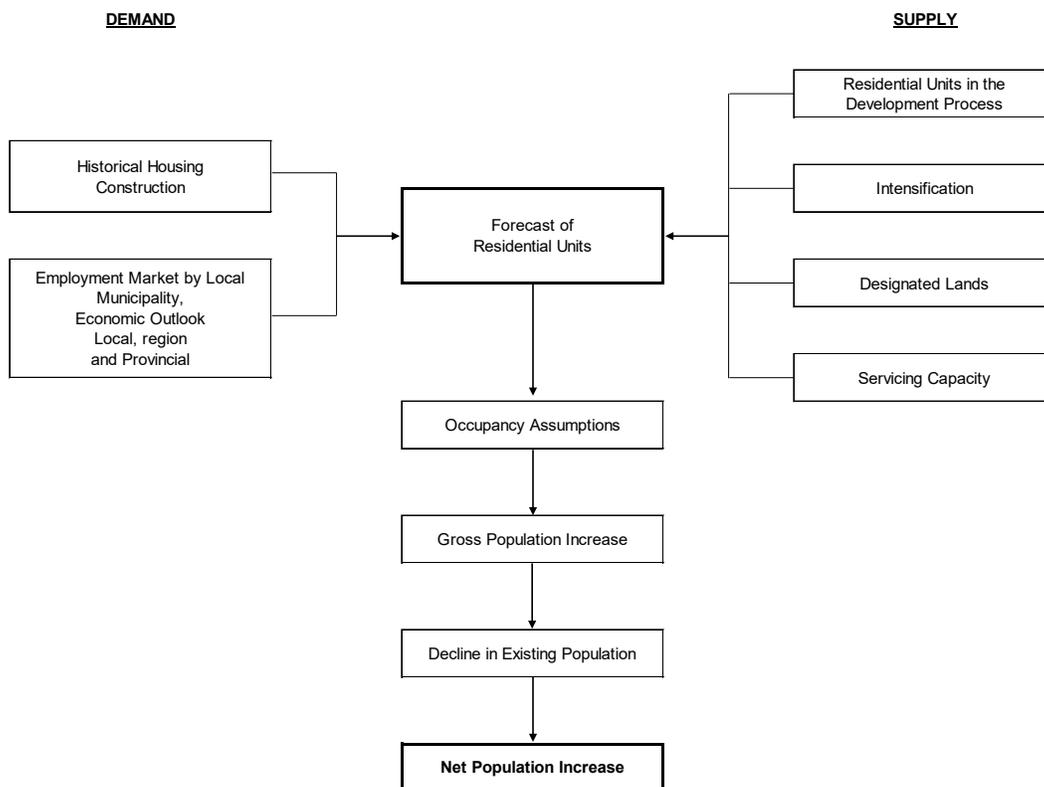
A detailed analysis of the residential and non-residential growth forecasts is provided in Appendix A and the methodology employed is illustrated in Figure 2-1. The discussion



provided herein summarizes the anticipated growth for the City and describes the basis for the forecast. The results of the residential growth forecast analysis are summarized in Table 2-1 below, and Schedule 1 in Appendix A.

As identified in Table 2-1 and Schedule 1, the City's population is anticipated to reach approximately 213,100 by mid-2032, resulting in an increase of 25,030 persons, over the 10-year forecast period.^[1]

Figure 2-1
Approach to Population and Housing Forecast



^[1] The population figures used in the calculation of the 2022 C.B.C. exclude the net Census undercount, which is estimated at approximately 3%.



**Table 2-1
City of Burlington
Residential Growth Forecast Summary**

	Year	Population (Including Census Undercount) ^[1]	Excluding Census Undercount			Housing Units						Person Per Unit (PPU): Total Population/ Total Households
			Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi- Detached	Multiple Dwellings ^[2]	Apartments ^[3]	Other ^[4]	Total Households	Equivalent Institutional Households	
Historical	Mid 2011	181,100	175,779	2,289	173,490	39,189	13,702	15,819	69	68,779	2,081	2.556
	Mid 2016	188,900	183,314	3,189	180,125	39,855	14,085	17,270	165	71,375	2,899	2.568
	Mid 2021	192,600	186,948	3,252	183,696	39,885	14,430	18,740	115	73,170	2,956	2.555
Forecast	Mid 2022	193,800	188,064	3,265	184,799	39,945	14,500	19,164	115	73,724	2,968	2.551
	Mid 2032	219,600	213,098	3,677	209,421	41,086	15,680	28,823	115	85,704	3,343	2.486
Incremental	Mid 2011 - Mid 2016	7,800	7,535	900	6,635	666	383	1,451	96	2,596	818	
	Mid 2016 - Mid 2021	3,700	3,634	63	3,571	30	345	1,470	-50	1,795	57	
	Mid 2021 - Mid 2022	1,200	1,116	13	1,103	60	70	424	0	554	12	
	Mid 2022 - Mid 2032	25,800	25,034	412	24,622	1,141	1,180	9,659	0	11,980	375	

^[1] Census undercount estimated at approximately 3%.

^[2] Includes townhouses and apartments in duplexes.

^[3] Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

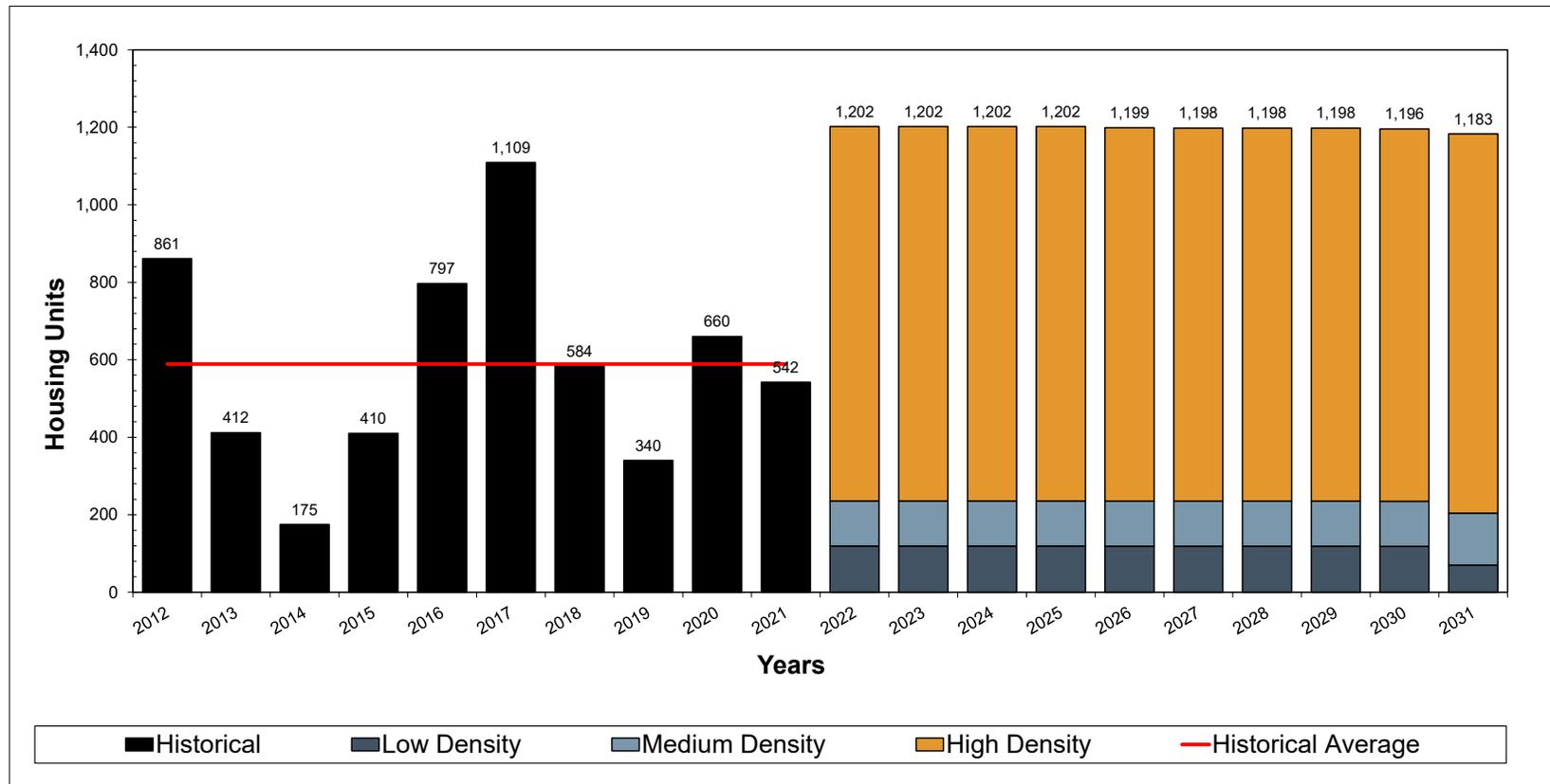
^[4] Other households defined by Statistics Canada as a single dwelling that is attached to another building and that does not fall into any of the other categories, such as a single dwelling attached to a non-residential structure (e.g., a store or a church) or occasionally to another residential structure (e.g., an apartment building). Other households also includes mobile homes and other movable dwellings.

Note: Population including the Census undercount has been rounded.

Source: Derived from Halton Region Modified Preferred Growth Concept Land Needs Assessment Report, March 2022, by Watson & Associates Economists Ltd.



Figure 2-2
City of Burlington
Annual Housing Forecast^[1]



^[1] Growth forecast represents calendar year.

Source: Historical housing activity derived from Statistics Canada building permit data for the City of Burlington, 2012 to 2021, by Watson & Associates Economists Ltd.



Provided below is a summary of the key assumptions and findings regarding the City's C.B.C. growth forecast:

1. Unit Mix (Appendix A – Schedules 1, 5 and 6)

- The housing unit mix for the City was derived from the Halton Region Modified Preferred Growth Concept Land Needs Assessment Report forecast for the City of Burlington,^[1] a detailed review of historical development activity (as per Schedule 6), as well as active residential development applications (as per Schedule 5) and discussions with City staff regarding anticipated development trends for Burlington.
- Based on the above indicators, the 2022 to 2032 household growth forecast for the City is comprised of a unit mix of 9% low density units (single detached and semi-detached), 10% medium density (multiples except apartments) and 81% high density (accessory units, bachelor, 1-bedroom and 2+ bedroom apartments) units.

2. C.B.C. Eligible Units

- Subsection 37 (4) of the *Planning Act* establishes the criteria for a development to be C.B.C. eligible. A C.B.C. may be imposed if:
 - Development of a proposed building or structure has five or more storeys at or above ground and has 10 or more residential units;
 - Redevelopment of an existing building or structure that will have 5 or more storeys at or above ground after redevelopment and proposes to add 10 or more residential units to an existing building or structure; or
 - Such types of development or redevelopment as prescribed.
- The C.B.C. eligible unit forecast is derived based on the established criteria above and a detailed review of historical Census housing trends, historical development activity (as per Schedule 6), active residential development applications (as per Schedule 5) and discussions with City staff regarding anticipated C.B.C. eligible developments.
- Based on the above indicators, the City is forecast to accommodate 9,220 C.B.C. eligible household units over the 10-year forecast period. This

^[1] Halton Region Modified Preferred Growth Concept Land Needs Assessment Report, March 2022, prepared by Hemson Consulting Ltd., for the Region of Halton



translates to 95% of all high-density units, including accessory units, being C.B.C. eligible from 2022 to 2032. Schedule 2 summarizes the anticipated amount, type, and location of development for the City.

3. Geographic Location of C.B.C. Eligible Residential Development (Appendix A – Schedule 2)

- Schedule 2 summarizes the anticipated amount, type, and location of C.B.C. eligible development for the City.
- In accordance with forecast demand and available land supply, the amount and percentage of forecast C.B.C. eligible housing growth between 2022 and 2032 is summarized in Table 2-2.

Table 2-2
City of Burlington
Residential High-Density Growth by Development Area

Development Location	High-Density Housing Growth, 2022 to 2032 ^[1]	C.B.C. Eligible Share (%)	C.B.C. Eligible Housing Growth, 2022 to 2032	C.B.C. Housing Growth Shares by Location, 2022 to 2032
City-Wide Total	9,659	95%	9,218	100%

^[1] High density includes accessory apartments, bachelor, 1-bedroom and 2-bedroom+ apartments.
Source: Watson & Associates Economists Ltd.

4. Planning Period

- For the purpose of this study, a 10-year planning horizon has been assumed which aligns with the City’s Capital Budget and Forecast for the same 10-year period.

5. Population in New Units (Appendix A – Schedules 3 and 4)

- The number of housing units to be constructed by 2032 in the City over the forecast period is presented in Figure 2-2. Over the 2022 to 2032 forecast



period, the City is anticipated to average approximately 1,200 new housing units per year.

- Institutional population^[1] is anticipated to increase by approximately 400 people between 2022 to 2032.
- Population in new units is derived from Schedules 3 and 4 which incorporate historical development activity, anticipated units (see unit mix discussion) and average persons per unit (P.P.U.) by dwelling type for new units.
- Schedule 7 summarizes the average P.P.U. assumed for new housing units by age and type of dwelling based on Statistics Canada 2016 custom Census data for the City of Burlington. The total calculated P.P.U. for all density types has been adjusted accordingly to account for the P.P.U. trends which has been recently experienced in both new and older units. Forecast 15-year average P.P.U.s by dwelling type are as follows:
 - Low density: 3.369
 - Medium density: 2.297
 - High density:^[2] 1.564

6. Existing Units and Population Change (Appendix A – Schedules 3 and 4)

- Existing households for mid-2022 are based on 2021 Census households, plus estimated residential units constructed between mid-2021 and mid-2022, assuming a six-month lag between construction and occupancy (see Schedule 3).
- The change in average occupancy levels for existing housing units is calculated in Schedules 3 and 4, by aging the existing population over the forecast period. The forecast population change in existing households over the 2022 to 2032 forecast period is approximately 2,960.

7. Employment (Appendix A – Schedule 8)

- The employment projections provided herein are largely based on the activity rate method, which is defined as the number of jobs in the City divided by the number of residents.

^[1] Institutional population largely includes special care facilities such as nursing home or residences for senior citizens. A P.P.U. of 1.100 depicts 1-bedroom and 2-or-more-bedroom units in collective households.

^[2] Includes accessory units, bachelor, 1-bedroom and 2-or-more-bedroom apartments.



- 2016 employment data for the City is outlined in Schedule 8. In accordance with Statistics Canada Census data, the City's 2016 employment base including work at home and no fixed place of work (N.F.P.O.W.) is 95,490.^[1]
- Total employment, including work at home and N.F.P.O.W. for the City is anticipated to reach approximately 107,470 by mid-2032. This represents an employment increase of approximately 6,790 over the 10-year forecast period.
- Schedule 8, Appendix A, summarizes the employment forecast, excluding work at home employment and N.F.P.O.W. employment, which is the basis for the C.B.C. employment forecast. The impact on municipal services from work at home employees has already been included in the population forecast. The need for municipal services related to N.F.P.O.W. employees has largely been included in the employment forecast by usual place of work (i.e., employment and gross floor area generated from N.F.P.O.W. construction employment).
- Total employment for the City (excluding work at home and N.F.P.O.W. employment) is anticipated to reach approximately 88,980 by mid-2032. This represents an employment increase of approximately 5,760 for the 10-year forecast period.

Based upon the above information, the following summaries are provided for use in the calculations presented in Chapter 4, as follows:

- Of the services to be provided, most service costs will be allocated a 81% residential share (Table 2-3);
- Of the residential portion of the costs, 70% of the population is forecast to reside in high-density residential units (Table 2-4); and
- Of those who reside in high density residential units, 95% are forecast to reside in units to which the C.B.C. may be imposed (Table 2-5).

^[1] No fixed place of work is defined by Statistics Canada as "persons who do not go from home to the same workplace location at the beginning of each shift. Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc."



Table 2-3
Residential and Non-Residential Growth Share based on Incremental Growth in Population and Employment over the 10-Year Forecast Period

Residential Population and Non-Residential Employment	Population/ Employment	Residential/ Non- Residential %
Residential Net Population	25,034	81%
Employment (net of Work at Home & N.F.P.O.W.)	5,761	19%
Total Population & Employment	30,795	100%

Table 2-4
Low/Medium Density Growth and High-Density Growth Share

Residential Density	Residential Population	% of Gross Population in New Units
Low/Medium Density	6,556	30%
High Density	15,104	70%
Total Residential Forecast	21,660	100%

Table 2-5
Eligible and Ineligible High-Density Growth Share

Residential High Density	Residential Population	% of Gross Population in High Density Units
Ineligible High Density	689	5%
Eligible High Density	14,415	95%
Total Residential High-Density Forecast	15,104	100%

2.4 Land Valuation and Analysis

As the C.B.C. rate is applied against the value of land the day before a building permit is issued, average land values are required to be assessed in various locations throughout the City where the development and redevelopment is anticipated. These land values



assist in calculating the eligible C.B.C. rate (up to a maximum of 4%). As such, the City's Real Estate Division was consulted, as well as other source documents, to provide input into the analysis. The sources for land value assumptions consulted included:

- The City's 2020 Downtown Burlington Fiscal Impact Study, prepared by Watson, included an estimate for parkland within that defined area of \$24.7 million per ha. (i.e. \$10 million per acre);
- The City's 2019 Cash-in-Lieu of Parkland Report prepared by Antec Appraisal Group identified high density land values of \$18.2 million per ha. (i.e. Appendix D average); and
- Estimates from the City's Realty Services which provided an average estimate of \$33.4 million per ha. (i.e. \$12-\$15 million per acre).

Based on a review of these information sources, we have assumed an average per ha. land value of \$25.4 million. This assumption is consistent with the approach utilized for the City's Parkland Dedication By-law Review.



Chapter 3

Approach to the Calculation

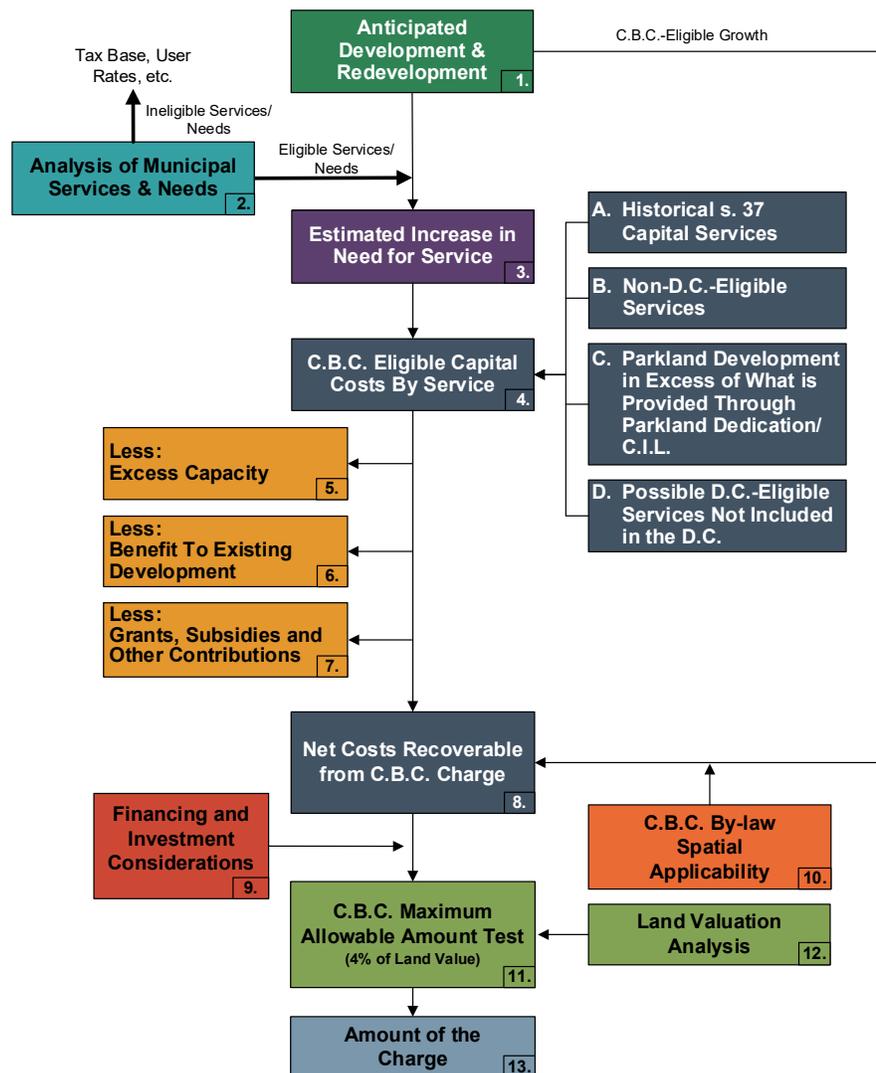


3. The Approach to the Calculation of the Charge

3.1 Introduction

This chapter addresses the requirements of subsection 37 (9) of the *Planning Act* and sections 2 and 3 of O. Reg. 509/20 with respect to the establishment of the need for service which underpins the C.B.C. calculation. These requirements are illustrated schematically in Figure 3-1.

Figure 3-1
The Process of Calculating a Community Benefits Charge under the *Planning Act*





3.2 Anticipated Development and Redevelopment

The anticipated development and redevelopment forecast is provided in Chapter 2 (with supplemental tables in Appendix A). This chapter provides for the anticipated overall growth within the City over a 10-year (mid-2022 to mid-2032) time horizon and then estimates the residential units eligible to be considered, as per the restrictions set out in subsection 37 (4) of the *Planning Act*.

3.3 Services Potentially Involved

As per subsection 37 (5) of the *Planning Act*, a C.B.C. may be imposed for services that do not conflict with services or projects provided under a municipality's D.C. by-law or parkland dedication by-law. Hence, the service provided under the C.B.C. would be defined as follows:

- (a) land for parks or other public recreational purposes in excess of lands conveyed or funded by cash-in-lieu of parkland payments under sections 42 and 51 of the *Planning Act*;
- (b) capital costs for services under subsection 2 (4) of the D.C.A. that are ineligible for recovery under a D.C. by-law; and
- (c) capital costs for municipal services ineligible for inclusion in a D.C. by-law.

Examples of services not provided by a D.C. or Parkland Dedication by-law include (but are not limited to) capital facilities and equipment for municipal parking, airports, municipal administration building expansions, museums, arts centres, public art, heritage preservation, landfill, public realm improvements, community gardens, space for non-profits, etc.

3.4 Increase in the Need for Service

The C.B.C. calculation commences with an estimate of “the increase in the need for service attributable to the anticipated development,” for eligible services to be covered by the by-law. There must be some form of link or attribution between the anticipated development and the estimated increase in the need for service. While the need could potentially be expressed generally in terms of units of capacity, a project-specific expression of need would appear to be most appropriate.



3.5 Capital Forecast

Subsection 37 (2) of the *Planning Act* provides that, “The council of a local municipality may by by-law impose community benefits charges against land to pay for the capital costs of facilities, services and matters.” The Act does not define what capital costs may be included within the charge. The Act provides that the C.B.C. charge could include capital costs for eligible D.C. services that are not intended to be funded under a municipal D.C. by-law. This provision suggest that capital costs may be defined in an equivalent manner as the *Development Charges Act* (D.C.A.). Hence, based on this relationship with the D.C.A., capital costs may include:

- (a) costs to acquire land or an interest therein (including a leasehold interest);
- (b) costs to improve land;
- (c) costs to acquire, lease, construct or improve buildings and structures;
- (d) costs to acquire, lease or improve facilities, including rolling stock (with a useful life of 7 or more years), furniture and equipment (other than computer equipment), materials acquired for library circulation, reference, or information purposes;
- (e) interest on money borrowed to pay for the above-referenced costs;
- (f) costs to undertake studies in connection with the above-referenced matters; and
- (g) costs of the C.B.C. Strategy study.

3.6 Deductions

The section 2 of O. Reg. 509/20 potentially requires that three deductions be made to the capital costs estimates. These relate to:

- excess capacity;
- benefit to existing development; and
- anticipated grants, subsidies, and other contributions.

The requirements behind each of these reductions are addressed below.

3.6.1 *Reductions for Excess Capacity*

Subsection 2 (c) of O. Reg. 509/20 requires the identification of the excess capacity that exists in relation to the facilities, services and matters referred to in clause 2 (b)



suggesting the need for a potential deduction to the capital. “Excess capacity” is undefined, but in this case, the excess capacity must be able to meet some or all of the increase in need for service, in order to potentially represent a deduction. The deduction of excess capacity from the future increase in the need for the service would normally occur as part of the conceptual planning and feasibility work associated with justifying and sizing new facilities, e.g., if a new landfill site to accommodate increased solid waste generated by the new growth is not required because sufficient excess capacity is already available, then a landfill site expansion would not be included as an increase in need, in the first instance.

3.6.2 Reduction for Benefit to Existing Development

Subsection 2 (c) of O. Reg. 509/20 of the D.C.A. provides that the capital estimates identify extent to which an increase in a facility, service or matter referred to in clause 2 (b) of the regulation would benefit existing development. The general guidelines used to consider benefit to existing development included:

- the repair or unexpanded replacement of existing assets;
- the elimination of a chronic servicing problem not created by growth; and
- providing services where none previously existed (for example, extending garbage pickup to the rural area which previously did not receive the municipal services).

Where existing development has an adequate service level which will not be tangibly increased by an increase in service, no benefit would appear to be involved. For example, where expanding existing garbage collection vehicles for future development simply replicates what existing residents are receiving, the existing developments receive very limited (or no) benefit as a result.

In the case of services such as cultural facilities, the service is typically provided on a municipal-wide system basis. For example, facilities of the same type may provide different services (i.e., visual art vs. performance art), different programs (i.e., art classes vs. acting classes), and different time availability for the same service (i.e., art classes available on Wednesdays in one facility and Thursdays in another). As a result, residents will travel to different facilities to access the services they want at the times they wish to use them, and facility location generally does not correlate directly with residence location. Even where it does, displacing users from an existing facility to a



new facility frees up capacity for use by others and generally results in only a very limited benefit to existing development. Furthermore, where an increase in demand is not met for a number of years, a negative service impact to existing development is involved for a portion of the planning period.

3.6.3 Reduction for Anticipated Grants, Subsidies and Other Contributions

This step involves reducing the capital costs by capital grants, subsidies, and other contributions made or anticipated by Council and in accordance with various rules such as the attribution between the share related to new vs. existing development. That is, some grants and contributions may not specifically be applicable to growth or where Council targets fundraising as a measure to offset impacts on taxes.

Although specific grants, subsidies and/or other contributions may not be currently identified and reduced in the calculations, due diligence will be undertaken by municipal staff during the annual budget process to net off any future identified funding from these other sources.

3.7 Municipal-wide vs. Area Rating

This step involves determining whether all of the subject costs are to be recovered on a uniform municipal-wide basis or whether some or all are to be recovered on an area-specific basis. There is no mandatory requirement to consider area rating of services (i.e. providing charges for specific areas and services); however, the legislation does not prohibit area rating. There may be instances where Council may consider varying rates to align with other policies or possible incentives in the development area.

Through the C.B.C. strategy process, discussions with municipal staff took place related to structuring the charge on a municipal-wide vs. area specific basis. As the services being provided in the strategy are not restricted to one specific area and are anticipated to be used by all residents within the municipality, the charges have been provided on a municipal-wide basis. Although the charges are to be calculated and imposed on a municipal-wide basis, consideration of location of the projects will take place through the annual budget process.



3.8 Land Valuation Analysis

To facilitate the rate calculation provided in section 3.9, an estimate of the market value of the land related to the anticipated applicable development/redevelopment presented in section 3.2, needs to be undertaken. It is noted that the land values may vary based on a number of factors including location, zoning density, parcel size, etc., however, these values should estimate the land value the day before building permit issuance. This data may be available from municipal resources, or the municipality may consider engaging the assistance of a professional land appraiser.

3.9 Calculation of the Community Benefit Charge

Subsection 37 (32) of the *Planning Act* provides that the amount of the *Planning Act* provides that the maximum charge which can be imposed is prescribed by the regulations. O. Reg 509/20 section 3 provides that the maximum charge is to be 4%.

To calculate the rate, the net capital cost (as provided by netting the deductions set out in section 3.6 from the capital presented in section 3.5) are divided by the land values related to the anticipated applicable development/redevelopment. This calculation produces a percentage of the capital cost relative to the land value of development. This rate cannot exceed the maximum prescribed rate of 4% of land value.

Alternatively, a municipality may choose to impose a rate on another basis. For example, the charge could be calculated on a per dwelling unit basis similar to a development charge (D.C.). This calculation would be facilitated by dividing the net capital cost by the forecast incremental gross population growth to arrive at a C.B.C. per capita. This rate would then be applied to the person per unit occupancy assumptions for high-density residential dwelling units to determine the charge. Moreover, the charge could be denominated based on land area, where the net capital costs would be divided by the amount of land anticipated to be occupied by the forecast residential dwelling units constructed over the forecast period.



Chapter 4

C.B.C. Eligible Cost Analysis



4. C.B.C. Eligible Cost Analysis

4.1 Introduction

This chapter outlines the basis for calculating eligible costs to be recovered through a C.B.C. by-law, which are to be applied on a uniform municipal-wide basis. In each case, the required calculation process set out in O. Reg. 509/20 subsection 2 (a) through 2 (f) to the *Planning Act* and described in Chapter 3 was followed in determining C.B.C. eligible costs.

The City undertook a review of its Parkland Dedication By-law and D.C. Update Study at the same time as the preparation of the C.B.C. Strategy. The intent was to appropriately include in the C.B.C. Strategy any growth-related costs that would not be recovered through the other two mechanisms. In this regard, no parkland acquisitions costs have been considered at this time. It is anticipated that the need for C.B.C. funding of additional parkland requirements would be reassessed at the completion of the City's Parks Provisioning, Parks, Recreation and Culture Master Plan and subsequent updating of its Parkland Dedication By-law.

In undertaking the C.B.C. Strategy, following services were considered:

- Public and Performance Arts;
- Parking;
- Facilities; and
- Information Technology' and
- Growth-related studies not eligible under the D.C.A.

4.2 Allocation of Costs to C.B.C. Eligible Development

To determine the C.B.C. eligible capital costs for the City, the gross capital costs were estimated based on the City's 2022 Capital Budget and Forecast, as well as discussions with City staff. Having estimated the capital costs for each project, deductions related to excess capacity, benefit to existing development, and grants, subsidies, or other contributions were assessed. The resultant net growth-related costs were then allocated to the C.B.C. eligible share of the anticipated development based on the following:



- Net capital costs for growth-related studies, information technology, and facilities were apportioned between residential (81%) and non-residential development (19%) based on the incremental population and employment growth over the 10-year forecast period (Table 2-3). Net capital costs for parking services were apportioned between residential (19%) and non-residential development (81%) reflecting the Downtown Parking Facility is primarily required as a result of non-residential development. The net capital costs for Arts Services were allocated 95% residential development and 5% non-residential development, reflective of the increase in need for service from these types of development. This allocation approach between residential and non-residential development is consistent with the City's practice within its D.C. background study.
- The net capital costs associated with residential development were subsequently allocated between low-density and medium-density development types (30%) and high-density development (70%) over the forecast period, based on the respective population growth forecast for these dwelling unit types (Table 2-4).
- Finally, the net capital costs assigned to high-density development were apportioned to the C.B.C. eligible development, i.e. buildings with a minimum of five storeys and at least 10 residential dwelling units. As summarized in Table 2-5, this type of development accounts for 95% of all high-density residential dwelling units over the forecast period.

Based on the foregoing, for services allocated between the total population and employment growth over the forecast period, the net capital cost share attributable to C.B.C. eligible development is 54%. For parking services, the cost share attributable to C.B.C. eligible development is approximately 13%. For public and performance arts services, the cost share attributable to C.B.C. eligible development is approximately 63%. The costs related to undertaking the C.B.C. Strategy Study are 100% attributable to the C.B.C. eligible development.

4.3 C.B.C Eligible Cost Analysis

This section provides for the evaluation of development-related capital requirements over a 10-year (2022 to 2032) planning horizon. The capital cost related to the increase in need for service are presented in Tables 4-1 to 4-5 and as follows:



- **Parking Services** – The City’s capital budget identifies new Future Downtown Public Off-Street Parking Facilities. The gross capital costs of this project total approximately \$18.5 million. No deductions were made regarding benefit to existing development and possible grants, subsidies and other contributions towards the capital costs. After accounting for the benefit of these needs to non-residential development (i.e. \$15.0 million), low and medium density residential development (i.e. \$1.1 million), and ineligible high density residential development (i.e. \$0.1 million), the potential C.B.C. recoverable costs total \$2.3 million.
- **Public and Performance Arts Services** – The City’s capital budget identifies costs to upgrade performance support technologies for the Performing Arts Centre. These costs would be partially funded from grants. In addition, costs for new Public Art have also been included based on anticipated Master Plan projects. The gross capital costs of these projects total approximately \$2.0 million. Approximately \$1.1 million has been deducted for the benefit to existing development and \$11,800 has been deducted for possible grants, subsidies and other contributions towards the capital costs. This results in approximately \$0.9 million net growth-related capital costs. After accounting for the benefit of these needs to non-residential development (i.e. \$45,400), low/medium density residential development (i.e. \$261,200), and ineligible high density residential development (i.e. \$27,500), the potential C.B.C. recoverable costs total approximately \$0.6 million.
- **Facilities Services** – The City’s capital budget identifies new Electric Vehicle (E.V.) charging stations as well as City Hall Revitalization projects. The gross capital costs of these projects total approximately \$6.3 million. Approximately \$5.5 million has been deducted for the benefit to existing development, resulting in \$0.7 million net growth-related costs. After accounting for the benefit of these needs to non-residential development (i.e. \$140,900), low/medium density residential development (i.e. \$181,900), and ineligible high density residential development (i.e. \$19,100), the potential C.B.C. recoverable costs total approximately \$0.4 million.
- **Information Technology (I.T.) Services** – Based on the City’s capital budget and discussions with staff, additional needs related to I.T. startup costs for new staff and Customer Relationship Management (CRM) program costs have been identified for inclusion in the C.B.C. strategy. The gross capital costs of these projects total approximately \$1.5 million. Approximately \$0.9 million has been



deducted for the benefit to existing development. Another \$36,000 has been deducted for the costs that will be recovered from user fees, resulting in \$571,100 net growth-related costs. Accounting for the benefit of these needs to non-residential development (i.e. \$108,500), low/medium density residential development (i.e. \$140,000), and ineligible high density residential development (i.e. \$14,700), the potential C.B.C. recoverable costs total approximately \$0.3 million.

- **Growth-Related Studies** – The City is undertaking a Housing Strategy that will be developed in two phases. The City will also be undertaking a Downtown Cultural Heritage Landscapes Study and Major Transit Service Area Study in the forecast period to 2032. The gross capital costs for these studies and the five-year updates to the C.B.C. Strategy total approximately \$1.2 million. After deducting the share of the costs that are a benefit to existing development and non-CBC eligible development, the potential C.B.C. recoverable costs total approximately \$0.5 million.

Based on the calculations and allocations to C.B.C. eligible high-density growth, the City has identified approximately \$4.0 million in eligible net growth-related costs to be included within the C.B.C. calculations.



**Table 4-1
Capital Costs to be Recovered through C.B.C. – Parking Services**

Prj. No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Potential C.B.C. Recoverable Cost	
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development						Ineligible High Density Residential	Eligible High Density Residential
2022-2032												
1	Future Downtown Public Off-Street Parking Facilities	2025-2026	18,500,000	-		18,500,000	14,985,000	3,515,000	1,063,862	2,451,138	111,843	2,339,295
	Total		18,500,000	-	-	18,500,000	14,985,000	3,515,000	1,063,862	2,451,138	111,843	2,339,295



**Table 4-2
Capital Costs to be Recovered through C.B.C. – Public and Performance Arts Services**

Prj. No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Potential C.B.C. Recoverable Cost	
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development						Ineligible High Density Residential	Eligible High Density Residential
	2022-2032						5%	95%	30%	70%	5%	95%
	Performance Art Center											
1	Performing Arts Centre - Performance Support Technologies	2022-2031	200,000	176,400	11,809	11,791	590	11,201	3,390	7,811	356	7,454
	Public Art											
2	Burlington Beach Regional Waterfront Park	2022-2028	171,900	86,000		85,900	4,295	81,605	24,699	56,906	2,597	54,310
3	Burloak Regional Waterfront Park	2022-2028	171,900	86,000		85,900	4,295	81,605	24,699	56,906	2,597	54,310
4	City View Park and Pavilion	2022-2028	171,900	86,000		85,900	4,295	81,605	24,699	56,906	2,597	54,310
5	City Hall and Civic Square	2022-2028	171,900	86,000		85,900	4,295	81,605	24,699	56,906	2,597	54,310
6	Ireland Park	2022-2028	171,900	86,000		85,900	4,295	81,605	24,699	56,906	2,597	54,310
7	Joseph Brant Museum	2022-2028	171,900	86,000		85,900	4,295	81,605	24,699	56,906	2,597	54,310
8	Kilbride Park	2022-2028	86,000	43,000		43,000	2,150	40,850	12,364	28,486	1,300	27,186
9	Maple Park	2022-2028	86,000	43,000		43,000	2,150	40,850	12,364	28,486	1,300	27,186
10	Millcroft Park	2022-2028	86,000	43,000		43,000	2,150	40,850	12,364	28,486	1,300	27,186
11	Sherwood Forest Park	2022-2028	171,900	86,000		85,900	4,295	81,605	24,699	56,906	2,597	54,310
12	Skyway Arena	2022-2028	86,000	43,000		43,000	2,150	40,850	12,364	28,486	1,300	27,186
13	Tansley Woods Community Centre and Park	2022-2028	86,000	43,000		43,000	2,150	40,850	12,364	28,486	1,300	27,186
14	Waterfront Parking Garage	2022-2028	86,000	43,000		43,000	2,150	40,850	12,364	28,486	1,300	27,186
15	Public Art Master Plan	2028-2029	75,000	37,500		37,500	1,875	35,625	10,782	24,843	1,134	23,709
	Total		1,994,300	1,073,900	11,809	908,591	45,430	863,161	261,247	601,914	27,465	574,449



Table 4-3
Capital Costs to be Recovered through C.B.C. – Public and Performance Arts Services

Prj. No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Potential C.B.C. Recoverable Cost	
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development						Ineligible High Density Residential	Eligible High Density Residential
2022-2032							19%	81%	30%	70%	5%	95%
EV Charging Stations												
1	Electric Vehicle Charging Stations - Downtown	2022-2023	200,000	176,400		23,600	4,484	19,116	5,786	13,330	608	12,722
City Hall												
2	City Hall Facility - Revitalization Infrastructure Renewal	2022-2023	3,505,095	3,091,200		413,895	78,640	335,255	101,469	233,786	10,667	223,118
3	City Hall Facility - Revitalization Infrastructure Renewal	2026	2,577,000	2,272,700		304,300	57,817	246,483	74,601	171,882	7,843	164,039
Total			6,282,095	5,540,300	-	741,795	140,941	600,854	181,857	418,997	19,118	399,879

Table 4-4
Capital Costs to be Recovered through C.B.C. – Information Technology Services

Prj. No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Potential C.B.C. Recoverable Cost	
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development						Ineligible High Density Residential	Eligible High Density Residential
2022-2032							19%	81%	30%	70%	5%	95%
1	IT Startup Costs - New Staff	2022	489,000	-	36,000	453,000	86,070	366,930	111,056	255,874	11,675	244,198
2	Customer Relationship Management (CRM)	2022	1,000,000	881,900		118,100	22,439	95,661	28,953	66,708	3,044	63,664
Total			1,489,000	881,900	36,000	571,100	108,509	462,591	140,009	322,582	14,719	307,863



**Table 4-5
Capital Costs to be Recovered through Community Benefit Charges – Growth-Related Studies**

Prj. No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Potential C.B.C. Recoverable Cost	
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development						Ineligible High Density Residential	Eligible High Density Residential
2022-2032							19%	81%	30%	70%	5%	95%
1	Housing Strategy Phase 1	2022	300,000	150,000		150,000	28,500	121,500	36,774	84,726	3,866	80,860
2	Housing Strategy Phase 2	2024-2027	150,000	75,000		75,000	14,250	60,750	18,387	42,363	1,933	40,430
3	Downtown Cultural Heritage Landscapes Study	2022-2023	150,000	75,000		75,000	14,250	60,750	18,387	42,363	1,933	40,430
4	MTSA	2022-2032	510,000	127,500		382,500	72,675	309,825	93,773	216,052	9,858	206,194
5	CBC Strategy	2027	40,000	-		40,000	-	40,000	-	40,000	-	40,000
6	CBC Strategy	2032	40,000	-		40,000	-	40,000	-	40,000	-	40,000
	Total		1,190,000	427,500	-	762,500	129,675	632,825	167,320	465,505	17,590	447,915



Chapter 5

C.B.C Calculation



5. C.B.C Calculation

5.1 Anticipated Funding Recovery

To summarize the calculation of the charge, the following has been undertaken:

- 1) Anticipated Development: As presented in Chapter 2, the 10-year growth forecast provides for 9,218 eligible high-density units (i.e., in buildings containing a minimum of five storeys and a minimum of 10 residential units).
- 2) Land Valuation: Estimated land values were based on land appraisals for payment in lieu of parkland as described in section 2.4 of this report.
- 3) Identification of a Services: A number of services were considered including Parking, Public and Performing Arts, Facilities, Information Technology, and Growth-related Studies.
- 4) C.B.C. eligible Costs: Capital needs related to the identified services were provided by City staff and through the City's capital budget. Gross costs of the capital projects were assessed for the portion of the projects that would benefit the existing community versus the future growth. The growth-related costs were then allocated amongst all types of growth to calculate the amount that is associated with the C.B.C. eligible high-density units.
- 5) Total Land Value: Based on the growth forecast (section 2.4), density assumptions, and land valuation assessment, the total land value for C.B.C. eligible high-density units was calculated to equal approximately \$643.5 million.
- 6) Maximum C.B.C.: As per the *Planning Act*, the maximum a municipality can impose for a C.B.C. is equal to 4% of the land value of a property, the day before building permit issuance. Based on the total land value, the estimated maximum potential C.B.C. recovery for the City equates to \$25.7 million for the 10-year forecast period.

The City has identified capital costs attributable to eligible high-density growth of approximately \$4.1 million which are within the calculated maximum allowable amount of \$25.7 million.



Table 5-1 provides the calculated charges on a per unit basis. The calculation is generated on a per capita basis and is based upon two forms of housing types (apartments 2+ bedrooms and apartments bachelor and 1-bedroom). The per unit charge structure aligns with the City's D.C. structure for apartment dwelling units and will assist with the ease of administration and implementation of the charges. The proposed C.B.C. would be \$488 per unit for apartments of two bedrooms and greater, \$362 for one bedroom and bachelor apartment units.

Table 5-1
City of Burlington
Community Benefits Charge Calculation
2022-2032

Service	Gross Capital Cost Estimate (2022\$)	Net Residential Share (2022\$)	C.B.C.-Eligible Cost (2022\$)
Parking	\$18,500,000	\$3,515,000	\$2,339,295
Performance Arts Centre/Public Art	\$1,994,300	\$863,161	\$574,449
Facilities	\$6,282,095	\$600,854	\$399,879
Information Technology	\$1,489,000	\$462,591	\$307,863
Growth Studies	\$1,190,000	\$632,825	\$447,915
Total	\$29,455,395	\$6,074,431	\$4,069,400
Total Capital Costs for C.B.C. Recovery			\$4,069,400
Anticipated C.B.C. Residential Dwelling Units (2022-2036)			9,218
Density Assumption (units per hectare)			364
Land Area for Residential Dwelling Unit Forecast (hectares)			25.3
Estimated Average Land Value (\$/hectare)			\$25,400,000
Total Estimated Land Value			\$643,541,916
Maximum Prescribed Value (4% of land value)			\$25,741,677
Total C.B.C. Required to Fund Needs (% of land value)			0.6%
Gross Population in Eligible Units			14,415
Cost Per Capita			\$282.30
By Residential Unit Type		P.P.U.	
Apartments - 2 Bedrooms +		1.730	\$488
Apartments - Bachelor and 1 Bedroom		1.281	\$362



Chapter 6

C.B.C. Policy Recommendations and C.B.C. By-law Rules



6. C.B.C. Policy Recommendations and C.B.C. By-law Rules

6.1 C.B.C policies

Planning Act section 37 and O. Reg. 509/20 outline the required policies that must be considered when adopting a C.B.C. by-law. The following subsections set out the recommended policies governing the calculation, payment and collection of C.B.C.s in accordance with the legislation.

6.2 C.B.C By-law Rules

6.2.1 *Payment in any Particular Case*

In accordance with the *Planning Act*, subsection 37(3), a C.B.C. may be imposed only with respect to development or redevelopment that requires one of the following:

- (a) “the passing of a zoning by-law or of an amendment to a zoning by-law under section 34;
- (b) the approval of a minor variance under section 45;
- (c) a conveyance of land to which a by-law passed under subsection 50 (7) applies;
- (d) the approval of a plan of subdivision under section 51;
- (e) a consent under section 53;
- (f) the approval of a description under section 9 of the *Condominium Act, 1998*; or
- (g) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.”

6.2.2 *Maximum Amount of the Community Benefit Charge*

Subsection 37(32) of the *Planning Act* states that the amount of a C.B.C. payable in any particular case shall not exceed an amount equal to the prescribed percentage of the value of the land as of the valuation date. Based on section 3 of O. Reg. 509/20, the prescribed percentage is 4%.



6.2.3 Exemptions (full partial)

The following exemptions are provided under subsection 37(4) of the *Planning Act* and section 1 of O. Reg. 509/20:

- Development of a development of a proposed building or structure with fewer than five storeys at or above ground;
- Development of a proposed building or structure with fewer than 10 residential units;
- Redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
- Redevelopment that proposes to add fewer than 10 residential units to an existing building or structure;
- Such types of development or redevelopment as are prescribed:
 - Development or redevelopment of a building or structure intended for use as a long-term care home within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*.
 - Development or redevelopment of a building or structure intended for use as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*.
 - Development or redevelopment of a building or structure intended for use by any of the following post-secondary institutions for the objects of the institution:
 - i. a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario,
 - ii. a college or university federated or affiliated with a university described in subparagraph i,
 - iii. an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*.
 - Development or redevelopment of a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion.
 - Development or redevelopment of a building or structure intended for use as a hospice to provide end of life care.
 - Development or redevelopment of a building or structure intended for use as residential premises by any of the following entities:



- i. a corporation to which the *Not-for-Profit Corporations Act, 2010* applies that is in good standing under that Act and whose primary object is to provide housing,
- ii. a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing,
- iii. a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.

In addition to the exemptions noted above, the C.B.C. will not apply to buildings or structures owned by and used for the purposes of any municipality, local board, or Board of Education.

6.2.4 Timing of Collection

The C.B.C.s imposed are calculated, payable, and collected upon issuance of a building permit for eligible development or redevelopment.

6.2.5 In-kind Contributions

A municipality that has passed a C.B.C. by-law may allow the landowner to provide to the municipality: facilities, services, or matters required because of development or redevelopment in the area to which the by-law applies.

Prior to providing these contributions, the municipality shall advise the landowner of the value that of the in-kind contributions that will be attributed to them. This value shall be deducted from the amount the landowner would otherwise be required to pay under the C.B.C. by-law.

6.2.6 The Applicable Areas

The C.B.C. by-law will apply to all lands within the City.

6.2.7 Special Account

All money received by the municipality under a C.B.C. by-law shall be paid into a special account. The money contained within the special account:



- may be invested in securities in which the municipality is permitted to invest under the *Municipal Act, 2001*, and the earnings derived from the investment of the money shall be paid into a special reserve fund account; and
- must have at least 60 percent of the funds spent or allocated at the beginning of the year.

In addition to the monies collected under a C.B.C. by-law, transitional rules for transferring existing reserve funds are provided in subsection 37(51) of the *Planning Act*. These rules apply for any existing reserve funds related to a service that is not listed in subsection 2(4) of the D.C.A., as well as reserve funds established under section 37 of the *Planning Act* prior to the amendments arising from the *COVID 19 Economic Recovery Act*.

1. If the municipality passes a C.B.C. by-law under this section before the specified date, the municipality shall, on the day it passes the by-law, allocate the money in the special account or reserve fund to the special account referred to in subsection 37(45) of the *Planning Act*.
2. If the municipality has not passed a C.B.C. by-law under this section before the specified date, the special account or reserve fund is deemed to be a general capital reserve fund for the same purposes for which the money in the special account or reserve fund was collected.
3. Despite paragraph 2, subsection 417(4) of the *Municipal Act, 2001* (a provision which requires the funds raised for a reserve fund must only be used for the intended purpose) does not apply with respect to the general capital reserve fund referred to in paragraph 2.
4. If paragraph 2 applies and the municipality passes a C.B.C. by-law under this section on or after the specified date, the municipality shall, on the day it passes the by-law, allocate any money remaining in the general capital reserve fund referred to in paragraph 2 to the special account referred to in subsection 37(45) of the *Planning Act*.

Based on the above, there are no existing D.C. reserve funds that would be transferred to the C.B.C. special account.



6.2.8 Credits

Subsection 37(52) of the *Planning Act* indicates that any credits that were established under section 38 of the D.C.A. and that are not related to a service that is listed in subsection 2(4) of the D.C.A., may be used by the holder of the credit with respect to a charge that the holder is required to pay under a C.B.C. by-law.

6.2.9 By-law In-Force Date

B.C. by-law comes into force on the day it is passed, or the day specified in the bylaw, whichever is later.

6.3 Recommendations

It is recommended that Council:

“Adopt the C.B.C. approach to calculate the charges on a uniform City-wide basis;”

“Approve the capital project listing set out in Chapter 4 of the C.B.C. Strategy dated August 17, 2022, subject to further annual review during the capital budget process;”

“Create a special reserve fund account which will contain all C.B.C. monies collected;”

“Impose the C.B.C. of \$488 per apartment with 2 or more bedrooms and \$362 per bachelor and one bedroom apartment dwelling unit on the day before a building permit is issued

“Approve the C.B.C. Strategy dated August 17, 2022, as amended (if applicable);” and

“Approve the C.B.C. By-law as set out in Appendix B.”



Chapter 7

By-law Implementation



7. By-law Implementation

7.1 Introduction

This chapter addresses the public consultation process and by-law implementation requirements for the imposition of a C.B.C. by-law. Figure 7-1 provides an overview of the process.

7.2 Public Consultation Process

7.2.1 Required Consultation

In establishing the policy for which a C.B.C. strategy and by-law will be based; subsection 37 (10) of the *Planning Act* requires that:

“In preparing the community benefits strategy, the municipality shall consult with such persons and public bodies as the municipality considers appropriate.”

As there is no specific guidance as to which parties the municipality shall consult with, municipalities may establish their own policy for public consultation. The policy for public consultation should be designed to seek the co-operation and participation of those involved, in order to produce the most suitable policy. Municipalities may consider a public meeting, similar to that undertaken for D.C. study processes (however, this is not a mandated requirement). At a minimum, this would include a presentation to Council and the public on the findings of the C.B.C. strategy, advanced notice of the meeting, and consideration for delegations from the public.

7.2.2 Interested Parties to Consult

There are three broad groupings of the public who are generally the most concerned with municipal C.B.C. policy.

1. The first grouping is the residential development community, consisting of land developers and builders, who will typically be responsible for generating the majority of the C.B.C. revenues. Others, such as realtors, are directly impacted by C.B.C. policy. They are, therefore, potentially interested in all aspects of the charge, particularly the percentage applicable to their properties, projects to be



funded by the C.B.C. and the timing thereof, and municipal policy with respect to development agreements and in-kind contributions.

2. The second public grouping embraces the public at large and includes taxpayer coalition groups and others interested in public policy.
3. The third grouping is the non-residential mixed-use development sector, consisting of land developers and major owners or organizations with significant construction plans for mixed use developments. Also involved are organizations such as Industry Associations, the Chamber of Commerce, the Board of Trade, and the Economic Development Agencies, who are all potentially interested in municipal C.B.C. policy. Their primary concern is frequently with the percentage charge applicable to their lands, exemptions, and phase-in or capping provisions in order to moderate the impact.

As noted in section 1.4, through the C.B.C. strategy process, the City's consultation process includes meetings with the public and Council.

7.3 Anticipated Impact of the Charge on Development

The establishment of sound C.B.C. policy often requires the achievement of an acceptable balance between two competing realities. The first is that increased residential development fees (such as a C.B.C.) can ultimately be expected to be recovered via higher housing prices and can impact project feasibility in some cases (e.g., rental apartments). Secondly, C.B.C.s or other municipal capital funding sources need to be obtained in order to help ensure that the necessary infrastructure and amenities are installed. The timely installation of such works is a key initiative in providing adequate service levels and in facilitating strong economic growth, investment, and wealth generation.

7.4 Implementation Requirements

7.4.1 Introduction

Once the City has calculated the charge, prepared the complete strategy, carried out the public process, and passed a new by-law, the emphasis shifts to implementation matters.



These include notices, potential appeals and complaints, in-kind contributions, and finally the collection of revenues and funding of projects.

The sections that follow provide an overview of the requirements in each case.

7.4.2 Notice of Passage

In accordance with subsection 37 (13) of the *Planning Act*, when a C.B.C. by-law is passed, the clerk of the municipality shall give written notice of the passing and of the last day for appealing the by-law (the day that is 40 days after the day it was passed). Such notice must be given no later than 20 days after the day the by-law is passed (i.e., as of the day of newspaper publication or the mailing of the notice).

Section 4 of O. Reg. 509/20 further defines the notice requirements which are summarized as follows:

- notice shall be given by publication in a newspaper which is (in the clerk's opinion) of sufficient circulation to give the public reasonable notice, or by personal service, fax or mail to every owner of land in the area to which the by-law relates;
- subsection 4 (2) lists the persons/organizations who must be given notice; and
- subsection 4 (5) lists the seven items that the notice must cover.

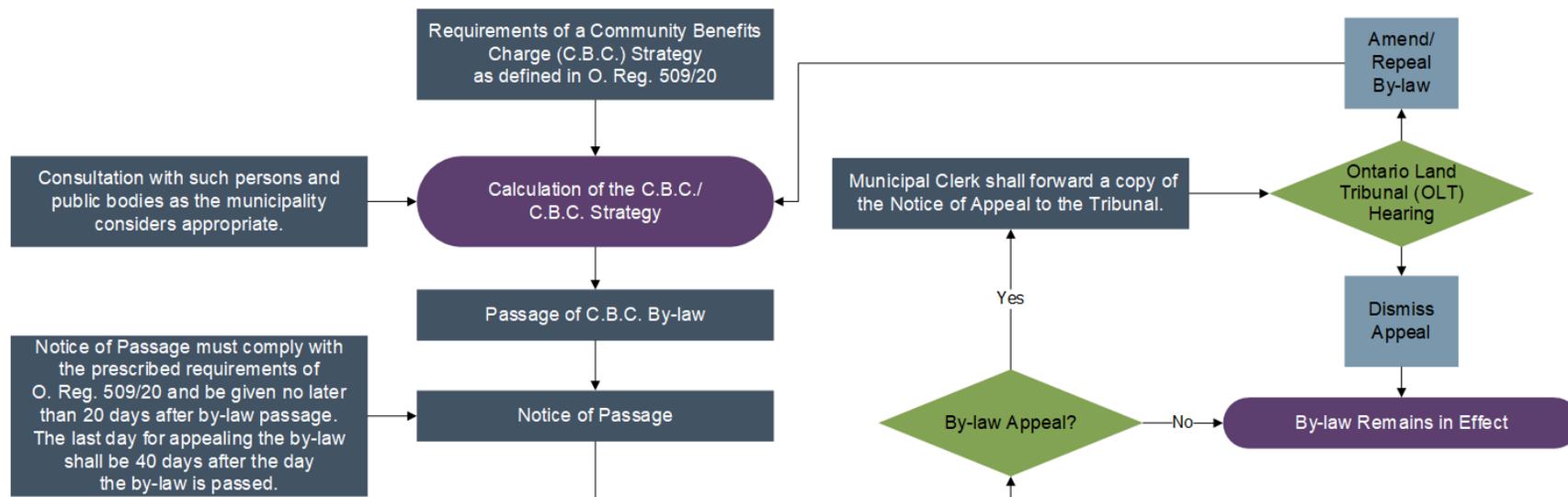
7.4.3 Appeals

Subsections 37 (13) to 37 (31) of the *Planning Act* set out the requirements relative to making and processing a C.B.C. by-law appeal as well as an OLT hearing in response to an appeal. Any person or organization may appeal a C.B.C. by-law to the OLT by filing a notice of appeal with the clerk of the municipality, setting out the objection to the by-law and the reasons supporting the objection. This must be done by the last day for appealing the by-law, which is 40 days after the by-law is passed.

The municipality is carrying out a public consultation process, in order to address the issues that come forward as part of that process, thereby avoiding or reducing the need for an appeal to be made.



Figure 7-1
The Process of Required for Passing a Community Benefits Charge By-law under the *Planning Act*





7.4.4 In-Kind Contributions

Subsections 37 (6) to 37 (8) provide the rules for in-kind contributions. An owner of land may provide the municipality facilities, services, or matters required because of development or redevelopment in the area to which the by-law applies. Prior to providing these contributions, the municipality shall advise the owner of the land of the value that will be attributed to the contributions. The value of the contributions shall be deducted from the amount the owner of the land would otherwise have to pay under the C.B.C. by-law.

7.5 Ongoing Application and Collection of C.B.C funds

7.5.1 Introduction

Once the municipality passes a C.B.C. by-law, development or redevelopment that meets the requirements of the C.B.C. by-law will pay a C.B.C. based on the value of their land. The following sections describe the overall process and discusses the approach to appraisals and use of the special account as set out in the *Planning Act*.

7.5.2 Overview of Process and Appraisals

Figure 7-2 provides an overview of the process for application of the C.B.C. by-law and collection of C.B.C. funds.

Once the C.B.C. by-law is in place, as development or redevelopment that meets the eligibility criteria proceeds (i.e., prior to issuance of a building permit), the municipality collects C.B.C.s based on the per unit charge as set out in the by-law and C.B.C. strategy.

If the landowner is of the view that the amount of the C.B.C. exceeds the prescribed value of 4% of their land value on the day before building permit issuance, the landowner may pay the charge under protest. In this circumstance there is an obligation of the landowner to provide an appraisal. If the municipality disputes the value of the land identified in the landowner's appraisal, the municipality must also provide the owner with an appraisal within the prescribed time period.



If the City agrees with the landowner's appraised value, then the owner pays their C.B.C.s based on 4% of the land value to the City and the funds will then be deposited into the special account.

If the City does not agree with the appraisal provided by the owner, the City has 45 days to provide the owner of the land with their own appraisal value. Then:

- If no appraisal is provided to the owner within 45 days, the owner's appraisal is deemed accurate and the difference in the amounts shall be refunded to the owner.
- If the municipality's appraisal is within 5% of the landowner's appraisal, the landowner's appraisal is deemed accurate, and the municipality shall refund the difference in the amounts to the owner.
- If the appraisal is more than 5% higher than the landowner's appraisal, the municipality shall request an appraisal be undertaken by an appraiser, selected by the landowner, from the list of approved appraisers provided by the municipality. This must be undertaken within 60 days. This final appraisal is deemed accurate for the purposes of calculating the applicable C.B.C.
- In regard to the last bullet, subsection 37(42) and 37(43) require the municipality to maintain a list of at least three persons who are not employees of the municipality or members of Council and have an agreement with the municipality to perform appraisals for the above. This list is to be maintained until the C.B.C. by-law is repealed or the day on which there is no longer any refund that could be required (whichever is later).

7.5.3 Special Reserve Fund Account

All funds collected under the C.B.C. by-law are to be deposited into a special account. Subsections 37(45) to 37(48) of the *Planning Act* outline the rules with respect to the special reserve fund account. As noted in section 6.2.7, these rules are as follows:

- All money received under a C.B.C. by-law shall be paid into a special account;
- The money in the special account may be invested in securities (as permitted under the Municipal Act) and the interest earnings shall be paid into the special account;
- In each year, a municipality shall spend or allocate at least 60 percent of the monies that are in the special account at the beginning of the year; and



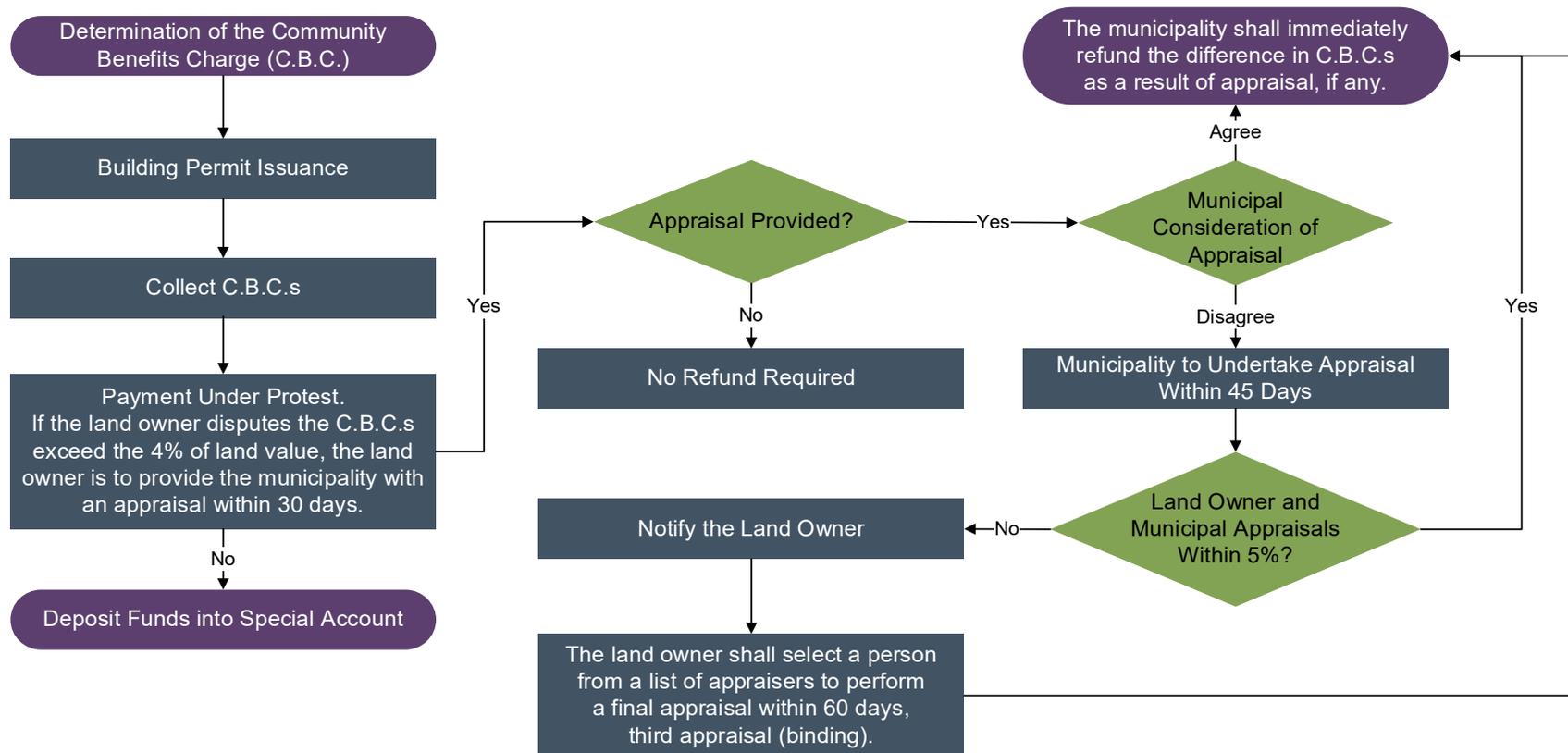
- The municipality shall provide reports and information as set out in section 7 of O. Reg. 509/20
- In regard to the third bullet, it is suggested that the annual capital budget for the City directly list the works which are being undertaken and/or to which monies from this fund are being allocated toward.

As per this C.B.C. strategy, the growth-related services (as outlined in Chapter 4), form the anticipated capital needs required to service growth over the 10-year forecast period. However, other services may be considered by Council in the future and are subject to approval by resolution and inclusion in the annual budget process. Furthermore, any additional services approved and funded from C.B.C. revenue in the future will be reported on through an annual C.B.C. reserve fund statement, which will form part of the City's overall year-end statements.

During the annual budget process, the use of C.B.C. funding will be reviewed, and the capital costs associated with each eligible service and capital project will be confirmed and identified for approval of Council.



Figure 7-2
City of Burlington
Community Benefits Charge Application and Calculation Process





7.6 Transitional Matters

7.6.1 Existing Reserves and Reserve Funds

The *Planning Act*, section 37(49) to section 37(51) provides transitional provisions for:

1. A special account established under the previous section 37 rules; and
2. A D.C. reserve fund for which services are no longer eligible.

If the municipality passes a C.B.C. by-law with an in-force date before September 18, 2022, the municipality shall allocate the money in the special account and D.C. reserve fund to the C.B.C. special account.

If the municipality does not pass a C.B.C. by-law before September 18, 2022, the D.C. reserve funds for municipal parking are deemed to be general capital reserve funds for the same purpose in which the money was collected. Subsequently, if a C.B.C. by-law is passed after September 18, 2022, the municipality shall allocate the money from the newly created general capital reserve funds described above to the C.B.C. special account.

7.6.2 Credits under Section 38 of the Development Charges Act

The *Planning Act* (s.37(52)) provides that, if a municipality passes a C.B.C. by-law before September 18, 2022, any credits held for services that are no longer D.C. eligible, may be used against payment of a C.B.C. by the landowner. The City does not currently hold credits related to the services which are no longer D.C. eligible, therefore, there are no adjustment against future payments of a C.B.C. to apply.

7.6.3 Continued Application of Previous Section 37 Rules

Section 37.1 of the *Planning Act* provides for transitional matters regarding previous section 37 rules. Any charges that are currently in place under the previous rules, may remain in place until the municipality passes a C.B.C. by-law or September 18, 2022, whichever comes first.



Appendix A

Background Information on Residential and Non- Residential Growth Forecast



Schedule 1 City of Burlington Residential Growth Forecast Summary

	Year	Population (Including Census Undercount) ^[1]	Excluding Census Undercount			Housing Units					Person Per Unit (PPU): Total Population/ Total Households
			Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi- Detached	Multiple Dwellings ^[2]	Apartments ^[3]	Other ^[4]	Total Households	
Historical	<i>Mid 2011</i>	181,100	175,779	2,289	173,490	39,189	13,702	15,819	69	68,779	2.556
	<i>Mid 2016</i>	188,900	183,314	3,189	180,125	39,855	14,085	17,270	165	71,375	2.568
	<i>Mid 2021</i>	192,600	186,948	3,252	183,696	39,885	14,430	18,740	115	73,170	2.555
Forecast	<i>Mid 2022</i>	193,800	188,064	3,265	184,799	39,945	14,500	19,164	115	73,724	2.551
	<i>Mid 2032</i>	219,600	213,098	3,669	209,429	41,086	15,680	28,823	115	85,704	2.486
Incremental	Mid 2011 - Mid 2016	7,800	7,535	900	6,635	666	383	1,451	96	2,596	
	Mid 2016 - Mid 2021	3,700	3,634	63	3,571	30	345	1,470	-50	1,795	
	Mid 2021 - Mid 2022	1,200	1,116	13	1,103	60	70	424	0	554	
	Mid 2022 - Mid 2032	25,800	25,034	404	24,630	1,141	1,180	9,659	0	11,980	

^[1] Census undercount estimated at approximately 3%.

^[2] Includes townhouses and apartments in duplexes.

^[3] Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

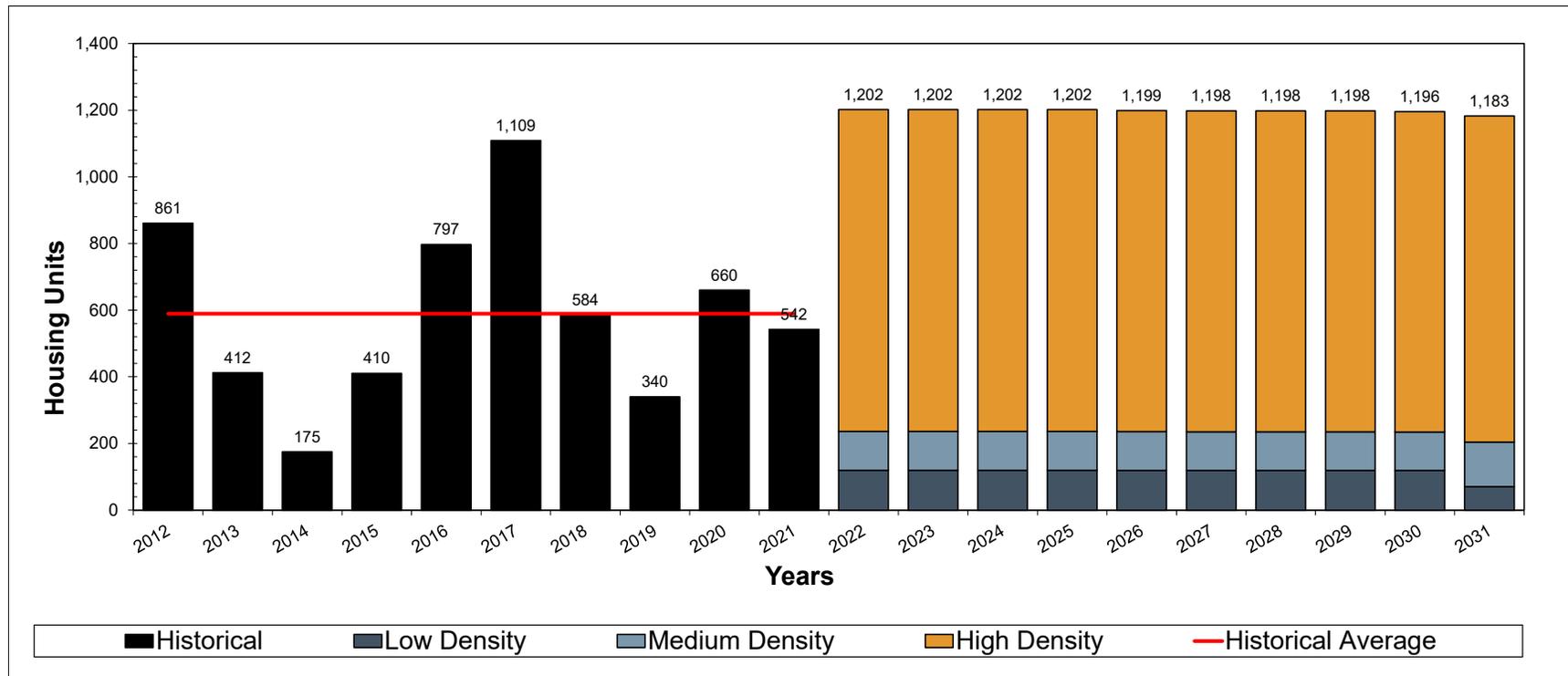
^[4] Other households defined by Statistics Canada as a single dwelling that is attached to another building and that does not fall into any of the other categories, such as a single dwelling attached to a non-residential structure (e.g., a store or a church) or occasionally to another residential structure (e.g., an apartment building). Other households also includes mobile homes and other movable dwellings.

Note: Population including the Census undercount has been rounded.

Source: Derived from Halton Region Modified Preferred Growth Concept Land Needs Assessment Report, March 2022, by Watson & Associates Economists Ltd.



Figure A-1
City of Burlington
Annual Housing Forecast¹



⁽¹⁾ Growth forecast represents calendar year.

Source: Historical housing activity derived from City of Burlington building permit data, 2012 to 2020, and 2021 from Statistics Canada building permit data for the City of Burlington., by Watson & Associates Economists Ltd.



Schedule 2
City of Burlington
Estimate of the Anticipated Amount, Type and Location of
Residential Development for Which Community Benefits Charges Can Be Imposed

Development Location	Timing	Single & Semi-Detached	Multiples ^[1]	Apartments ^[2]			Total Residential Units	Gross Population in New Units	Existing Unit Population Change	Net Population Increase, Excluding Institutional	Institutional Population	Net Population Including Institutional
				Units in C.B.C. Ineligible Buildings	Units in C.B.C. Eligible Buildings	Total Apartment Units						
City of Burlington	2022 - 2032	1,141	1,180	441	9,218	9,659	11,980	21,660	2,961	24,621	413	25,034

^[1] Includes townhouses and apartments in duplexes.

^[2] Includes accessory apartments, bachelor, 1-bedroom and 2-bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.

Source: Watson & Associates Economists Ltd.



Schedule 3
City of Burlington
Current Year Growth Forecast
Mid 2021 to Mid 2022

		Population
Mid 2021 Population		186,948
Occupants of New Housing Units, Mid 2021 to Mid 2022	<i>Units (2)</i>	554
	<i>multiplied by persons per unit (3)</i>	1.833
	<i>gross population increase</i>	1,016
Occupants of New Equivalent Institutional Unit Mid 2021 to Mid 2022	<i>Units</i>	12
	<i>multiplied by persons per unit</i>	1.100
	<i>gross population increase</i>	13
Change in Housing Unit Occupancy, Mid 2021 to Mid 2022	<i>Units (4)</i>	73,170
	<i>multiplied by ppu change rate (5)</i>	0.0012
	<i>total change in population</i>	87
Population Estimate to Mid 2022		188,064
<i>Net Population Increase, Mid 2021 to Mid 2022</i>		<i>1,116</i>

(1) 2021 population based on StatsCan Census unadjusted for Census Undercount.

(2) Estimated residential units constructed, Mid 2021 to the beginning of the growth period, assuming a six month lag between construction and occupancy.

(3) Average number of persons per unit (ppu) is assumed to be:

Structural Type	Persons Per Unit ¹	% Distribution of Estimated Units ²	Weighted Persons Per Unit Average
<i>Singles & Semi Detached</i>	3.336	11%	0.361
<i>Multiples (6)</i>	2.016	13%	0.255
<i>Apartments (7)</i>	1.590	77%	1.217
Total		100%	1.833

¹ Based on 2016 Census custom database

² Based on Building permit/completion activity

(4) 2021 households taken from Statistics Canada Census.

(5) Change occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

(6) Includes townhomes and apartments in duplexes.

(7) Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.



Schedule 4
City of Burlington
Ten Year Growth Forecast
Mid 2022 to Mid 2032

		Population
Mid 2022 Population		188,064
Occupants of New Housing Units, Mid 2022 to Mid 2032	<i>Units (2)</i>	11,980
	<i>multiplied by persons per unit (3)</i>	1.808
	<i>gross population increase</i>	21,660
Occupants of New Equivalent Institutional Units, Mid 2022 to Mid 2032	<i>Units</i>	375
	<i>multiplied by persons per unit</i>	1.100
	<i>gross population increase</i>	413
Change in Housing Unit Occupancy, Mid 2022 to Mid 2032	<i>Units (4)</i>	73,724
	<i>multiplied by ppu change rate (5)</i>	0.0402
	<i>total decline in population</i>	2,961
Population Estimate to Mid 2032		213,098
<i>Net Population Increase, Mid 2022 to Mid 2032</i>		<i>25,034</i>

(1) Mid 2022 Population based on:

2021 Population (188,064) + Mid 2021 to Mid 2022 estimated housing units to beginning of forecast period (554 x 1.833 = 1,016) + (12 x 1.100 = 13) + (73,170 x 0.0012 = 87) = 188,064

(2) Based upon forecast building permits/completions assuming a lag between construction and occupancy.

(3) Average number of persons per unit (ppu) is assumed to be:

Structural Type	Persons Per Unit ¹	% Distribution of Estimated Units ²	Weighted Persons Per Unit Average
<i>Singles & Semi Detached</i>	3.369	10%	0.321
<i>Multiples (6)</i>	2.297	10%	0.226
<i>Apartments (7)</i>	1.564	81%	1.261
<i>one bedroom or less</i>	1.281		
<i>two bedrooms or more</i>	1.730		
Total		100%	1.808

¹ Persons per unit based on adjusted Statistics Canada Custom 2016 Census database.

² Forecast unit mix based upon historical trends and housing units in the development process.

(4) Mid 2022 households based upon 73,170 (2021 Census) + 554 (Mid 2021 to Mid 2022 unit estimate) = 73,724

(5) Change occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions

(6) Includes townhomes and apartments in duplexes.

(7) Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.



Schedule 5
City of Burlington
Summary of C.B.C Eligible Units in the Development Approvals Process

Stage of Development Process	C.B.C. Eligible Units	C.B.C. Eligible Unit Shares by Stage of Development Process
Conditional Application Approval Issued	944	6%
Application Under Review	9,141	56%
Application Subject to O.L.T. Decision	5,003	30%
Site Plan Application Not Yet Received	1,156	8%
Total	16,244	100%

Source: Derived from data provide by the City of Burlington, by Watson & Associates Economists



Schedule 6
City of Burlington
Historical Residential Building Permits
Years 2012 to 2021

Year	Residential Building Permits			
	Singles & Semi Detached	Multiples ^[1]	Apartments ^[2]	Total
2012	117	181	563	861
2013	86	132	194	412
2014	103	72	0	175
2015	68	84	258	410
2016	75	0	722	797
Sub-total	449	469	1,737	2,655
Average (2012 - 2016)	90	94	347	531
% Breakdown	17%	18%	65%	100%
2017	150	24	935	1,109
2018	171	376	37	584
2019	69	57	214	340
2020	139	20	515	674
2021	60	70	424	554
Sub-total	589	547	2,125	3,261
Average (2017 - 2021)	118	109	425	652
% Breakdown	18%	17%	65%	100%
2012 - 2021				
Total	1,038	1,016	3,862	5,916
Average	104	102	386	592
% Breakdown	18%	17%	65%	100%

^[1] Includes townhouses and apartments in duplexes.

^[2] Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Source: Historical housing activity derived from Statistics Canada building permit data for the City of Burlington, 2012 to 2021, by Watson & Associates Economists Ltd.



Schedule 7
City of Burlington
Person Per Unit by Age and Type of Dwelling
(2016 Census)

Age of Dwelling	Singles and Semi-Detached						15 Year Average	15 Year Average Adjusted ^[3]
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	1.563	1.963	3.548	3.964	3.336		
6-10	-	-	2.091	3.451	4.474	3.504		
11-15	-	-	1.938	3.371	4.267	3.424	3.421	3.369
16-20	-	-	1.615	3.120	4.390	3.145		
20-25	-	-	1.778	3.158	4.000	3.232		
25-35	-	-	1.889	3.012	3.917	3.066		
35+	-	1.742	1.840	2.724	3.638	2.726		
Total	-	1.677	1.846	2.938	3.917	2.956		

Age of Dwelling	Multiples ^[1]						15 Year Average	15 Year Average Adjusted ^[3]
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	-	1.803	2.263	-	2.016		
6-10	-	-	1.886	2.647	-	2.436		
11-15	-	-	1.735	2.669	-	2.464	2.305	2.297
16-20	-	1.286	1.747	2.508	-	2.301		
20-25	-	-	1.762	2.568	-	2.330		
25-35	-	1.769	1.800	2.633	-	2.319		
35+	-	1.167	1.921	2.702	4.917	2.541		
Total	-	1.386	1.814	2.631	3.808	2.410		

Age of Dwelling	Apartments ^[2]						15 Year Average	15 Year Average Adjusted ^[3]
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	1.337	1.845	-	-	1.590		
6-10	-	1.244	1.768	1.929	-	1.614		
11-15	-	1.195	1.634	2.200	-	1.523	1.576	1.564
16-20	-	1.257	1.654	2.417	-	1.574		
20-25	-	1.217	1.706	2.444	-	1.624		
25-35	-	1.280	1.715	2.708	-	1.620		
35+	-	1.245	1.801	2.445	-	1.643		
Total	1.462	1.258	1.757	2.439	-	1.617		

Age of Dwelling	All Density Types					
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	1.358	1.855	3.255	4.148	2.300
6-10	-	1.303	1.835	3.165	4.456	2.758
11-15	-	1.196	1.689	3.076	4.267	2.724
16-20	-	1.310	1.682	2.886	4.377	2.568
20-25	-	1.293	1.755	2.912	4.077	2.505
25-35	-	1.309	1.761	2.942	3.985	2.606
35+	-	1.260	1.825	2.710	3.630	2.442
Total	1.643	1.284	1.788	2.855	3.929	2.524

[1] Includes townhouses and apartments in duplexes.

[2] Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

[3] Adjusted based on 2001 to 2016 historical trends and forecast trends.

Note: Does not include Statistics Canada data classified as 'Other'.

P.P.U. Not calculated for samples less than or equal to 50 dwelling units, and does not include institutional population.



Schedule 8 City of Burlington Employment Forecast, Mid-2022 to Mid-2032

Period	Population	Activity Rate								Employment								Employment Total (Excluding NFPOW and Work at Home)
		Primary	Work at Home	Industrial	Commercial/ Population Related	Institutional	Total	N.F.P.O.W. ^[1]	Total Including N.F.P.O.W.	Primary	Work at Home	Industrial	Commercial/ Population Related	Institutional	Total	N.F.P.O.W. ^[1]	Total Employment (Including N.F.P.O.W.)	
Mid 2011	175,779	0.001	0.038	0.137	0.213	0.084	0.472	0.046	0.519	260	6,625	24,005	37,400	14,735	83,025	8,155	91,180	76,400
Mid 2016	183,314	0.002	0.045	0.136	0.202	0.089	0.474	0.047	0.521	440	8,165	24,853	37,098	16,265	86,820	8,670	95,490	78,655
Mid 2022	188,064	0.003	0.046	0.141	0.201	0.097	0.488	0.047	0.535	536	8,565	26,579	37,810	18,297	91,787	8,895	100,682	83,222
Mid 2032	213,098	0.003	0.044	0.125	0.197	0.092	0.462	0.043	0.504	578	9,367	26,741	42,035	19,629	98,350	9,120	107,470	88,983
Incremental Change																		
Mid 2006 - Mid 2011	11,364	-0.001	-0.004	-0.018	0.001	0.009	-0.013	-0.002	-0.016	-125	-185	-1,465	2,580	2,355	3,160	166	3,326	3,345
Mid 2011 - Mid 2016	7,535	0.0009	0.0069	-0.0010	-0.0104	0.0049	0.0013	0.0009	0.0022	180	1,540	848	-303	1,530	3,795	515	4,310	2,255
Mid 2016 - Mid 2022	4,750	0.0004	0.0010	0.0058	-0.0013	0.0086	0.0144	0.0000	0.0144	96	400	1,726	713	2,032	4,967	225	5,192	4,567
Mid 2022 - Mid 2032	25,034	-0.0001	-0.0016	-0.0158	-0.0038	-0.0052	-0.0265	-0.0045	-0.0310	42	802	162	4,225	1,332	6,563	225	6,788	5,761
Annual Average																		
Mid 2006 - Mid 2011	2,273	-0.00017	-0.00075	-0.00367	0.00020	0.00171	-0.00269	-0.00044	-0.00312	-25	-37	-293	516	471	632	33	665	669
Mid 2011 - Mid 2016	1,507	0.0002	0.0014	-0.0002	-0.0021	0.0010	0.0003	0.0002	0.0004	36	308	170	-61	306	759	103	862	451
Mid 2016 - Mid 2022	792	0.0001	0.0002	0.0010	-0.0002	0.0014	0.0024	0.0000	0.0024	16	67	288	119	339	828	38	865	761
Mid 2022 - Mid 2032	2,503	-0.00001	-0.00016	-0.00158	-0.00038	-0.00052	-0.00265	-0.00045	-0.00310	4	80	16	423	133	656	23	679	576

^[1] Statistics Canada defines no fixed place of work (NFPOW) employees as "persons who do not go from home to the same work place location at the beginning of each shift". Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc.

Source: Derived from Halton Region Modified Preferred Growth Concept Land Needs Assessment Report, March 2022, by Watson & Associates Economists Ltd.



Appendix B

Proposed C.B.C. By-law



The Corporation of the City of Burlington

City of Burlington By-law XX-2022 (F-XX-22)

Community Benefits Charges By-law for the City of Burlington

WHEREAS The City of Burlington (the “City”) will experience growth through development and re-development;

AND WHEREAS Council desires to impose Community Benefits Charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies;

AND WHEREAS the *Planning Act, 1990* (the “Act”) provides that the council of a municipality may by by-law impose Community Benefits Charges against higher density residential development or redevelopment;

AND WHEREAS a Community Benefits Charge strategy report, dated August 17, 2022 has been completed which identifies the facilities, services and matters that will be funded with Community Benefits Charges and complies with the prescribed requirements;

AND WHEREAS the City has consulted with the public and such persons and public bodies as the City considers appropriate;

AND WHEREAS on September 14, 2022, Council for the City of Burlington approved Report F-27-22, dated July 11, 2022, in which certain recommendations were made relating to the Community Benefits Strategy and By-law.

The Council of the City enacts as follows:

1. INTERPRETATION

1.1 In this By-law, the following items shall have the corresponding meanings:

“Act” means the *Planning Act*, R.S.O. 1990, CHAPTER P.13;

“Apartment” means a dwelling unit in an apartment building;



"Apartment Building" means a residential building or the residential portion of a mixed-use building consisting of more than 3 dwelling units, which dwelling units have a common entrance to grade, but does not include a triplex, duplex, or townhouse. Notwithstanding the forgoing an Apartment Building includes a Stacked Townhouse;

"Bedroom" means a habitable room of at least seven (7) square metres, including a den, loft, study, or other similar area, but does not include a kitchen, bathroom, living room, family room, or dining room;

"Building" means any structure or building as defined in the *Ontario Building Code* (O Reg 332/12 under the Building Code Act, but does not include a vehicle;

"Building Code Act" means the *Building Code Act, 1992*, SO 1992, c 23 as amended;

"Capital Costs" means growth-related costs incurred or proposed to be incurred by the City or a Local Board thereof directly or by others on behalf of, and as authorized by, the City or Local Board,

- (a) to acquire land or an interest in land, including a leasehold interest,
- (b) to improve land,
- (c) to acquire, lease, construct or improve buildings and structures,
- (d) to acquire, construct or improve facilities including,
 - (i) furniture and equipment, and;
 - (ii) rolling stock;
- (e) to undertake studies in connection with any of the matters referred to in clauses (a) to (d) above, including the Community Benefits Charge strategy study,

required for the provision of Services designated in this By-law within or outside the City, including interest on borrowing for those expenditures under clauses (a) to (e) above;

"City" means The City of Burlington or the geographic area of the municipality, as the context requires;



“Community Benefits Charge” means a charge imposed pursuant to this By-law;

“Council” means the Council of the City of Burlington;

“Development” means the construction, erection, or placing of one or more Buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof or any development requiring any of the actions described in subsection 2.4(a), and includes Redevelopment;

“Dwelling Unit” means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons;

“Grade” means the average level of proposed or finished ground adjoining a building at all exterior walls;

“Land” (or “Lot”) means, for the purposes of this By-law, the lesser of the area defined as:

- (a) The whole of a parcel of property associated with the Development or Redevelopment and any abutting properties in which a person holds the fee or equity of redemption in, power or right to grant, assign or exercise a power of appointment in respect of, or;
- (b) The whole of a lot or a block on a registered plan of subdivision or a unit within a vacant land condominium that is associated with the Development or Redevelopment;

But not including any hazard lands, natural heritage features, or ecological buffers identified in the City’s Official Plan, an approved Secondary Plan, or through an environmental impact study accepted by the City.

“Owner” means the owner of Land or a person who has made application for an approval for the Development of land for which a Community Benefits Charge may be imposed;

“Prescribed” means prescribed in the regulations made under the Act;



“Redevelopment” means the construction, erection or placing of one or more Buildings on Land where all or part of a Building on such Land has previously been demolished, or changing the use of a Building from a Non-Residential Use to a Residential Use, or changing a Building from one form of Residential Use to another form of Residential Use and including any development or redevelopment requiring any of the actions described in subsection 2.4(a);

“Residential Unit” means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons;

“Residential Use” means lands, buildings or structures used, or designed or intended for use as a home or residence of one or more individuals, and shall include, but is not limited to, a single detached dwelling, a semi detached dwelling, a townhouse, a plex, a stacked townhouse, an apartment building, a mobile home, a retirement residence and a residential dwelling unit accessory to a non-residential use;

“Service” means a service designated in subsection 1.3, and “Services” shall have a corresponding meaning;

“Stacked Townhouse” means a building containing two or more dwelling units, each dwelling separates horizontally and/or vertically from another dwelling unit by a common wall;

“Storey” means the portion of a building, excluding roof top enclosure space used for no other purpose than roof top access, and/or elevators and other building service equipment, that is:

- (a) that is situated between the top of any floor and the top of the floor next above it, or
- (b) that is situated between the top of the floor and the ceiling above the floor, if there is no floor above it.

“Valuation date” means, with respect to land that is the subject of development or redevelopment,

- (a) the day before the day the building permit is issued in respect of the development or redevelopment, or



- (b) if more than one building permit is required for the development or redevelopment, the day before the day the first permit is issued.

“Zoning By-Law” means any by-laws enacted by the City under section 34 of the *Planning Act*.

- 1.2 The reference to any applicable statute, regulation, by-law, or to the Official Plan in this Community Benefits Charge By-law shall be deemed to refer to the statute, regulation, by-law, and/or Official Plan as they may be amended from time to time and shall be applied as they read on the date on which Community Benefits Charges are due to the City.

DESIGNATION OF SERVICES

- 1.3 A Community Benefits Charge may be imposed in respect of the following:
 - (a) Land for park or other public recreational purposes in excess of lands dedicated or cash-in-lieu payments made under section 42 or subsection 51.1 of the *Planning Act*.
 - (b) Services not provided under subsection 2(4) of the *Development Charges Act*.
 - (c) As per the May 20, 2022, Community Benefits Charges Strategy, the City intends to recover Capital Costs relating to the following services through this by-law:
 - (i) Parking;
 - (ii) Public and Performance Arts Services
 - (iii) Facilities;
 - (iv) Information Technology; and
 - (v) Growth-related Studies.



2. PAYMENT OF COMMUNITY BENEFITS

2.1 Community Benefits Charges shall be payable by the Owner of Land proposed for Development in the amounts set out in this By-law where:

- (a) the Land proposed for Development is located in the area described in subsection 3.2; and
- (b) the proposed Development requires any of the approvals set out in subsection 2.4(a).

Area to Which By-law Applies

2.2 Subject to subsection 2.3, this By-law applies to all lands in the City.

2.3 This By-law shall not apply to lands that are owned by and used for the purposes of:

- (a) The City or a Local Board thereof;
- (b) a Board of Education;
- (c) The Region of Halton, or a Local Board thereof.

Approvals for Development

2.4 (a) A Community Benefits Charge shall be imposed only with respect to Development that requires one or more of the following approvals:

- (i) the passing of a Zoning By-Law or of an amendment to a Zoning By-Law under section 34 of the *Planning Act*;
- (ii) the approval of a minor variance under section 45 of the *Planning Act*;
- (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
- (iv) the approval of a plan of subdivision under section 51 of the *Planning Act*;
- (v) a consent under section 53 of the *Planning Act*;



- (vi) the approval of a description under section 9 of the *Condominium Act, 1998*, SO 1998, c 19, as amended, or any successor thereof; or
 - (vii) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.
- (b) Despite subsection 2.4(a) above, a Community Benefits Charge shall not be imposed with respect to:
- (i) Development of a proposed building or structure with fewer than five storeys at or above ground;
 - (ii) Development of a proposed building or structure with fewer than 10 residential units;
 - (iii) Redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
 - (iv) Redevelopment that proposes to add fewer than 10 residential units to an existing building or structure; or
 - (v) such types of Development or Redevelopment as are prescribed.
- (c) For the purposes of this section, the first Storey at or above ground is the Storey that has its floor closest to Grade and its ceiling more than 1.8m above Grade.

Exemptions

- 2.5 Notwithstanding the provisions of this By-law, Community Benefits Charges shall not be imposed with respect to:
- (a) Development or Redevelopment of a building or structure intended for use as a long-term care home within the meaning of subsection 2(1) of the *Long-Term Care Homes Act, 2007*
 - (b) Development or Redevelopment of a building or structure intended for use as a retirement home within the meaning of subsection 2(1) of the *Retirement Homes Act, 2010*;



- (c) Development or Redevelopment of a building or structure intended for use by any of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario;
 - (ii) a college or university federated or affiliated with a university described in subparagraph (i);
 - (iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*.
- (d) Development or Redevelopment of a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion.;
- (e) Development or Redevelopment of a building or structure intended for use as a hospice to provide end-of-life care;
- (f) Development or Redevelopment of a building or structure intended for use as residential premises by any of the following entities:
 - (i) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary object is to provide housing;
 - (ii) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing;
 - (iii) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.

Amount of Charge

- 2.6 The amount of a Community Benefits Charge payable in any particular case shall be determined based on the charges set out in Schedule “A” to this by-law.



In-Kind Contributions

- 2.7 The City may, at its discretion, allow an Owner of Land to provide to the City facilities, services or matters required because of Development or Redevelopment in the area to which the By-law applies in lieu, or partially in lieu of a Community Benefits Charge that would otherwise be payable.
- 2.8 For in-kind contributions pursuant to the preceding subsection to be considered, an application for consideration of in-kind contributions must be submitted to the City with supporting documentation as to the suggested value thereof no less than 180 days prior to the first building permit being granted for the proposed Development or Redevelopment.
- 2.9 In-kind contributions pursuant to subsection 2.7 shall only be accepted as if the same are approved by resolution of Council. The determination of Council as to whether in-kind contributions shall be accepted in full or partial satisfaction of Community Benefits Charges shall be final and binding.
- 2.10 The value attributed to an in-kind contribution under subsection 2.7 shall be as determined by Council, based on one or more third-party valuations to the satisfaction of Council. Council's determination of the value to be attributed to any in-kind contribution shall be final and binding.

Time of Payment of Community Benefits Charges

- 2.11 Community Benefits Charges imposed under this By-law shall be payable prior to the issuance of any building permit for the proposed Development or Redevelopment.

Credits

- 2.12 Any developments that were subject to an agreement under the prior Section 37 of the *Planning Act* prior to this by-law coming into force and effect shall have the amount paid under the Section 37 agreement credited against the Community Benefit Charge payable:
- (a) The amount credited against the charge payable shall be the amount paid under the prior Section 37 agreement that relates to the proposed development



- (b) In no case shall the credit be greater than the Community Benefits Charge otherwise payable.

Interest on Refunds

- 2.13 If it is determined that a refund is required, the City shall pay interest on a refund in accordance with subsections 37(28) and 37(29) of the Act at a rate not less than the prescribed minimum interest rate, from the day the amount was paid to the municipality to the day it is refunded.

3. SEVERABILITY

- 3.1 If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

4. DATE BY-LAW IN FORCE

- 4.1 This By-law shall come into effect at 12:01 A.M. on September 14, 2022.

Enacted and passed this 14th day of September 2022.

Mayor Marianne Meed Ward _____

City Clerk Kevin Arjoon _____



Schedule "A"
Schedule of Community Benefits Charges

Development Type	C.B.C. per Dwelling Unit
Apartments - 2 Bedrooms +	\$488
Apartments - Bachelor and 1 Bedroom	\$362

July 25, 2022

Ms. Reena Bajwa
Coordinator of Financial Strategies and Business Consulting
City of Burlington
426 Brant Street
Burlington ON
L7R 3Z6

Sent via email to Reena.Bajwa@burlington.ca

Dear Ms. Bajwa,

RE: CITY OF BURLINGTON | Draft Community Benefits Charge Strategy and By-law

The Building Industry and Land Development Association ('BILD') is in receipt of the City of Burlington Draft Community Benefits Charge ('CBC') Strategy and By-law that were presented as *Item 4.1 2022 Community Benefits Strategy (F-27-22)* at the July 11th Corporate Services, Strategy, Risk and Accountability ('CSSRA') Committee meeting. On behalf of our Halton Chapter members, BILD acknowledges and thanks City staff and its consultant team for meeting with the development industry on July 20th via the Halton Developers Liaison Committee ('HDLC'). With this submission, we are providing you with our comments in advance of your deadline of August 5th.

In summary, BILD would appreciate confirmation from the City on the proper and intended application of the proposed CBC By-law. At the July 20th HDLC meeting, BILD's consultant from Kagan Shastri LLP provided the following case fact scenario involving a redevelopment to an existing residential building proposing to add fewer than 5 storeys and fewer than 10 residential units. The assumption in this scenario is that the addition is 2 storeys and 8 residential units. Post-addition, however, the resulting building is at least 5 storeys and contains at least 10 residential units; the addition does not meet the minimum '5 storey / 10 unit' threshold. BILD's position is that the per unit charge should not apply to the 8 proposed units since that falls below the 10 unit minimum. Kindly confirm that the City agrees with that position.

As your community building partners, we thank you for the opportunity to provide these comments. Should there be any questions, please do not hesitate to contact the undersigned.



Victoria Mortelliti
Manager, Policy & Advocacy

CC: BILD Review Team
Kevin Singh, Halton Chapter Co-Chair
Shane Cooney, Halton Chapter Co-Chair
Paula Tenuta, SVP, BILD
Members of the BILD Halton Chapter

The Building Industry and Land Development Association is an advocacy and educational group representing the building, land development and professional renovation industry in the Greater Toronto Area. BILD is the largest home builders' association in Canada, and is affiliated with the Ontario Home Builders' Association and the Canadian Home Builders' Association. It's 1,500 member companies consists not only of direct industry participants but also of supporting companies such as financial and professional service organizations, trade contractors, as well as manufacturers and suppliers of home-related products.

Memorandum

To	Reena Bajwa
From	Andrew Grunda
Date	August 3, 2022
Re:	City of Burlington Community Benefits Charge Strategy

Fax Courier Mail Email

We provide the following in response to the questions received from the Building Industry and Land Development Association (BILD) in their letter of July 25th and posed at the consultation meeting of July 20th.

1. Redevelopment Scenario – BILD posed the following redevelopment assumptions for the City’s clarification on the application of the Community Benefit Charge (C.B.C.). “The assumption in this scenario is that the addition is 2 storeys and 8 residential units. Post-addition, however, the resulting building is at least 5 storeys and contains at least 10 residential units; the addition does not meet the minimum ‘5 storey / 10 unit’ threshold. BILD’s position is that the per unit charge should not apply to the 8 proposed units since that falls below the 10 unit minimum”.

Subsection 37(4) of the *Planning Act* provides the following with respect to the imposition of a C.B.C.:

“A community benefits charge may not be imposed with respect to,

- a) development of a proposed building or structure with fewer than five storeys at or above ground;
- b) development of a proposed building or structure with fewer than 10 residential units;
- c) redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
- d) redevelopment that proposes to add fewer than 10 residential units to an existing building or structure; or
- e) such types of development or redevelopment as are prescribed”.

In regards to the scenario presented by BILD, it is our understanding that the redevelopment would not be exempt from payment of a C.B.C. under paragraph (c) of subsection 37(4), as the building after the redevelopment will have more than 5 storeys. However, the development would be exempt from payment of a



C.B.C. under paragraph (d) of subsection 37(4), as the units added to the existing building would be less than 10.

2. Imposition of C.B.C. – The question was posed at the consultation meeting as to whether the C.B.C. would be imposed on developments at the time of building permit issuance, if these developments were not subject to a community benefits agreement under the previous s.37 of the *Planning Act*.

It is our understanding that there may have been developments that were not subject to the previous provisions of s.37 of the *Planning Act*. This may be due to the application not requiring increases in height and density, or that the City did not require such agreements. The amended s.37 provisions of the *Planning Act* were intended, in part, to be more transparent and predictable to the development community. As such, the Province has elected to provide municipalities with the powers to impose a broad-based charge that is potentially applicable on all development not exempt under s.37 of the *Planning Act*, i.e. principally buildings with less with at least 5 storeys and containing at least 10 residential dwelling units. In this regard, there is nothing in the amended *Planning Act* that prevents the City from imposing a C.B.C. on a development that was not required to enter into a s.37 agreement previously, if the development is subject to the imposition of the charge after the by-law is passed.

We trust this memorandum sufficiently addresses these matters. We would be glad to discuss them with you further at your convenience.

August 5, 2022

Reena Bajwa, Coordinator of Financial Strategies and Business Consulting

City of Burlington

426 Brant St

Burlington, ON

L7R 3Z6

Appendix C to F-31-22

West End Home Builder's Association Submission | Burlington Community Benefits Charge By-Law

The West End Home Builders' Association (WE HBA) is the voice of the land development, new housing and professional renovation industries in Hamilton and Burlington. During the global pandemic, the residential construction industry was a stabilizing force for the local economy, employing over 4000 people in Burlington, paying \$279.5 million in local wages, and contributing over \$511 million in investment value in 2021. Much as they have been doing for the past 80 years, our members are building the future of Burlington.

West End Home Builders' Association appreciates the meeting held with the development industry on July 20th, 2022 to discuss Burlington's new Community Benefits Charge by-law (CBC). Our members were encouraged to hear the City is contemplating a per dwelling unit fee structure, and we are supportive of the rates Watson & Associates Economists and City Staff have proposed. We agree with the City and Watson's position that such a simplified per unit fee structure is administratively advantageous. On the note of the CBC administration, WE HBA does have concerns about how potential in-kind contributions will be valued. For this reason, we suggest that City Council delegate the valuation of in-kind contributions to City Staff, and provide the industry and members of the public with annual and transparent reporting on how all in-kind contributions are valued. This provides predictability for the costs of the CBC for each development and will also allow Council to share how new developments bring benefits to the Burlington community in many different ways beyond a monetary transaction.

Finally, WE HBA recommends the CBC bylaw apply only to completely new developments, and not to any additions, adaptive reuse, or renovations that may push the height or unit count of an existing development over the threshold at which the Charge would apply. For example, development on a lot with an existing building that will be retained or the addition of units or floors to an existing building. Should the land valuation include these scenarios, this would result in the Charge being incorrectly levied against existing development. As such, it is our proposal that the City builds off the phasing clause in its draft CBC bylaw to include a policy such as the following:

If a development or redevelopment is to be constructed on lot or parcel of land which has a pre-existing building that is to be retained or building on top of an existing building, then the amount of the Community Benefit Charge for the new development or redevelopment will be a per unit rate of only those unimproved lands that form part of the development or redevelopment on the day before the first building permit for development or redevelopment is issued.

This would make it clear that legal lots with longstanding existing buildings are to be treated similar to how the City proposes to treat phased developments.

In an environment where the CMHC,¹ the Federal government,² the provincial government³ and the City of Burlington⁴ have all agreed there is a need for significantly more new housing supply to resolve Ontario's housing crisis, the City of Burlington must carefully consider how municipal fees (such as the Community Benefits Charge) on new housing can work

¹ "Housing Shortages in Canada: Solving the Affordability Crisis" Cmhc-schl.gc.ca, June 23, 2022. <https://www.cmhc-schl.gc.ca/en/professionals/housing-markets-data-and-research/housing-research/research-reports/accelerate-supply/housing-shortages-canada-solving-affordability-crisis>.

² "Making Housing More Affordable" Government of Canada Budget 2022, April 7, 2022. <https://budget.gc.ca/2022/report-rapport/chap1-en.html>.

³ "Report of the Ontario Housing Affordability Task Force" Ministry of Municipal Affairs and Housing, February 8, 2022. <https://files.ontario.ca/mmah-housing-affordability-task-force-report-en-2022-02-07-v2.pdf>.

⁴ "The Corporation of the City of Burlington Housing Strategy" City of Burlington, May 20, 2022. <https://www.getinvolvedburlington.ca/19458/widgets/77428/documents/82411>



in conflict with that stated objective. It is important that the City strike a balance between revenue generation and creating a fiscal policy environment that encourages new housing supply to address our housing crisis. WE HBA believes this balance has been achieved through the proposed rate structure but recommends a more predictable and transparent approach for in-kind contributions. Please advise WE HBA of any changes to this proposed bylaw in advance of or upon Committee and Council consideration.

Sincerely,



Michelle Diplock, RPP, MPI

Manager of Planning and Government Relations

West End Home Builders' Association



CITY OF BURLINGTON BY-LAW XX-2022

A by-law to establish a reserve fund and guidelines for the utilization of Section 37 of the *Planning Act*, R.S.O. 1990, as amended Community Benefits Charges Reserve Fund

File 450-04

Whereas pursuant to the Municipal Act, 2001, S.O. 2001, as amended authorizes municipal councils to establish reserve funds for any purpose for which it has authority to spend money; and

Whereas the Council for the Corporation of the City of Burlington has provided for the establishment of reserve funds; and

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

1. That the Community Benefits Charges Reserve Fund be established; and,
2. That the source of revenue for the Reserve Fund shall be all monies received under the Community Benefits Charges Bylaw; and,
3. That the Community Benefits Charges reserve fund be credited with interest at the same rate earned by the other City of Burlington reserve funds; and,
4. That in each year the city shall spend or allocate at least 60 percent of the uncommitted balance in the reserve fund in accordance with the Community Benefits Charges Bylaw; and,
5. That bylaw 15-2017 is hereby repealed.

ENACTED AND PASSED this 14th day of September 2022.

Mayor - Marianne Meed Ward

City Clerk – Kevin Arjoon



SUBJECT: Halton Digital Access Strategy implementation

TO: Corporate Services, Strategy, Risk & Accountability Cttee.

FROM: City Manager's Office

Report Number: CM-21-22

Wards Affected: All

File Numbers: 155-03-01

Date to Committee: September 14, 2022

Date to Council: September 20, 2022

Recommendation:

Receive and file city manager's office report CM-21-22 providing an update regarding the Halton Digital Access Strategy review; and

Approve, in principle, an implementation plan for a one-window plan to support the implementation of 5G technology in Burlington, as part of a region-wide approach, "Halton Digital Access Strategy Implementation Plan"; and

Delegate authority to the City Manager to negotiate and present for future Council consideration, the governance framework, associated multiyear financial plan, including incremental net revenue forecast, and related operating and other agreements in consultation with the Executive Director of Legal Services and Corporation Counsel and the Chief Financial Officer; and

Forward a copy of this report to the Town of Halton Hills, the Town of Milton, Town of Oakville, Halton Region and Burlington Hydro, for their information.

PURPOSE:

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
- Support sustainable infrastructure and a resilient environment
- Deliver customer centric services with a focus on efficiency and technology transformation

Background and Discussion:

Summary

- On April 21, 2021, Regional Council adopted Halton Digital Access Report No. [ST-05-21](#) which authorized the development of a Halton-wide Digital Access Strategy. The strategy will further the work to promote enhanced broadband services in both the rural and urban areas. Also, to establish a framework process to deal with requests from national and regional telecommunications companies to utilize municipal vertical infrastructure assets including streetlight poles (in their advancement of 5G plans).
- On December 15, 2021, Regional Council received Report No. [ST-08-21](#), re: “Digital Access Strategy Report” which provided an overview of the economic benefits of widespread 5G access. In addition, it provided an overview of Halton Region’s commitment to 5G technology to ensure residents and businesses have access to the internet services required to support both the economy and quality of life.
- The Digital Access Strategy promotes enhanced broadband services in both the rural and urban areas through a framework in which the Region, the Local Municipalities and Hydro Companies can leverage requests by telecommunication services providers to deploy wireless 5G device attachments on vertical streetlights and hydro poles throughout Halton Region.
- The Digital Access Strategy also calls for a unified broadband service using fibre (FTTH/P) technology, which ensures that the Region and the Local Municipalities are appropriately positioned to allow residents and businesses to benefit from 5G technology.
- Regional Report No. ST-08-21 (December 15, 2021) re: “Digital Access Strategy Report”, directed Regional staff to report back with details of the Hydro Companies’ proposal to provide a “one-window” service whereby telecommunication services providers could access the vertical streetlights and hydro poles of the Region, the Local Municipalities and the Hydro Companies through a centralized permitting service.
- Since the spring of 2021, the Halton CAOs have directed the research into a better understanding of the role and value of the existing vertical streetlight and hydro poles in the deployment of 5G. During the course of this research, staff has determined that several telecommunications service providers support a one-window approach which would help support their 5G deployments.

- On April 7, 2022 staff presented report, [CM-01-22](#) to the Environment, Infrastructure and Community Services Committee providing an update concerning the region's Digital Access Strategy Report.
- On March 4, 2022, the Halton CAO's met with senior representatives from the telecommunications (telecos) companies – Rogers, Bell, Telus and Cogeco. The discussion centered around Halton's Digital Access Strategy and telcos feedback based their respective 5G business plans. Overall, there was a positive response to the Halton strategy for 5G implementation; and, there was agreement that a streamlined approach to permitting and deployment of municipal infrastructure would be beneficial with a potential HUG coordination.
- On July 13, 2022, Regional Council approved "Halton Digital Access Strategy Implementation Plan", report no.: ([DI-02-22/LPS69-22](#)) which directed Regional staff to proceed with the implementation plan for a one-window approach to support the implementation of 5G technology across Halton. Staff will report back to Regional Council for final approvals by early 2023.

Digital Access Strategy

The Regional Council April 2021 adopted Report No. ST-05-21 which authorized the development of a Digital Access Strategy, including:

- Broadband Digital Readiness Report:
 - Preparing implementation for Halton Region and the local municipalities - urban and rural.
 - Sizing next generation broadband network infrastructure.
- Benefits and Implementation plan:
 - Halton Region-wide 5 year digital access implementation plan.
- Strategic and commercial reports:
 - Individual reports for each of the local municipalities and Halton Region.

A consultant was subsequently retained - Nordicity Group Limited, to prepare the Digital Access Strategy. This work proceeded under the direction of Halton CAO's and was led by a staff team comprised from local municipalities and Nordicity. The staff team also worked with three staff subgroup teams from: Legal, Engineering and Finance.

The Nordicity Digital Access Strategy Report dated, November 23, 2021 was presented along with a Regional staff report which was approved by Region of Halton at their meeting on December 15, 2021.

A fully integrated broadband network, inclusive of all urban and rural areas, is critical and essential infrastructure to create a reliable internet service for Burlington and to accommodate strong economic development.

Telecommunications Process

The previous report (CM-01-22) identified significant socioeconomic benefits for Burlington residents, and all of Halton, through the accelerated deployment of the telecommunications services providers' 5G networks.

To date, telecommunications services providers have generally implemented their networks across all poles and right of ways throughout Halton, regardless of ownership. Amongst the four Halton Municipalities and the Region and the four Halton Hydro Companies, no one organization currently owns more than 17 per cent of the total amount of vertical streetlights and hydro poles in Halton. With respect to 5G, if the Region, the Hydro Companies and Local Municipalities undertook to provide permitting individually and only with respect to their own vertical streetlights and hydro poles, the telecommunications services providers would have to approach each party separately, facing varying permitting and licencing requirements, as well as varying processes and timelines.

A "one-window" permitting service model whereby the telecommunications services providers would apply through a centralized permitting service has the potential to help the telecommunications services providers expedite their 5G implementation plans across Halton Region.

Municipal Services Corporation Opportunity

Given the distributed ownership of vertical streetlights and hydro poles (i.e. that no one party owns more than 17 per cent of the total assets), it will be important to establish the appropriate governance to deliver a "one-window" approach to support 5G deployment.

These are a number of the key principles considered for developing a governance structure:

- ownership of the virtual streetlight poles and other applicable municipal infrastructure is not to be transferred;
- municipalities and Hydro Companies will license rights to the one-window service to manage telecommunications services providers' access to vertical streetlight and hydro poles;
- 5G equipment and maintenance must not interfere with the primary purpose of the vertical streetlight or hydro pole;
- each vertical streetlight or hydro pole owner will be represented;
- fees charged to telecommunications services providers should be based on rates that at a minimum must cover all operating costs associated with one window service and allow for full cost recovery for the owner of the vertical streetlight or hydro pole.

A Municipality can create a Municipal Services Corporation through the provisions of the *Municipal Act, 2001*. The shares of a Municipal Services Corporation can only be owned by a municipality or a group of municipalities. A Municipal Services Corporation can only provide a system, service or thing that a municipality is entitled to provide, which would include the 5G pole attachment permitting service described in this report.

Through the provisions of the *Municipal Act, 2001*, a Municipal Services Corporation, owned by the Region together with each of the Local Municipalities, could be established to operate the “one-window” services consistent with the above key principles.

A Municipal Services Corporation can provide these centralized 5G permitting and management services, including:

- initial permit application and on-going access licenses for telecommunications services providers’ use of poles for 5G attachments;
- municipal and Hydro Company licenses to manage 5G pole attachment rights to the Municipal Services Corporation; and,
- services to the telecommunications services providers including engineering, installation, maintenance and removal of cell attachments.

In addition, the proposed structure could allow the Municipal Services Corporation to provide additional services beyond 5G, including a “one-window” approach for all non-5G telecommunications permits. By delegating the authority to the Municipal Services Corporation to issue non-5G permits, the Municipalities would gain the benefit of offering a “one-window” approach to a broader range of telecommunications permitting.

Overall, a Municipal Services Corporation approach should create favourable conditions for the rollout of 5G across Halton Region. This will accelerate the delivery of benefits in connectivity for local residents and businesses with the associated economic and social benefits.

Next steps

Upon approval of this report, in order to implement the recommendation, staff, working jointly with the Region and Local Municipalities, will do the following:

- finalize the business case to confirm the benefits of the approach described in this report;
- confirm the participation of the Town of Halton Hills, the Town of Milton and the Town of Oakville (Halton Region has already confirmed participation);
- confirm participation of the Hydro Companies;

- determine the operating model and governance structure for the Municipal Services Corporation and in conjunction with that:
 - negotiate a shareholder's agreement and other necessary governance agreements between the Region, the Local Municipalities, the Hydro Companies and the Municipal Services Corporation
 - negotiate the license agreements and other necessary operating agreements amongst: (a) the Region, the Local Municipalities and the Municipal Services Corporation; and (b) the Hydro Companies and the Municipal Services Corporation
- develop the permit and licencing agreements between the Municipal Services Corporation and telecommunications services providers
- develop any required agreements with service providers who will assist in the installation, maintenance and removal of 5G attachments
- ensure the statutory requirements for establishing a Municipal Services Corporation are met, including:
 - Business case study_ - A municipality must adopt a business case study before it establishes a municipal services corporation either alone or with one or more other municipality. The business case will be finalized based on the benefits of accelerating the deployment of 5G technology in Burlington. There are many factors that will influence the business case including the speed of deployment of 5G technology in each municipality and in Halton generally, the extent to which the telecommunications services providers choose to use the existing municipal pole infrastructure (versus infrastructure they build), the market rate for services, and status of Provincial and Federal legislation related to the deployment of 5G.
 - Asset transfer policies - A municipality must adopt and maintain policies on asset transfers to corporations. It is anticipated that the asset transfer policies with respect to the Municipal Services Corporation will be fairly simple given that one of the key principles recommended above is that the ownership of the pole infrastructure would remain with the individual municipalities and the Hydro Companies. The asset transfer policy will address the potential for the transfer of financial assets to address start-up costs, but otherwise will be general in nature.
 - Public participation – a municipality must consult with the public about the proposal to establish the municipal services corporation prior to such corporation's establishment. There are no specific rules governing the nature of the public consultation. Given the scoped focus of the proposed

Municipal Services Corporation and the low risk involved, it is anticipated that the public consultation will focus on notification of the availability of the business case, when available, and an opportunity for the public to submit comments related to the business case. It is anticipated that this consultation will occur in late 2022 or early 2023.

Following the satisfactory completion of statutory preparations and negotiations of documents, as outlined in this report, for the creation, operation and governance of a Municipal Services Corporation, and the confirmation of business viability through stakeholder discussions and analysis, a report to establish a Municipal Services Corporation to support a “one-window” service model is expected to be forwarded to Regional Council by early 2023 with recommendations for next steps. In accordance with this report recommendation, the City Manager in consultation with the City Solicitor will report back on Burlington’s position and recommendations to City Council.

Financial Matters:

Total Financial Impact

There is potential for incremental annual revenue generation opportunity from the use of municipal vertical infrastructure assets as the mounting system for 5G small cell deployment. Future revenue streams are subject to confirmation and will be reviewed and developed working closely with the CFO.

Source of Funding

Halton Region has collaborated with all area municipalities and fully funded the Halton Digital Access Strategy initiative including external consulting work to-date.

The costs associated with the formation of the Municipal Services Corporation have been budgeted by Halton Region. As such, there are no financial implications associated with this report to the City.

Other Resource Impacts

Using a one-window approach to 5G deployment will minimize the requirement for staff involvement in a permitting process.

Climate Implications

Providing reliable broadband services facilitates many opportunities including efficient remote working and reducing the load on transportation networks.

Engagement Matters:

Information regarding the Region staff report DI-02-22 (Halton Digital Access Strategy Implementation Plan) was circulated to Council members in July 2022.

The staff working group and CAO meetings will continue for the Strategy Implementation Plan.

The formation of a Municipal Services Corporation requires public notice.

Conclusion:

Report CM-21-22 provides information on the status of the Halton Digital Access Strategy Implementation Plan for a one-window approach to support the implementation of 5G technology across Halton and makes recommendations for implementation and next steps. Staff will continue to work with our Halton colleagues, to determine an operating model and governance structure for a Municipal Services Corporation.

Respectfully submitted,

Mike Greenlee

Corporate Strategic Partnerships Manager

905-335-7600 Ext. 7959

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.



SUBJECT: City of Burlington Coyote Response Strategy update and response to recent serious attacks on city residents

TO: Corporate Services, Strategy, Risk & Accountability Cttee.

FROM: City Manager's Office

Report Number: CM-26-22

Wards Affected: All

File Numbers: 155-03-01

Date to Committee: September 14, 2022

Date to Council: September 20, 2022

Recommendation:

Receive city manager's office report CM-26-22 - City of Burlington Coyote Response Strategy update and, with regard to the City's immediate response to the recent serious coyote attacks on Burlington residents, endorse the actions taken by staff under established authority as outlined in the report at an estimated 2022 one-time cost of \$22,850; and

Approve the single source of a Certified Wildlife Professional (CWP) and authorize the Manager of Procurement Services to sign a multi-year agreement with the CWP for the remainder of 2022 and the duration of 2023, with the option to renew for three (3) additional one (1) year terms; and

Direct the Director of Building and By-law to proceed immediately with the design and implementation of a new two-year Coyote Action and Awareness Program specifically directed at delivering enhanced coyote response services based on the program scope outlined in city manager's office report CM-26-22; and

Direct the Chief Financial Officer to report back to City Council directly on September 20, 2022 with options and recommendations for funding the new Coyote Action and Awareness Program; and

Direct the Executive Director of Community Planning, Regulation and Mobility to report back in Q1 2023 in conjunction with City Council's 2023 budget consideration on the

establishment of the proposed new By-Law Compliance Department (as recommended in companion report CM-24-22 in this agenda) inclusive of an enhanced coyote response model as part of the Animal Services function; and

Direct the Executive Director of Community Planning, Regulation and Mobility, following the hiring of a new Director of By-law Compliance, to undertake a full review and update of the current City of Burlington Animal Services By-law (By-law 60-2005) and Coyote Response Strategy by Q4 2023; and

Direct the City Manager, with respect to the February 2022 report, specifically the recommendations of the community association – Burlington & Oakville Coyote Management (BOCM) as outlined in Appendix B of city manager's office report CM-26-22, to proceed with the implementation of the staff recommendations and next steps and report back on the status in Q1 2023; and

Direct the City Manager to initiate meetings, as required, with the Chief Administrative Officer of the Town of Oakville and senior staff of both Burlington and Oakville to develop and implement a coordinated workplan related to both the BOCM recommendations as well as other City/Town coyote response initiatives including, but not limited to, joint procurement of external professional wildlife management services, joint coyote related data collection, research and analysis and public educational and awareness programs and possible mutual coyote response service agreements; and

Direct the City Manager and Chief Financial Officer to include for consideration in the 2023 proposed budget the recommended resources to fully address all of the above noted service delivery requirements for an enhanced coyote action and awareness program.

PURPOSE:

Vision to Focus Alignment:

- Building more citizen engagement, community health and culture

Background and Discussion:

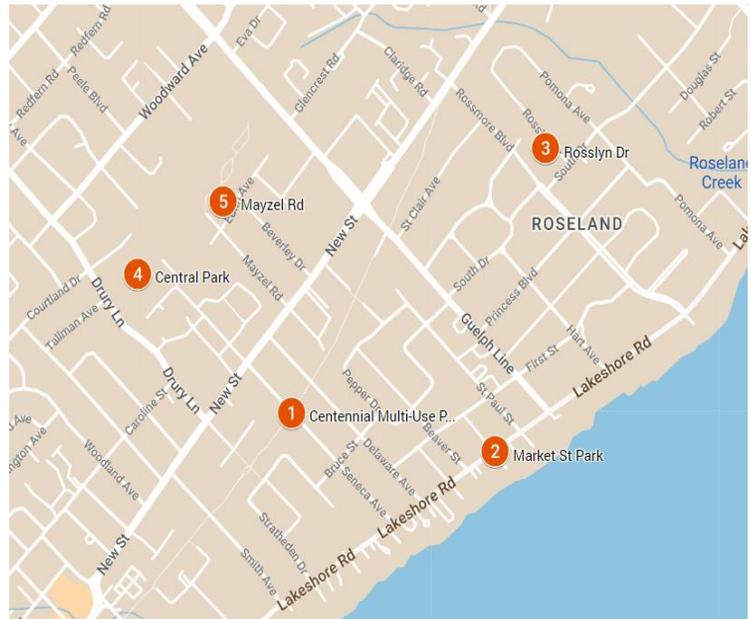
Coyotes in Burlington

Coyote sightings are common in the City of Burlington, as our green spaces and forested areas provide an excellent habitat for them. In an April 9, 2021 segment of CBC's *Quirks & Quarks*, host Bob McDonald spoke about the increased population of

coyotes in urban environments with Dr. Dennis Murray, associate professor of biology at Trent University.

“According to Murray, the rapid rise in the coyote's range and urban population is due to the intersection of many different ecological issues. Climate change plays a part. Coyotes do better when there's less snow, and so have been able to expand their range northwards. The absence of bigger predators like wolves has meant less competition for prey animals. And, Murray adds, the way we've built cities has changed to incorporate more parkland and green space, which is ideal coyote habitat.”¹

Incidents involving coyotes in Burlington are on the rise. Since January 2022, the City of Burlington has received over 385 emails regarding sightings of coyotes. This involves sightings in densely populated areas, as well as parks, recreation facilities and school grounds. Most recently, Burlington has experienced five confirmed unprovoked attacks on residents; largely within a radius of approximately 1km from the intersection of New Street and Guelph Line as depicted in the adjacent map.



These increased calls related to coyotes are in addition to a drastic influx of animal related calls associated to domesticated animal on animal attacks, surrendering of animals, off-leash occurrences, and domesticated animal versus person attacks. This drastic increase in call volumes/occurrences requiring response and investigation has placed a significant demand on the Animal Services team. Of interest, our neighbour Oakville has advised they have experienced a similar level of reported coyote sightings this year.

Wildlife Control Roles and Responsibilities

- *The Ministry of Natural Resources and Forestry (MNR)*

¹ <https://www.cbc.ca/radio/quirks/coyotes-doing-well-in-the-city>

Wildlife control is a function of the Province under the [Fish and Wildlife Conservation Act](#) and as legislated through various regulations, such as [Ontario Regulations 665/98](#) (hunting) and [Ontario Regulations 667/98](#) (trapping).

With respect to wildlife, specifically coyotes, The Ministry of Natural Resources and Forestry (MNR) states:

“Wildlife such as coyotes, wolves, and other furbearing mammals sometimes come into conflict with people. Municipalities are responsible for deciding on and taking appropriate actions when human-wildlife encounters create ongoing conflict situations on municipal property, and can also take action on private property with the permission of the landowner.

The province supports municipalities by providing advice and expertise on actions they can take to resolve such situations. In many cases, these conflicts can be prevented (see tips at ontario.ca/livingwithwildlife). However, when prevention fails, the Fish and Wildlife Conservation Act allows municipalities to protect their property by harassing, capturing or dispatching a variety of wildlife species, including coyotes, or to hire a licensed hunter or trapper to do so on their behalf. Municipalities may also take action to address human-wildlife conflicts on private property with the permission of the landowner. No approval or authorization is required from the province in these cases.

Any situation that impacts public safety should be referred to the local police as they are the authority to deal with these matters. Police can dispatch an animal if they deem it necessary to protect public safety.

Municipalities may pay licensed hunters or trappers to hunt or trap furbearing mammals within their municipal boundaries. The municipality determines the terms of any such arrangement, including the species of furbearing mammals, the hunters or trappers involved, the number of animals, and the locations and time periods that apply.”²

- *City of Burlington Animal Services*

Given the Province’s delegation of responsibilities to municipalities, responding to wildlife issues in Burlington resides within Animal Services. The primary functions of Animal Services are:

² <https://files.ontario.ca/mnrf-wild-animal-control-rules-municipalities-en-2020-06-18.pdf>

- dog licensing programs,
- in-house animal shelter and care,
- pet adoptions,
- by-law enforcement related to all aspects of Animal Services By-law 60-2005, and
- educational and public awareness programs.

Burlington Animal Services is currently staffed with 1 supervisor, 4 animal control officers and 4 animal care and licensing attendants. It is the animal control officers who are directly responsible for administering and enforcing applicable animal laws and regulations of the Province of Ontario and City by-laws pertaining to animals. In the provision of the services, Burlington residents are assisted with stray animals, rabies mitigation, dangerous animal investigations, animal nuisances, loose livestock, injured animals and deceased animal pickup. While coyotes represent an increasingly difficult challenge, an increased demand has also been placed on Animal Services to deal with domestic animal issues; namely aggressive dogs in City-owned public parks and open space.

Animal control officers are responsible for providing public education on co-existing with coyotes including hazing techniques, assessing properties for known coyote attractants, investigations into encounters and attacks, investigating and issuing fines for illegally feeding coyotes, monitoring known coyote dens, and locating and eliminating coyotes involved in attacks on residents.

Coyote Response Strategy History

In November 2015, Council approved the City's first Coyote Response Strategy; essentially creating a guideline for residents and staff to use when dealing with problem coyotes. Appendix A contains the coyote response strategy escalation protocols based on classifications ranging from observations/sightings to human attacks. This protocol is in addition to a by-law established to prevent the feeding of wild animals with the exception of the Trumpeter Swan.

Coyotes play an important ecological role in maintaining diversity of species and the health and integrity of a variety of ecosystems. Coyotes can have a top-down effect on ecosystems by regulating the numbers of other wild animals, such as foxes, raccoons, skunks, and feral cats through competitive exclusion and direct killing. Coyote response plans hope to achieve a balance between the importance of human safety and the role coyotes play in our local ecosystems.

The stated goal of the Coyote Response Strategy is to support co-existence with urban coyotes using education, behaviour modification and development of a tiered response to aggressive coyote behavior. The tiered response requires active participation on the part of the entire community including residents, homeowners, volunteers, Ministry of Natural Resources and Forestry, Halton Regional Police Services and city staff.

Human-coyote interactions must be documented to identify where coyotes are frequently seen, to count how many coyotes are within an area and to identify human-coyote conflict hotspots. Gathering specific data on incidents will allow for targeting of educational campaigns and conflict mitigation efforts, as well as the ability to measure success in reducing conflicts over time.

As is provided for in the escalation protocol, lethal responses (i.e. coyote elimination) should be considered only in the event of an unprovoked or provoked, confirmed attack on a human. If implemented, lethal control efforts should focus on the offending coyote(s) only, rather than the coyote population at large. As evidenced with the recent physical attacks, this requires significant surveillance efforts to make sure the correct animal(s) is targeted and eliminated.

Strategy/process

Immediate Response to Recent Coyote Physical Attacks

As indicated, Burlington has experienced five physical attacks by coyotes on residents since July 30. Upon learning of the attacks, the City has:

- Engaged a Certified Wildlife Professional (CWP) for the following:
 - location and elimination of the coyotes responsible for the attacks
 - as of August 24, one coyote has been eliminated (with additional support of Halton Regional Police Services) and a second coyote is actively being sought
 - removal of the related coyote den located on private property, and
 - patrol through the attack area to assess for probable cause of attraction to the area (i.e. food source, other attractions)
- Contacted owners of the private property where the related coyote den is located and issued property standards orders to clean up location and remove debris used by coyotes for denning.
 - By-law enforcement has confirmed the property is being cleaned of debris and in compliance with property standards and expected to be completed by September 3, 2022.
- Issued media releases and posted social media blasts on Instagram, Facebook and Twitter to draw attention to the attacks and remind residents of the need for vigilance and the techniques for hazing coyotes

- Initiated a whistle distribution campaign to provide a whistle and brochure with coyote hazing information as a public safety measure so residents have a means to make noise as part of the hazing techniques and learning to co-exist with coyotes.
 - Whistles are available through Burlington Public Library locations and City of Burlington Community Centers and at Service Burlington.
- Installed temporary signage to make people aware of the presence of aggressive coyotes in the area of
 - Drury Lane and New Street,
 - Guelph Line and Woodward Avenue,
 - Guelph Line and Lakeshore Road,
 - New Street and Dynes Road.
- Connected with Halton Region Public Health to ensure notice of attacks reported through Joseph Brant Hospital are provided to the City for tracking purposes.
 - Note: only high level information regarding the date, location, type of exposure and brief synopsis of the event is shared; no personal information is shared.
- Provided Joseph Brant Hospital with contact information of Animal Services to be provided to victims of coyote physical attacks to encourage their reporting of attacks.

The above actions were all taken in keeping with our Incident Response protocols which involved daily meetings with Council and staff as required and decision making was immediate and targeted. This report seeks council's endorsement of the actions by staff under established authority requiring an estimated 2022 one-time cost of \$22,850. Details of expenditures are contained in the financial section of this report. A number of actions continue, and further decisions will be reported out separately to Council as required.

Immediate Service and Resource Needs – Coyote Response Strategy

Through our initial incident response, Animal Services identified specific immediate service and resource needs. Details of the projected cost are contained in the financial section of the report. Specifically,

- Animal Services
 - *Retention of Certified Wildlife Professional (CWP)*

MNRF has delegated responsibility to the municipalities for control of coyotes including engaging licensed hunters or trappers to hunt or trap furbearing mammals within their municipal boundaries. In its response to the recent physical attacks, the City engaged a CWP to assist in dealing with coyotes in accordance with the City's protocols.

A CWP has the skills, tools, permits and methods to safely locate, trap and eliminate the targeted coyotes including related dens. This type of skill and competency is needed to augment and extend the efforts of Animal Services specifically to respond to coyote physical attacks. Moving forward, as recommended, the City is seeking approval to single source a CWP and authorize the Manager of Procurement Services to sign a multi-year agreement for this service recognizing the need for an immediate and priority response to be guaranteed to be in place when required by the City.

– *New Coyote Action and Awareness Program - Pilot*

City of Burlington is recommending proceeding immediately with a new two-year Coyote Action and Awareness Program, as a pilot, which will in part address concerns brought forward within the Burlington and Oakville Coyote Management association (“BOCM”) document (refer BOCM section below and Appendix C for full BOCM report). Incidents involving coyotes are on the rise, and since January of 2022, the City of Burlington has received over 385 emails regarding sightings of coyotes. This involves sightings in densely populated areas, as well as parks, recreation facilities and school grounds.

The proposed Coyote Action and Awareness pilot program would provide key educational programs, as well as bring awareness to the issues via public interaction and education and focused community engagement. The City’s presence in and amongst the community would also provide assurance of an added layer of security being readily available for coyote-related issues which may arise.

The current Animal Services service model is primarily complaint-driven and reactionary due to limited staffing capacity and the daily influx of call volumes related to community-wide service needs both in the urban and rural areas. The additional Coyote Action and Awareness pilot program encompasses a proactive and community-based approach in addressing real-time issues. Specific to the recommendations of BOCM, the Coyote Action and Awareness program would encompass the following:

- Direct support and delivery of public education programs to the Halton School Boards;
- Enhanced and direct coyote hazing education and training programs to be provided at a neighbourhood level; and
- Oversee and work internally with staff to ensure consistent signage is maintained throughout the City of Burlington, as current signage is out of date and does not accurately identify potential threats to the public.

A thorough review, with consultation and collaboration, of the Animal Service By-law 60-2005 also needs to be conducted during this Coyote Action and Awareness pilot phase, as the current by-law is out of date and requires refinements and updates. Community engagement during the consultation phase will allow for open and transparent dialogue to ensure community needs are heard, assessed and integrated into the new by-law.

The Coyote Action and Awareness program would be facilitated by 2 contract staff for a period of 2 years to ensure the program has the ability to capture two full cycles of coyote denning. In addition to the 2 dedicated and fully qualified staff, additional resources for data collection and analysis are recommended to better understand the coyote population in Burlington and facilitate informed decision making.

– *Change from Reactionary to Preventive & Proactive Animal Services Delivery Model*

As outlined earlier in the report, a critical need exists to update and enhance the service delivery model for City of Burlington's Animal Services in conjunction with the establishment of the new By-Law Compliance Department recommended in report CM-24-22.

With the new service model implemented in 2023, an enhanced coyote response strategy needs to become an integral component of the development of the future state Burlington Animal Services function. This organizational design and strategic management responsibility, as recommended in report CM-24-22, will reside with the Executive Director of Community Planning, Regulation and Mobility and will require a comprehensive multi-year business case to be presented in conjunction with the 2023 Proposed Budget.

▪ *Corporate Communications and Engagement*

Communications to residents on how to co-exist with coyotes consistently occurs throughout the year. There are more detailed, focused communications campaigns each spring in preparation for mating season and each autumn for the denning season. Prior to the City becoming aware of the recent physical attacks on residents, a social media campaign was underway reminding residents what to do when they see a coyote, not to feed coyotes and other tips on how to co-exist with them. This campaign was paused once we became aware of the attacks.

With coyote sightings on the rise and the confirmed physical attacks on residents, it is necessary to update the messages and increase the frequency and reach of communications to residents. The existing communication resources, including the staff resources needed to support enhanced coyote communication and engagement and other critical communication to residents, needs to be considered particularly related to the ever increasing challenges related to city-wide by-law enforcement.

One of the realities the City experienced in responding to the COVID-19 pandemic emergency is the much greater importance residents place on the services protecting both their neighbours and the overall quality of life they value living in Burlington. The City's actions are designed to continue to protect the health and safety of our residents, visitors and businesses.

In addition to media releases, website updates and organic (unpaid) social media posts, the following proposed tactics could be utilized for enhancing our two seasonal campaigns and would require specific communications budget to support these efforts:

- Newspaper Ads (3 full page ads)
- Halton Multicultural Council (HMC) e-newsletter
- Road Signs
- Flyer/Brochure Distribution
- Social media (paid ads)
- Local TV ads
- Bus Ads
- Pull-up Banners at facilities (At various recreation centres and libraries throughout the city)

The existing coyote communications comes from an advertising budget which is used to support the entire corporation. Specific on-going funding for direct coyote-related communications programs throughout the year is necessary to ensure all residents across Burlington are well informed. The approximate on-going budget required for these tactics is \$56,250 to provide two communication campaigns; in spring and fall.

Report from Burlington and Oakville Coyote Management (BOCM)

Burlington and Oakville Coyote Management ("BOCM") is a voluntary organization comprised of citizens in both Oakville and Burlington. The mandate of BOCM is to promote strong, definitive and effective measures to ensure residents, children and pets are safe and protected at all times. In February 2022, the BOCM submitted a

report to the City to be considered including a “Summary of Recommendations”. A copy of the complete report is contained in Appendix C.

BOCM met with staff including the City Manager on June 2, 2022 to share their concerns with the delay by City staff in formally responding to the report and to discuss further and address any questions related to their recommendations. The City Manager acknowledges the delay in responding to the report and appreciates the substantive effort, extensive research and detailed recommendations brought forward by BOCM. In hindsight, as is our normal process, the BOCM report should have been brought forward in the July cycle with a motion memo for approval by Committee and Council to direct the City Manager to report back in September 2022.

Appendix B lists the BOCM recommendations along with the staff response and recommendations/next steps for consideration by the Corporate Services, Strategy, Risk & Accountability Committee (standing committee of Council). In addition to the 11 specific recommendations listed in the BOCM report, a further recommendation is also being addressed to request joint meeting(s) with Burlington and Oakville senior staff and BOCM representatives. Burlington’s City Manager has discussed this matter with the Chief Administrative Officer of the Town of Oakville and included a separate recommendation in this report, with their full support, seeing the development of a coordinated workplan working closely with BOCM. The BOCM recommendations are strategically grouped into 4 main categories namely Protection, Analysis, Education, and Prevention.

Included in Appendix B are staff comments related to each item. These comments are also intended to provide the context as to the current role of the City of Burlington Animal Services in relation to our Coyote Response strategy. In responding to the recommendations, staff acknowledge the desire by BOCM to continue to work through the various proposals with staff. In so doing, it is important to acknowledge individual recommendations may require further consideration with respect to future Animal Services’ resourcing needs, City-wide by-law implications including zoning, and provincial/municipal legislative authority, etc. Staff appreciate the approach taken by BOCM to work collaboratively with both Oakville and Burlington over the balance of 2022 and beyond.

The BOCM document provides 11 recommendations which the association has put forward for further review and consideration to both Oakville and Burlington on the basis they would have a significant and beneficial impact on coyote management in the two communities. They are as follows:

- Conduct an impact analysis by neighbourhoods to identify various controls that should be implemented to safeguard residents, children and pets from coyote attacks.
- Improve both the quantity and quality of signage relating to coyotes, and ensure it offers meaningful information on what to do in the event of sightings.
- Current municipal by-laws should be amended to permit the laying of charges and assessment of fines for persons who feed coyotes.
- Provide appropriate coyote management education in schools and parks that border creeks.
- Change municipal by-laws to permit residents to increase fence heights in order to deter coyotes from entering residents' properties.
- Permit residents' whose properties back onto wooded areas to place an awning structure at the top of their fence to prevent coyote jumps.
- Request more frequent and nightly by-law officer visits to wooded areas known to have coyote dens.
- Scientifically measure the size of the coyote population in West Oakville, Bronte and Burlington
- Institute a program of coyote contraception to limit the size of the coyote population.
- Initiate a program of aggressive hazing to instill fear in coyotes.
- Institute a program of regular pesticide spraying of rats and other vermin consumed by coyotes in our trail areas and known den areas.

Further to the staff response provided in Appendix B, this report includes a recommendation related to moving forward with implementation and further review where required of the BOCM recommendations.

Options Considered

Maintain the status quo – management recognizes this is not a viable option. The traumatic physical attacks have changed the dynamics of coyote-human co-existence. While the City's approved protocols addressed how unprovoked and provoked physical attacks would be handled, the reality the City has experienced demonstrates the need for further proactive response tactics.

Financial Matters:

The expenditures and funding requirements for the City's initial incident response and future resources and actions to provide support in the areas of Animal Services and Corporate Communications & Engagement are detailed below.

Total Financial Impact

Initial Incident Response

The City has incurred \$22,850 in expenditures to date to support the initial incident response. These expenditures are within management levels of authority. The details are included below.

- *Animal Services*: Total = \$17,325
 - Engagement of Certified Wildlife Professional = \$2,850
 - Retention of Certified Wildlife Professional for balance of 2022 = \$7,125
 - Location and tracking of coyotes - Animal Services overtime costs = \$1,250
 - Whistle Distribution Program (whistles) = \$6,100

- *Communications*: Total = \$5,525
 - Printed Resource Material = \$1,225
 - Temporary signage = \$1,000
 - Staff hours including over time = \$3,300

Future Resources and Actions Needed

The approximate total budget required to support the additional tactics and resources is \$576,900. The preliminary details are as follows:

- *Animal Services* = Total \$520,650
 - Retention of Certified Wildlife Professional (CWP)
 - Annualized Cost = \$14,250
 - New Coyote Action and Awareness Pilot Program including salaries, vehicle and operating costs for 2 years
 - \$506,400

- *Communications* = Total \$56,250
 - Print/On-line/Visual and Social media blasts (paid) = \$16,050
 - Printed Resource Material and Distribution = \$23,000
 - Road Signs = \$1,200
 - Bus Advertising = \$16,000

As indicated in the recommendation, the City Manager and Chief Financial Officer will include, for consideration in the 2023 Proposed Budget, the above noted costs for

resources to fully address the service delivery requirements including an enhanced coyote action and awareness program.

Source of Funding

As indicated in the recommendations, the Chief Financial Officer is to report back to City Council directly on September 20, 2022 with options and recommendations for funding the two-year pilot Coyote Action and Awareness program and the other on-going costs.

Other Resource Impacts

With the implementation of the new pilot Coyote Action and Awareness program and the enhanced communications campaign, it is expected other support services will be engaged to provide either one-time or on-going support. As the details of the programs emerge, the extent of the impact on these support services will be made clear. Management will be assessing any requests for additional resources as the need arises.

Climate Implications

Changing climate and its impact on weather and weather patterns plays a role in the urbanization of coyotes. According to Dr. Murray,

“... the rapid rise in the coyote's range and urban population is due to the intersection of many different ecological issues. Climate change plays a part. Coyotes do better when there's less snow, and so have been able to expand their range northwards.”³

Engagement Matters:

In its initial response to the coyote physical attacks, the City connected with:

- Halton Region Public Health to ensure shareable information about coyote attacks was being exchanged with the City to enable the City to track the number of attacks,
- Joseph Brant Hospital had the necessary information to encourage victims of coyote attacks to report their attacks to the City, and
- Halton Regional Police Services to seek their assistance in the locating and eliminating the suspect coyote.

³ <https://www.cbc.ca/radio/quirks/coyotes-doing-well-in-the-city>

The City Manager has had preliminary discussions with:

- BOCM and, as indicated, the City has proposed a further discussion between City of Burlington, Town of Oakville and BOCM.
 - Town of Oakville regarding the opportunities to work together in a number of areas related to coyote response.
-

Conclusion:

Coyotes have existed in the City of Burlington for decades and recently an increase in sightings and aggressive behaviour including physical attacks on residents has brought about the urgent need to closely examine and enhance our coyote response strategy. Our ability to co-exist with these wild animals is, in part, due to our understanding of their behaviour, how to maintain their fear of humans, our understanding of our behaviour, and how to reduce attractants such as food sources. The recent traumatic physical attacks have changed the dynamics of coyote-human co-existence. While the City's approved protocols addressed how unprovoked and provoked physical attacks are to be handled, the reality the City has experienced demonstrates the need for further proactive response tactics.

Respectfully submitted,

Tim Commisso
City Manager

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Appendices:

- A. CM-26-22 Appendix A - Coyote Response Strategy Escalation Protocols
- B. CM-26-22 Appendix B – City of Burlington Coyote Response Update Including Response to Recent Attacks
- C. CM-26-22 Appendix C - Burlington & Oakville Coyote Management Group Report (February 22, 2022)

Notifications:

Stephen White via personal email

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.

Appendix “A” of PB-90-15

Coyote Response Strategy

Coyote Behavior	Classification	Response
Coyote heard; scat or prints seen	Observation	Distribute educational material and information on normal coyote behavior.
Coyote seen moving through area (day or night)	Sighting	Distribute educational material and information on normal coyote behavior.
Coyote seen resting in area (day or night)	Sighting	If area frequented by people, educate on normal coyote behavior and how to haze to encourage animal to leave. Look for and eliminate attractants.
Coyote entering a yard (no person present outside)	Sighting	Educate on coyote attractants; provide hazing information and yard audit.*
Coyote following or approaching a person with no incident	Encounter	Educate on hazing techniques. Look for and eliminate attractants.
Coyote following or approaching a person and pet with no incident	Encounter	Educate on hazing techniques and pet management. In an open area, post educational signs to alert other residents to keep dogs on leash and to haze coyotes. If it is pup season and there is a known den nearby, consider blocking off the path or area until pup season is over.
Coyote entering a yard with pets, no incident	Encounter	Educate on coyote attractants and pet management, provide hazing information and yard audit.
Coyote entering a yard with people and pets, no pet attack occurring	Encounter	Gather information on specific animals involved and report circumstances. Educate on coyote attractants and pet management, provide hazing information and yard audit.
Coyote injures or kills unattended pet in back yard	Unattended Pet Attack	Gather information on specific animals involved and report circumstances. Educate on coyote attractants and pet management, provide hazing information and yard audit. If multiple incidents have occurred in the same vicinity within a short amount of time, lethal removal may be recommended.
Coyote injures or kills pet off-leash in open space area	Unattended Pet Attack	Gather information on specific animals involved and report circumstances. Educate on pet management and hazing. Look for and eliminate food attractants. Post educational signs in open area to alert other residents to keep dogs on leash and to haze coyotes. If it is pup season and there is a known den nearby, consider blocking off the path or area until pup season is over. Develop hazing team in area. Levy fines (for leash law violations) when appropriate.
Coyote injures or kills livestock	Livestock Loss/Depredation	Gather information on specific animals involved and report circumstances. Educate on proper livestock husbandry (including the use of secure enclosures, livestock guarding animals, and/or proper fencing).

Appendix "A" of PB-90-15

Coyote Behavior	Classification	Response
Coyote injures or kills pet off-leash with human nearby (within six feet)	Attended Pet Attack	Gather information on specific animals involved and report circumstances. Educate on pet management, coyote attractants and hazing. Perform yard/ neighborhood/public area audit. Post educational signs and/or send educational materials to residents in the area. Implement high intensity hazing techniques (by Animal Control Officers, police, trained volunteer groups etc.). If multiple incidents have occurred in the same vicinity within a short amount of time, lethal removal may be recommended.
Coyote aggressive toward person, showing teeth, back fur raised, lunging, nipping without contact	Incident	Gather information about incident and report circumstances. Educate on pet management, coyote attractants and hazing. Perform yard/neighborhood/ public area audit. Post educational signs and/or send educational materials to residents in the area. Implement high-intensity hazing techniques (Animal Control Officers, police, trained volunteer groups etc.) If multiple incidents have occurred in the same vicinity within a short amount of time, lethal removal may be recommended.
Coyote has bitten human (An attack where the involved human does not encourage the coyote to engage)	Unprovoked Human Attack	Identify and gather information on all details of attack (including action of victim before and after attack, were involved, action of victim towards coyote and how incident was resolved). Any human bitten by a coyote(s) will need to seek the advice of their physician concerning the administration of a post exposure rabies vaccination. Animal Control Staff will notify the City Manager, Halton Regional Police Services and the Ministry of Natural Resources and Forestry (MNRF). City staff will work with MNRF to locate and eliminate the responsible coyote (be tested for rabies, and also be given a full necropsy to determine general health and whether feeding was involved). Educate residents on coyote attractants, yard/neighborhood audits, hazing and pet management. Implement high-intensity hazing techniques (Animal Control Officers, police, trained volunteer groups etc.).
Coyote has bitten human (Human encouraged coyote to engage by hand feeding, approaching coyote with pups, intervening during pet attack, etc.)	Provoked Human Attack	Identify and gather information on all details of attack (including action of victim before and after attack, whether feeding or pets were involved, action of victim towards coyote and how incident was resolved). Any human bitten by a coyote(s) will need to seek the advice of their physician concerning the administration of a post exposure rabies vaccination. Animal Control Staff will notify the City Manager, Halton Regional Police Services and the Ministry of Natural Resources and Forestry (MNRF). City staff will work with MNRF to locate and eliminate the responsible coyote (be tested for rabies, and also be given a full necropsy to determine general health and whether feeding was involved). Educate residents on coyote attractants, yard/neighborhood audits, hazing and pet management. Levy fines (for wildlife feeding or leash law violations) when appropriate. Implement high-intensity hazing techniques (Animal Control Officers, police, trained volunteer groups etc.)

City of Burlington Coyote Management Update Including Response to Recent Attacks

Summary of Burlington Oakville Coyote Management Recommendations and Staff Response and Next Steps (BOCM Report dated Feb 2022)

BOCM Report Recommendations	BOCM Category	City Staff Position/Recommendations and Comments	Proposed City Next Steps/ Requirements
<p>1. Conduct an impact analysis by neighbourhoods to identify various controls that should be implemented to safeguard residents, children and pets from coyote attacks.</p>	<p>ANALYSIS</p>	<p>Agree - The depth and breadth of the impact analysis will need to be stipulated. A population and impact analysis would be beneficial and should be undertaken jointly by Burlington and Oakville with costs shared equally. City does not have internal capacity to complete this work which would require specialized urban wildlife data collection and analysis expertise. Assumption being there are qualified external agencies including potentially post-secondary research programs, that could complete this work. For example, the work of Dr. Brent Patterson, research scientist with the Ontario Ministry of Natural Resource and Forestry’s (MNRF) Wildlife Research & Monitoring Section, in studying the demographics, movement and behavior of Eastern Coyotes (<i>Canis latrans</i>) in an urban landscape.</p>	<p>Animal Services to work with Executive Director CPRM to review scope and determine next steps for completion of impact analysis by Q4 2022.</p> <p>City Manager to confirm joint participation and co-funding by Town of Oakville by Q3 2022</p> <p>Estimated costing of the impact analysis to be confirmed.</p>
<p>2. Improve both the quantity and quality of signage relating to coyotes, and ensure it offers meaningful information on what to do in the event of sightings.</p>	<p>EDUCATION</p>	<p>Agree - Based on the digital images provided, appears coyote signage is inconsistent throughout the City of Burlington. Recently, additional signage designed and manufactured internally by the City has been installed including a specific focus on building awareness of aggressive behaviour and attacks. The inclusion of Coyote deterrence information should be reviewed for all future signage (or replacement of current signage). Future</p>	<p>Animal Services to work with Director of Corporate Communications & engagement and Director of Roads, Parks & Forestry to develop enhanced Coyote signage program and implement by Q2 2023</p> <p>Additional budget cost for enhanced coyote signage program to be</p>

CM-26-22 City of Burlington Coyote Management Update Including Response to Recent Attacks

Summary of Burlington Oakville Coyote Management Recommendations and Staff Response and Next Steps (BOCM Report dated Feb 2022)

BOCM Report Recommendations	BOCM Category	City Staff Position/Recommendations and Comments	Proposed City Next Steps/ Requirements
		<p>budget requirement for enhanced signage will have to be assessed recognizing the City has internal expertise related to signage design, preparation and installation. Other external signage options including billboards and mobile signs to also be considered as suggested by BOCM.</p>	<p>included in considerations for 2023 Proposed Budget in Q1 2023</p>
<p>3. Current municipal by-laws should be amended to permit the laying of charges and assessment of fines for persons who feed coyotes.</p>	<p>PROTECTION</p>	<p>Further Review Required - Municipalities have limited ability to increase set fines for enforcement taken under Part I of POA (issuing a ticket), which are approved by the office of the Senior Regional Justice. The current set fine for feeding wildlife is set at \$150.00.</p> <p>Penalty where enforcement proceeds under Part III of POA (laying of information) as currently included in the Animal Control By-law is currently set at maximum of \$5000. The maximum provided under this section can be increased by way of a by-law amendment, but the fine given will ultimately be determined by the jurist presiding over the matter in Court.</p> <p>The transition of the Animal Control By-law into the municipal Administrative Monetary Penalty System being developed by the Building and By-law Department will give the City greater flexibility respecting penalties and enforcement</p>	

CM-26-22 City of Burlington Coyote Management Update Including Response to Recent Attacks

Summary of Burlington Oakville Coyote Management Recommendations and Staff Response and Next Steps (BOCM Report dated Feb 2022)

BOCM Report Recommendations	BOCM Category	City Staff Position/Recommendations and Comments	Proposed City Next Steps/ Requirements
		<p>relating to contraventions relating to feeding wildlife.</p> <p>A municipal benchmarking will be conducted in Q4 2022 assess if the City should seek approval to increase the set fine relating to feeding wildlife for Part I offences and/or amend the maximum penalty for Part III offences in the Animal Control By-law.</p>	
<p>4. Provide appropriate coyote management education and communication in schools and parks that border creeks.</p>	<p>EDUCATION</p>	<p>Agree - This recommendation is fully supported and aligns directly with a great opportunity for the Animal Services to introduce a new Coyote Action and Awareness Program Pilot. The program would be multifaceted and include design and delivery of coyote educational presentations at schools and/or provide educational pamphlets to bring awareness to the issue (ideally utilizing the Animal Services officers for this direct community engagement). Our presence at the schools and in the community also provide a sense of security to the public that we are actively monitoring and addressing the situation. Amplified education outreach to targeted audiences will raise awareness in how to address/interact with contentious domesticated animals and wildlife. This targeted outreach will focus on schools yet will be directed to the educators as they are the parties</p>	<p>Recommend the Director of Building and By-law proceed immediately with the establishment of a Coyote Action and Awareness program specifically directed at coyote response.</p> <p>The Coyote Action and Awareness program project would be facilitated by the addition of 2 contract staff for a period of 2 years to ensure the program has the ability to capture two full cycles of coyote denning.</p> <p>Proposed costs to be confirmed for inclusion in 2023 Budget with program to commence in Q4 2022</p>

CM-26-22 City of Burlington Coyote Management Update Including Response to Recent Attacks

Summary of Burlington Oakville Coyote Management Recommendations and Staff Response and Next Steps (BOCM Report dated Feb 2022)

BOCM Report Recommendations	BOCM Category	City Staff Position/Recommendations and Comments	Proposed City Next Steps/ Requirements
		responsible for students. Additional outreach will be targeted at retail pet stores to ensure that residents know how to address wildlife if they cross paths with them in our communities.	
<p>5. Change municipal by-laws to permit residents to increase fence heights in order to deter coyotes from entering residents’ properties.</p>	<p>PROTECTION</p>	<p>Further Review Required - Providing blanket exemptions for fences along specific locations or “hot spots” could result in entire backyards appearing to be fortified. A review from the Community Planning Department – Zoning Section would need to be conducted to confirm if a 1m (3.3ft) increase would be a) permitted and b) appropriate in this circumstance as a deterrent. The Executive Director of CPRM will review further with the Community Planning Department and report back with options and recommendations to Council in Q1 2023.</p> <p>Note: Currently the Province recommends 2m height fences with a 20cm extension below grade (in some form i.e. wire mesh) as deterrent for Coyotes.</p>	
<p>6. Permit residents’ whose properties back onto wooded areas to place an awning structure at the</p>	<p>PROTECTION</p>	<p>Further Review Required - Same comment as above. Consult with Community Planning Department – Zoning Section. The Executive Director of CPRM will review further with the Community Planning Department and report</p>	

CM-26-22 City of Burlington Coyote Management Update Including Response to Recent Attacks

Summary of Burlington Oakville Coyote Management Recommendations and Staff Response and Next Steps (BOCM Report dated Feb 2022)

BOCM Report Recommendations	BOCM Category	City Staff Position/Recommendations and Comments	Proposed City Next Steps/ Requirements
<p>top of their fence to prevent coyote jumps.</p>		<p>back with options and recommendations to Council in Q1 2023.</p> <p>Note: The Province recommends a “roller system” at the top of the fence to deter coyotes from jumping over.</p>	
<p>7. Request more frequent and nightly bylaw officer visits to wooded areas known to have coyote dens.</p>	<p>PROTECTION</p>	<p>Agree - Requests for increased service and patrols are determined by current volume of calls, service levels and staffing capacities. Any specific project or special area of concern can always be addressed with proper planning, implementation and contemplating any impact on operational demands.</p> <p>The addition of a Coyote Action and Awareness pilot program is an opportunity to address these prevalent community issues. Overall, the need exists for additional resources to provide extended Animal Control Officer service coverage given current staff complement of only four (4) officers provide direct customer facing services. Coverage is very limited in evenings and on weekends. As part of the creation of the new standalone By-Law Compliance Department, an enhanced service model will be considered with options and recommendation presented to Council in conjunction with the 2023 Proposed Budget.</p>	<p>To be completed related to recommended future service delivery model for Animal Service in 2023</p>

CM-26-22 City of Burlington Coyote Management Update Including Response to Recent Attacks

Summary of Burlington Oakville Coyote Management Recommendations and Staff Response and Next Steps (BOCM Report dated Feb 2022)

BOCM Report Recommendations	BOCM Category	City Staff Position/Recommendations and Comments	Proposed City Next Steps/ Requirements
<p>8. Scientifically measure the size of the coyote population in West Oakville, Bronte and Burlington</p>	<p>ANALYSIS</p>	<p>Further Review Required - Specific direction and understanding of the scope of this recommendation is required. Is the intent to tag and identify all coyotes within the noted areas?</p>	
<p>9. Institute a program of coyote contraception to limit the size of the coyote population.</p>	<p>PROTECTION</p>	<p>Further Review Required – Consideration of this item would require further discussion with the Ministry of Natural Resources and Forestry as wildlife is protected under Provincial legislation.</p>	
<p>10. Initiate a program of aggressive hazing to instill fear in coyotes.</p>	<p>EDUCATION</p>	<p>Agree - Similar to response to recommendation 4. An amplified and safe hazing awareness program could be an advantageous opportunity for the City of Burlington and the proposed Coyote Action and Awareness pilot Program to engage the community and provide educational sessions. These sessions would provide citizens with the tools and proper techniques to properly haze coyotes and officers would be present to engage in Q&A with the community.</p>	<p>Recommend the Director of Building and By-law proceed immediately with the establishment of a Coyote Action and Awareness pilot program specifically directed at coyote management.</p> <p>The Coyote Action and Awareness pilot project would be facilitated by the additional of 2 contract staff for a period of 2 years to ensure the program has the ability to capture two full cycles of coyote denning. Proposed costs to be confirmed for inclusion in 2023 Budget with program to commence in Q4 2022.</p>

CM-26-22 City of Burlington Coyote Management Update Including Response to Recent Attacks

Summary of Burlington Oakville Coyote Management Recommendations and Staff Response and Next Steps (BOCM Report dated Feb 2022)

BOCM Report Recommendations	BOCM Category	City Staff Position/Recommendations and Comments	Proposed City Next Steps/ Requirements
<p>11. Institute a program of regular pesticide spraying of rats and other vermin consumed by Coyotes in our trail areas and known den areas.</p>	<p>PREVENTION</p>	<p>Further Review Required - Use of pesticides are regulated through Provincial legislation and discussion related to use of pesticides for controlling Coyote food source will require further discussion with Province.</p>	<p>Ensuring all available food sources are removed, or properly stored is another effective measure. City employees (Coyote Action and Awareness pilot Program, Building Inspectors, By-law Officers, Roads/Parks Staff) would engage local problem “hot spots” to assess current issues (garbage left unattended, poorly maintained properties, construction sites, bird feeders, feeding of wildlife, local parking lots where garbage cans are not properly maintained, etc.) and provide an education campaign to bring better awareness to the issues and/or enforcement to address the matters if not rectified.</p>

SUMMARY OF RECOMMENDATIONS

**PRESENTATION TO BURLINGTON & OAKVILLE COUNCILS ON THE
ADOPTION OF
STRICTER AND AVERSIVE COYOTE MANAGEMENT PRACTICES**

BURLINGTON & OAKVILLE COYOTE MANAGEMENT



February 2022

SUMMARY OF RECOMMENDATIONS
BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

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SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

EXECUTIVE SUMMARY

The recommendations contained in this report reflect the research and perspective of the Burlington and Oakville Coyote Management association (“BOCM”). BOCM is a voluntary organization comprised of citizens in both Oakville and Burlington that was formed earlier in the year to address a perceived lack of leadership on the issue of coyote management and resident alarm over the dramatic increase in sightings and attacks over the last two years.

BOCM maintains that measures introduced since 2015 have been largely ineffective. An inordinate emphasis has been placed upon citizens to manage this problem as evidenced by countless appeals to restrict feeding of wildlife. We also contend that too much attention has been given to special interest groups in the formulation of public policies relating to coyote management. We believe the dynamic needs to shift dramatically, and that increased emphasis must be given to the protection of children, seniors and pets.

This report details a set of recommendations in several areas. Some of these proposals are quite new, and have been utilized in other jurisdictions across Canada and the United States. While a detailed costing of proposals has not been undertaken, we suggest that what is proposed will not unduly strain municipal budgets or result in substantial outlays of public funds.

It is estimated that there is at least six sightings per week and about 300 annually in both Oakville and Burlington. BOCM has tracked as many as eight pet deaths in the past two years, but anecdotal information leads us to believe the number is considerably higher. Many of these deaths occurred in the pet owners’ backyards. There have been so many postings of missing cats, and there is a strong likelihood that most of these have been killed by coyotes. Many homeowners have had their dogs attacked while walking on the street. Locally, a young girl was bitten in Bronte a few years ago.

Within our vicinity, the City of Mississauga reported 1,232 coyote sightings in 2020, a 56% increase from 788 in 2019. On July 18th, 2021 a woman was viciously attacked by a coyote. It bit her legs causing her to fall and break bones. She was hospitalized as a result of her injuries:

https://www.insidehalton.com/news-story/10440638--it-wouldn-t-go-away-mississauga-family-reeling-after-nightmare-coyote-run-in/?s=n1?source=newsletter&utm_content=a01&utm_source=ml_nl&utm_medium=e

SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

[mail&utm_email=730A99D1DABC18C937F4B9CE017CEFAF&utm_campaign=ihhp_103190](mailto:730A99D1DABC18C937F4B9CE017CEFAF&utm_campaign=ihhp_103190)

Mississauga has proposed a tripling of fines from \$100 to \$300 for those caught allegedly feeding wildlife. The City is now considering trapping and removing coyotes if they are aggressive or in case where they bite humans. Mississauga has also taken the proactive approach to installing large billboards along Highway 403 with a photograph of a coyote and the caption “Please do not feed me, let me be wild”.

The last two years has seen an alarming increase in the number of coyote sightings across Canada. For instance, in Toronto, the number of coyote sightings in 2019 1,261 compared to 1,777 in 2020. As of the end of July in 2021 there had already been 1,389 (See Toronto Star, August 2, 2021, article by Emma Teitel, page A3).

On November 21, 2021, two people were bitten by coyotes in North York. On November 22, 2021 Toronto Police shot a coyote before further injuries could be inflicted on residents.

See: <https://toronto.citynews.ca/2021/11/21/police-warn-of-aggressive-coyote-attacking-citizens-in-north-york-park> and <https://www.cbc.ca/news/canada/toronto/coyote-shot-1.6258119>

Additionally, in July, 2021 a 10-year old Scarborough girl was chased by a coyote while walking her dog who was attacked. In Oshawa, also in July 2021, a 6-year old girl was bitten by a coyote.

In Vancouver, there have been a number of attacks upon children in places such as Stanley Park. There has been at least one serious attack earlier in the year involving a cyclist in Milton. Clearly, coyotes are no longer afraid of humans, and their increasing numbers coupled with urban intensification means that opportunities for interaction have increased dramatically.

This report provides eleven different recommendations which, we believe, would have a significant and beneficial impact on this issue. The recommendations range from changes to fence by-laws through to aversive conditioning, better signage, heavier fines for feeding of wildlife, and increased patrols in “hot spot” neighbourhoods by by-law enforcement.

SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

The ideas detailed in this report are, we believe, a starting point for further discussions with civic officials. BOCM is willing to meet with elected and civic officials to discuss our concerns and proposals to address this problem in greater detail.

BACKGROUND

The issue of coyote management has become a significant problem throughout Halton Region in the past ten years. As urban development intensifies and previously undeveloped lands are re-zoned and developed for residential or commercial purposes wildlife habitats are being eradicated. Consequently, many animals are moving south towards the lake along established creeks and tributaries in search of shelter and food. This migration has meant that coyotes and humans are in closer contact.

Prior to 2012 coyote sightings in both Oakville and Burlington were infrequent. Since then, the number of encounters with wildlife has steadily increased. More recently, these interactions have resulted in vicious attacks on pets and, in a few cases, upon residents.

For instance, in February 2015, a public meeting held at Tansley Woods Community Centre by then Ward 4 Councillor Jack Dennison attracted barely twenty-five residents. By contrast, a similar Town Hall meeting in June 2017 at Mainway Arena attracted over 200 people. A March 2021 teleconference organized by Oakville Councillor Sean O’Meara and Burlington Councillor Paul Sharman attracted well over one hundred citizens. In February 2021, an online petition issued by residents addressed to Mayors Burton and Meed Ward on our coyote issues garnered almost 800 signatures.

The previous responses by Burlington and Oakville officials to citizen concerns and sightings has focused on three elements:

- (a) Recording sightings and interactions with coyotes on the Town of Oakville and the City of Burlington’s respective online databases;
- (b) Imploring citizens to refrain from feeding wildlife;
- (c) Encouraging citizens to actively haze coyotes and wildlife in an effort to deter them from neighbourhoods.
- (d) Asking residents to not leave garbage out.

SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

It is BOCM’s contention that these measures have been an abysmal failure, and have significantly failed to limit interactions with wildlife, and most importantly, to protect citizens and their pets. It is BOCM’s contention that much more proactive, varied and aggressive measures are needed.

MAGNITUDE OF THE ISSUE

A review of sightings listed on the City of Burlington and Town of Oakville websites would infer that coyote sightings and interactions have either plateaued or waned. This data stands in sharp contrast to the experiences of many of our members who report that coyote sightings and interactions have steadily increased.

Our suspicion is that many residents who have seen or interacted with coyotes don’t bother using the online reporting tools. We maintain there are two reasons for this:

- (a) Neither the Town of Oakville nor the City of Burlington have demonstrated the requisite willingness to personally investigate these incidents;
- (b) There is a strong suspicion reinforced by residents’ personal experiences that reporting will not yield anything in the way of a definitive response by civic officials.

CREATION OF BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

In response to growing dissatisfaction with the proliferation of coyote sightings and attacks on pets a group called Burlington & Oakville Coyote Management (“BOCM”) was created in April 2021. BOCM’s mandate is to *“Promote strong, definitive and effective measures to ensure residents, children and pets are safe and protected at all times”*.

The following is an excerpt from BOCM’s June 22nd Press Release announcing the creation of this organization:

This association was created following a successful online petition through Change.org earlier in the year that garnered almost 800 signatures. Over 200 residents attended a subsequent online meeting in early March with officials from both Oakville and Burlington. Unfortunately, many in attendance came away from that meeting feeling frustrated and upset at the lack of a coordinated response from the

SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

government and repeated platitudes from Coyote Watch Canada to what has become an escalating problem in recent years. In the past, numerous residents have appealed to the government on an individual basis resulting in a continued lack of response. This is the first time an official association has been formed to take on this important issue.”

The following outlines the key principles of BOCM:

- **Safety is Paramount** - We believe the safety, security and well-being of our residents takes precedence over the rights of wildlife.
- **Public Education** - We are committed to educating the public on the dangers presented when wildlife encroaches on residential areas.
- **Strong and Definitive Measures Are Needed** – We believe our public officials have, in the past, abrogated their responsibilities on the issue of wildlife control. We believe municipal officials must take decisive and necessary action to control animals that pose a significant risk to the health and safety of residents and their pets.
- **Municipal Action is Necessary** – We strongly reject the false narrative that the onus is upon ordinary citizens to deal with threats posed by wildlife.
- **Public Interaction** – We will work directly with different government departments and officials to support, promote and encourage and promote measures to enhance public safety.
- **Control measures** – We will support all reasonable measures to control wildlife including hazing, restrictions on feeding, elimination of garbage, investigation of public complaints including coyote hotspots, and additional enforcement measures.

BOCM’s organizing committee has created a Facebook Group called ‘Burlington Oakville Coyote Management’ which residents and interested persons are encouraged to join. To date, approximately 25 people have joined this association.

SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

RESEARCH

Since its inception representatives of BOCM have spoken with various stakeholders across the province to identify the concerns and interests of those with a vested interest in this issue. Through our Facebook contacts we have spoken with heads of organizations in Collingwood and Ottawa to identify measures that have been undertaken in recent years to address the issue of coyote infestation.

BOCM maintains that organizations such as Coyote Watch have propagated several untruths that need to be de-bunked.

The first is that coyotes are an endangered species. This narrative fails to recognize that no one has conducted a count of the coyote population. There is no research or studies to confirm the size of the coyote population in this area. To describe a species at risk without being able to provide a reasonable estimate of the number in that species population is not only fallacious but misleading.

Second, the message spread through social media is that coyotes are docile, shy and reserved. This stands in stark contrast to several vicious and unprovoked attacks in the past year in Ottawa, Scarborough and Thornhill in which residents and their animals have been savagely attacked.

Third, the existence of coy wolves is refuted by organizations such as Coyote Watch who maintain that coyotes are comparatively small and weight less than forty pounds. Many sightings by residents and those who have been attacked would indicate that the coyotes are much larger in size than a typical coyote.

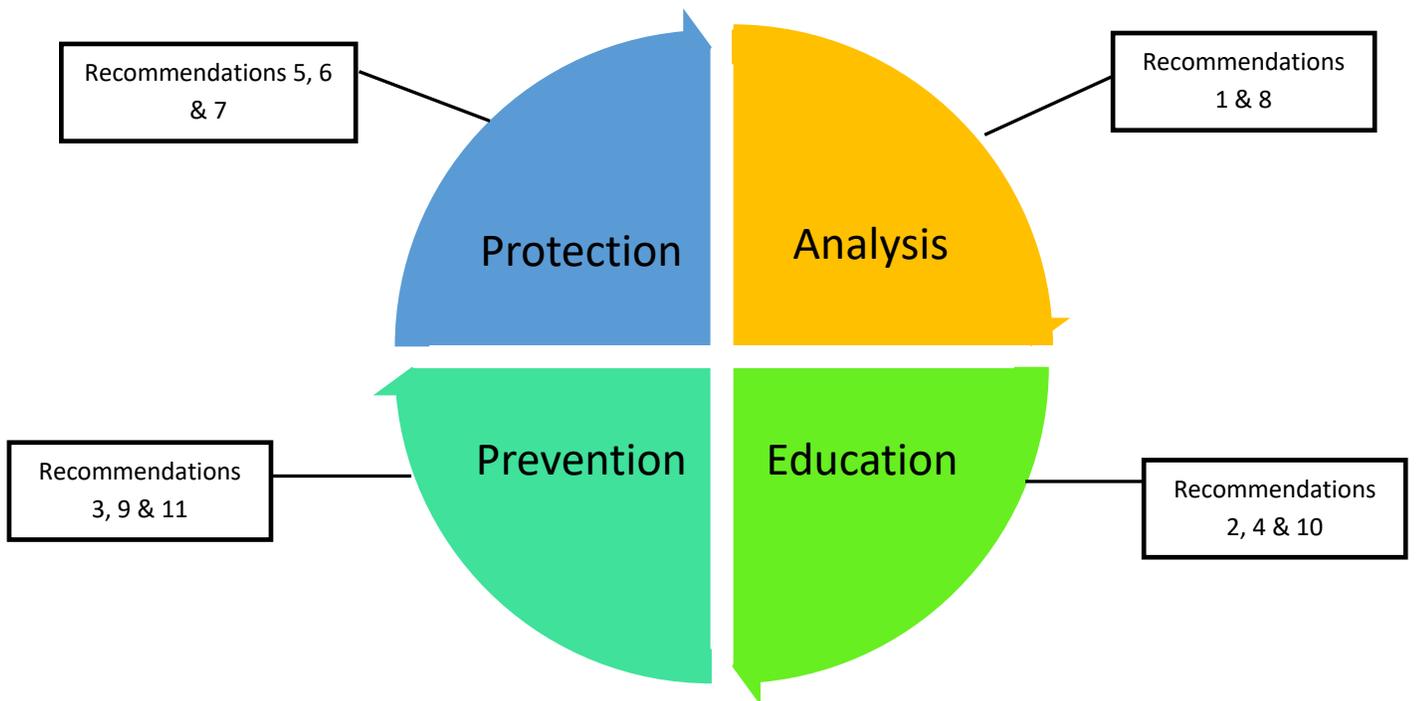
BOCM maintains that for too long Burlington and Oakville Councils have been overly dependent on the messaging advanced by organizations such as Coyote Watch. Coyote Watch is predominantly a Niagara Region based advocacy group whose real agenda is neither research nor safeguarding the public, but rather, environmental advocacy. Unlike BOCM which is comprised entirely of local taxpayers and residents whose predominant concern is public safety Coyote Watch is intent on perpetuating an outdated narrative that is both dangerous and jeopardizes the health of residents and their pets. Unlike Coyote Watch which is funded by public donations BOCM is entirely self-funded by our members. We would also like to take this opportunity to remind Councils that Coyote Watch is now three years in arrears for its Canada Revenue Agency regulatory filings:

SUMMARY OF RECOMMENDATIONS
BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

https://www.ic.gc.ca/app/scr/cc/CorporationsCanada/fdrlCrpDtIs.html?corpId=8886156&V_TOKEN=null&crpNm=Coyote%20Watch&crpNmbr=&bsNmbr=

LIST OF RECOMMENDATIONS

BOCM’s Executive Committee has formulated a number of recommendations which, we believe, are crucial to improving residents’ personal safety and security. These proposals are detailed below.



BOCM’s recommendations can be visualized as a pinwheel of proposals which are intended to address the issue of coyote management with a fully comprehensive strategy.

SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

1. Conduct an impact analysis by neighbourhoods to identify various controls that should be implemented to safeguard residents, children and pets from coyote attacks.

BOCM has identified several “hot spot” neighbourhoods in both Oakville and Burlington which have shown an unusually high number of coyote sightings and incidents. These neighbourhoods are as follows:

- Samuel Curtis Estates in West Oakville;
- Wilmot Creek Park in West Oakville/East Burlington;
- Lakeshore Woods in West Oakville;
- Sheldon Creek Trail system bordering Samuel Curtis Estates & Lakeshore Woods in West Oakville;
- Shell Park in West Oakville;
- South Shel Park & Beach Trails in West Oakville;
- Burloak Waterfront Park in West Oakville/East Burlington;
- Mohawk Gardens/St. Patrick’s R.C. School in East Burlington;
- Bromley Park in East Burlington;
- Sherwood Forest Park in East Burlington;
- Pineland Public School in East Burlington;
- Paletta Estates in Burlington;
- Nelson Park in Burlington (including Shoreacres Road);
- John Tuck Public School in Burlington.

Many of these areas are adjacent to woodlots. The proximity of playgrounds to woodlots which is where coyotes den is particularly problematic. Many young children play in these areas, and the potential for interactions between coyotes and young people is extremely high. In all of West Oakville there are no coyote warning signs whatsoever.

2. Improve both the quantity and quality of signage relating to coyotes, and ensure it offers meaningful information on what to do in the event of sightings.

There are absolutely no coyote warning signs in Bronte and West Oakville, and the level of coyote signage currently in use in Burlington is vague and offers little in the way of useful information. BOCM believes that much more comprehensive and detailed signage is required that includes the following:

- Warning signs on the prevalence of coyotes;
- Encourage park visitors to call 911 in cases of emergencies or attacks;
- Clear prohibitions aimed at discouraging the feeding wildlife;

SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

- Specific directions on what to do if a coyote stalks someone;
- Advice on how to properly haze coyotes.

Suffice to say that a picture of a coyote may provide a warning but it offers no viable information as to what to do when one is sighted or attacks. Oakville/Burlington need to follow the lead of Mississauga and install billboards, or at the least temporary mobile signs warning people of coyotes in hotspots and what to do.

Appendix A includes a cross-section of different pictures taken recently throughout Oakville and Burlington that clearly demonstrates either the lack of proper signage or a lack of relevant information.

3. Current municipal by-laws should be amended to permit the laying of charges and assessment of fines for persons who feed coyotes.

Current direction from civic officials places an onus upon residents not to feed wildlife. Unfortunately, this advice is not reinforced with appropriate fines that act as a significant deterrent.

It is our understanding that the City of Burlington By-Law 083-2015 enacted September 28th,2015 provides for a fine of \$100 for any resident found feeding wildlife. In the case of the Town of Oakville we examined By-Law 2018-006 and were unable to find any fine for feeding wildlife. The fine in the City of Toronto is \$365.

<https://www.thestar.com/news/gta/2022/01/14/toronto-wants-people-to-stop-feeding-coyotes.html>

BOCM maintains that a \$500 fine should be imposed upon any resident or person who is identified feeding wildlife. We believe that a similar fine should be assessed in cases where residents carelessly discard food waste and scraps that become a food source for coyotes, raccoons, etc.

4. Provide appropriate coyote management education in schools and parks that border creeks.

We believe that more prescriptive and defined education messages should be used to communicate the potential threat caused by coyotes. We believe that By-Law Officers should be routinely tasked with visiting schools in “hot spot”

SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

neighbourhoods to educate teachers, students and administrators about the threats posed by coyotes.

As coyotes are no longer afraid of us hazing must be taught to residents and children. Furthermore, flyers must be sent to every household in high density coyote areas instructing what to do, how to haze, and what to carry as a deterrent.

5. Change municipal by-laws to permit residents to increase fence heights in order to deter coyotes from entering residents’ properties.

Our review indicates that in the City of Burlington the maximum fence height is 2 metres. In the case of the Town of Oakville there is a similar provision, although in certain circumstances it can extend to 2.2 metres.

BOCM believes the current height restriction on fences is inadequate to protect residents from coyotes entering the backyards. We have several reports where residents’ pets in fenced backyards have been attacked by coyotes that have scaled wooden and wire fences.

We believe that in cases where properties are adjacent to “hot spot” areas an exception should be made, and that fence heights should be changed to 3 metres. This would provide a strong deterrent to coyotes from entering properties adjacent to parks while providing protection to homeowners whose pets are in enclosed areas.

6. Permit residents’ whose properties back onto wooded areas to place an awning structure at the top of their fence to prevent coyote jumps.

As was noted in point #5 above, coyotes have the ability to scale fences up to nine feet high. We believe residents whose properties are adjacent to “hot spot” locations should have the ability to erect awnings at the top of their fences to prevent coyote jumps.

7. Request more frequent and nightly bylaw officer visits to wooded areas known to have coyote dens.

BOCM maintains that Animal Control By-Law Officers have a low visibility and profile in the community. We believe that greater efforts should be made to provide nightly patrols in “hot spot” areas where coyotes pose a significant hazard and risk. Increased visibility will reinforce public safety and demonstrate concern for the needs of residents. In particular, better training for animal control and bylaw officers on how to be more empathetic and understanding when dealing with distraught pet owners reporting attacks and killing of their pets would be helpful.

SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

As well, it is important to clearly articulate to residents who to contact in the event of an attack, kill or sighting. Residents are currently confused.

Several schools in Oakville and Burlington have woods that are adjacent to known coyote dens. Below are pictures taken at St. Patrick’s Roman Catholic School on Kenwood Drive, and Pineland Public School on Meadowhill Drive. In these photographs you can clearly see that playgrounds and soccer fields are within close proximity to wooded areas and ravines.

8. Scientifically measure the size of the coyote population in West Oakville, Bronte and Burlington.

Much has been made about the fact that the coyote population is threatened by urbanization. While this may be true, at no time has scientific data been adduced to confirm the actual size of the coyote population in this area.

Until the 1800’s coyotes lived only in the southern prairies of North America, and the southern United States to Mexico. By the late 1800’s they expanded west to the Pacific Ocean, and by the 1900s they had advanced to the Maritimes, the eastern seaboard in the United States, and north to Alaska. Their rapid population growth is a testament to their hardiness and adaptability.

BOCM believes that making unsubstantiated claims that a species is at risk without corroborating evidence to substantiate it is both misleading and untrue. The natural predator of coyotes are humans, but if there are controls on hunting and trapping then the species reproduces unimpeded. Empirically, the number of sightings and interactions with coyotes would infer that the coyote population has migrated south towards the Lake Ontario shoreline and along adjacent creeks. This would suggest that a larger number of them are living in a confined area and in closer proximity to residents.

We believe that a scientific count of the coyote population would be helpful in identifying dens and imposing reasonable controls that would restrict the number of negative interactions with residents and their pets. Recently, attempts have been made in the City of Chicago using radio tracking to determine the size of the coyote population. Estimates suggest that the population in that City is somewhere between 2,000 to 4,000 animals.

BOCM believes that similar activities should be undertaken by bylaw officers using radio control technology. Scientific evidence, not assumptions, are needed in order to develop proactive evidence-based solutions to the coyote population.

SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

9. Institute a program of coyote contraception to limit the size of the coyote population.

Once an assessment has been made of the size of the coyote population BOCM believes that measures should be instituted to control the size of this species.

It should be noted that in addition to the obvious threat presented by bites and attacks coyotes are also known carriers of parasites including mange and, in some instances, rabies. Sarcoptic mange is highly contagious to both dogs and humans, and there are cases where it can be passed from human to human. Rabies is a deadly virus that spreads from the saliva of infected animals. Treatment involves a series of painful shots that eliminate the infection.

Wildlife contraception is not new. It has been applied successfully in various jurisdictions in the United States to control wildlife including deer:

<https://www.nytimes.com/2013/07/06/nyregion/providing-birth-control-to-deer-in-an-overrun-village.html>

<http://www.deerfriendly.com/deer-population-control/deer-birth-control-contraception>

<https://vancouver.sun.com/news/local-news/wild-animal-population-contraception>

<https://theconversation.com/grey-squirrels-is-birth-control-the-solution-to-britains-invasive-species-problem-154400>

This type of program is humane, reasonable, and does not pose any direct harm to animals. We believe that both the Town of Oakville and the City of Burlington need to give serious consideration to researching, investigating and implementing these measures.

10. Initiate a program of aggressive hazing to instill fear in coyotes.

The concept of aversive conditioning has been pioneered by Collen Cassady St. Clair at the University of Alberta who has been working with the Edmonton Coyote Urban Project. This program is based on the concept of teaching wild animals to mistrust humans and fear people in order to lessen interactions that may result in adverse close contacts or attacks. Certain areas of that City, particularly playgrounds, are considered “no-go” zones, and coyotes seen in these areas are

SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

aggressively hazed. One approach that is being utilized involves deploying service dogs to find coyotes, then shooting them with chalk balls fired from paintball guns. Residents are also encouraged to haze coyotes by throwing tennis balls at them.

Additional details can be found here:

<https://www.theglobeandmail.com/opinion/article-a-passive-approach-wont-solve-the-issues-with-urban-coyotes/>

Because coyotes are no longer afraid of people, we need to teach residents aversive conditioning, and providing this information both on the website and in flyers distributed to households.

11. Institute a program of regular pesticide spraying of rats and other vermin consumed by Coyotes in our trail areas and known den areas.

If the food sources for coyotes disappears, so will the coyotes. They will move to other more food abundant areas.

This will become increasingly necessary as urban development to the north of Burlington and Oakville proceeds quickly over the next few years. We will need to have plans in place well in advance to control and manage the coyote population. We all know that the coyotes will move south from Milton and Halton Hills to south Oakville and Burlington so they can be close to Lake Ontario where there is an abundance of shoreline and trail system wildlife.

SUMMARY

BOCM maintains that previous coyote management efforts by civic officials have been both inadequate and a substantive public policy failure. Too much onus has been placed on local residents to manage this problem through appeals to refrain from feeding wildlife. While BOCM supports this measure in principle, it is our contention that this measure alone is inadequate. We strongly contend that the time has come for much more proactive control initiatives.

BOCM is not advocating the eradication of coyotes. We recognize that they exist and are in our local environment. However, our contention is that public safety and residents' security trumps any claims of co-habitation. We believe coyotes

SUMMARY OF RECOMMENDATIONS

BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

can and must be controlled, and that our civic administration must adopt a more proactive, definitive and resolute approach to address this problem.

The measures proposed in this paper are, we believe, a starting point in the development of an effective coyote management strategy. While we welcome the opportunity for a dialogue and partnership with civic officials, we also want to reinforce the point that change needs to occur. We would like to propose a joint meeting between BOCM and civic officials from both the Town of Oakville and the City of Burlington prior to the new year to discuss this Report and our proposals, and specifically, how they can be enacted. Please note that from our perspective perpetuation of the current status quo measures has been ineffective, and our organization is not prepared to participate in efforts to “whitewash” what is clearly a significant and worsening urban problem.

SUMMARY OF RECOMMENDATIONS
BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)

APPENDIX A – INADEQUATE SIGNAGE

The following are a collection of photographs taken throughout the Oakville and Burlington areas that highlights the inadequate level of signage in various parks and playgrounds.

Signage is very specific on dogs on leash, no vaping and staying on the trail, but there are limited warnings to residents about the prevalence of coyotes.



FIGURE 1 – SIGN AT ENTRANCE TO SHELDON CREEK TRAIL, THE SITE OF SEVERAL COYOTE ATTACKS. THIS IS A HEAVILY UTILIZED TRAIL AND CHILDREN’S PLAYGROUND IMMEDIATELY NEXT TO TRAIL ENTRANCE. COYOTES KNOWN TO USSE THIS ENTRANCE TO LEAVE THE TRAIL SYSTEM AS THEY MAKE THEIR WAY TO THE LAKE VIA WILMOT ROAD AND STEVENSON ROAD.

SUMMARY OF RECOMMENDATIONS
BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)



FIGURE 2 – SIGN AT ENTRANCE TO SHELL DOG PARK, WEST OAKVILLE. THERE ARE ABSOLUTELY NO SIGNS IN SHELL PARK WHERE COYOTES AND DENS ARE PREVALENT AND KNOWN TO EXIST. AGAIN, THERE ARE MANY RULES BUT NO COYOTE WARNINGS.

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FIGURE 3 - SIGN AT ENTRANCE TO SOUTH SHELL BEACH PARK, WEST OAKVILLE. AGAIN, THERE ARE MANY RULES BUT NO COYOTE WARNINGS.

SUMMARY OF RECOMMENDATIONS
BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)



FIGURE 4 – NO COYOTE SIGNS WHATSOEVER AT THE BLUEWATER CONDO TRAILS ENTRANCE, WEST OAKVILLE. THIS TRAIL IS HEAVILY VISITED BY COYOTES.

SUMMARY OF RECOMMENDATIONS
BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)



FIGURE 5 – BURLOAK WATERFRONT PARK - WEST PARKING LOT. THERE ARE 3 PARKING LOTS, 2 WALKWAY ENTRANCES, AND ONLY 1 COYOTE WARNING SIGN. THIS PARK IS FULL OF COYOTES AT DAWN AND DUSK. THERE ARE ABSOLUTELY NO WARNING SIGNS ABOUT COYOTES.

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FIGURE 6 – NO COYOTE SIGNS WHATSOEVER AT THE ENTRANCE TO THE BURLOAK WATERFRONT PARK (OAKVILLE SIDE)

SUMMARY OF RECOMMENDATIONS
BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)



FIGURE 7- ENTRANCE TO NELSON PARK IN BURLINGTON. COYOTES HAVE FREQUENTLY BEEN SIGHTED IN THIS PARK AND A THE NEARBY PAULINE JOHNSON PUBLIC SCHOOL. NO MENTION OF COYOTES.

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FIGURE 8 - SIGN AT PARKING LOT IN NELSON PARK. THIS SIGN IS SITUATED TOO HIGH. AGAIN, NO MENTION OF COYOTES.

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BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)



FIGURE 9 - COYOTE WARNING SIGN POSTED ON GOODRAM AVENUE IN BURLINGTON, A NEIGHBOURHOOD THAT HAS EXPERIENCE MANY COYOTE SIGHTINGS. THIS SHOULD BE THE TEMPLATE FOR ALL SIGNS ACROSS OAKVILLE AND BURLINGTON IN COYOTE “HOT SPOTS”.

SUMMARY OF RECOMMENDATIONS
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FIGURE 10 - ENTRANCE TO BROMLEY PARK IN BURLINGTON OFF OF MAUREEN COURT. NO MENTION OF COYOTES.

SUMMARY OF RECOMMENDATIONS
BURLINGTON & OAKVILLE COYOTE MANAGEMENT (“BOCM”)



FIGURE 11 - THIS IS THE PLAYGROUND AT BROMLEY PARK IN BURLINGTON. THE AREA BEHIND IS A RAVINE AND A KNOWN HABITAT FOR COYOTES WHICH ARE PREVALENT IN THE AREA. THERE IS NO MENTION OF COYOTES. RECENT UPGRADES TO THIS PARK DIDN'T INCLUDE BETTER SIGNAGE.



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Prevention:

Record keeping by geographical area
- look for indicators that early action may be necessary

Early Action - consider applying one or all of the other cornerstones to prevent conflict escalation in the community and/or the media

Education:

Distribute information in print, social media, mainstream media, website, signage
- notifies that canids are present and what to do if seen, informs about pet safety tactics, deterrents and attractants

Presentation and discussion at public meeting - face-to-face with experts encourages trust and learning

Investigation:

Look for potential human-origin feeding sites, including environmental cues or evidence-based information about direct or indirect feeding

Investigate compliance with dog leash laws and garbage management

Looking at habitat and potential den-site can sometimes lead to solutions



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coyotewatchcanada.com

The 4 Cornerstones: Our Canid Response Strategy Framework

Enforcement:

Investigation may lead to discovery of law infractions - feeding of wildlife or unleashed dogs

Enforcement of these laws is crucial to resolution

If no laws exist, consider strong request to cease unsafe behaviour in the short-term and enacting legislation that will address future issues



Guideline for Report to Municipal Councils

Document Purpose:

This document covers points that can be included in a report to municipal councils when developing a formal Canid Response Strategy. A formal strategy will assist municipalities with developing an appropriate and effective wild canid (including foxes, coyotes, and wolves) response strategy that aligns with specific and common situations that can occur in large and small municipalities and jurisdictions. An effective response strategy is ecologically and socially complex and is specific to the context of each emergent situation. The document provides for the following:

- **Accessible and inclusive collaboration with all demographics, including opportunities for engagement with Indigenous elders, leaders, and communities**
- A living framework that allows for policy review and revision as needed
- A streamlined document that provides a foundation for policy that reflects current science and best practice field methodology, within a municipal framework
- Preparedness for human/canid interactions. The report guideline is applicable to all wild canids in Canada and can be modified to specify one, two or all canid species
- **A goal that moves beyond the absence of human/wildlife conflict and towards a willingness to share spaces with wild canids appropriately and to appreciate the natural elements in the environment**
- A general or broad view of the ecological role of wild canids in our communities, as well as addressing specific situations that are challenging at site-specific locations
- A strategy that is specific to context of each emergent situation



Municipal Canid Response Strategy

Document Purpose:

This document is intended to provide information that can be used when creating a Canid Response Strategy and accompanying organizational Standard Operating Procedure (SOP).

Document Format:

The document is a written response strategy that includes 3 appendices as follows:

Appendix A – Canid Management Response Strategy

This is a table that includes common situations involving humans and wild canids with suggested response to each situation.

Appendix B – Aversion Conditioning

This appendix contains detailed information on how to apply “aversion conditioning”, a term that is referenced in the strategy.

Appendix C – Canid-Safe Neighbourhood Checklist

This is a checklist that can be used by organizational staff and residents when investigating situations involving humans and wild canids. The purpose of the checklist is to determine causes or reasons for canid behaviour.



AC Equipment and Tools

- ⑩ Your voice - LOUD & Assertive
- ⑩ Waving arms high above the head
- ⑩ *Whistle, horns (not always suitable)
- ⑩ Projectiles - Natural products- sticks, rocks
- ⑩ Never 'throw at' wildlife
- ⑩ Never turn your back and run from any animal (domestic or wild)
- ⑩ Seasonal options - water hose
- ⑩ Shake-can filled with coins
- ⑩ Umbrella *POP IT!*
- ⑩ Large garbage bag - fill with air & *SNAP IT!*
- ⑩ Officer response flexible & innovative
- ⑩ Be aware of the unique circumstances
- ⑩ Follow through is paramount
- ⑩ Knowing when to change the 'tension'

* Whistles and air horns may not be effective if sports fields are near by, deploy a different tool.



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- Feeding wildlife impacts wildlife, people (non-feeders) and pets.
- Indirect/direct feeding changes foraging, hunting behaviour teaching wildlife like coyotes that it is OK to approach people.
- Demand behaviour is exhibited when these situation left unchecked escalate – approaching people, grabbing at clothing, nipping a hand, hanging around parking lots, sports fields, cemeteries, running tracks



Immediate Steps

Revitalize educational signage locations including trail heads, clearing foliage from signs

Ensure signs are universally accessible – height, angle

Enclose open compost bins at community garden

Temporary signs changed out for permanent (education)

Site visits to the hotspot locations to promote adherence to city bylaws

Educational messaging about dogs off leash

Guidance for residents on how to wildlife-proof property

Applying current science and best practices in public messaging

Door hangers



Coyote in the Urban Landscape: An Information Module for Urban Residents

Created in partnership by Coyote Watch Canada and the City of Toronto



(Duration:20 minutes)

267

START



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Quick Tips: Wildlife Proofing

Remove Food Attractants

- Bird feeders also attract rodents and small mammals, who eat the fallen food. Small mammals then attract coyotes, foxes, and birds of prey.
- Pet food left outdoors will attract wildlife. If you must feed stray or feral animals, make food available for 30 minutes at a time, and then remove it.
- Secure your compost bin, and never compost meat scraps.
- Take garbage to the curb on collection day - not the night before. Unsecured garbage is an open invitation for wild animals, many of whom forage for food at night.
- Clean up fallen or rotting fruit from underneath fruit trees.

Keep Your Property Clean

- Remove brush piles (NOTE: always check carefully before burning brush - many wild animals make their homes in brush piles and may be burned or killed by careless burning or brush-pile removal).
- Scoop your poop: animal feces attract rodents, which then attract other wildlife.
- Keep outdoor cooking areas and grills clean.
- Trim branches that provide easy access to your roof for squirrels, raccoons, etc.
- Dispose of deadstock on farms quickly and securely.



www.coyotewatchcanada.com

Secure Your Space

- Call a reputable wildlife company that practices humane removal, reuniting, and release if you have trouble with mice or other wildlife entering your home. True professionals can help you identify points of entry and make recommendations to repair them, while ensuring all wild animals are evicted humanely.
- Before sealing holes and openings, ensure all babies and adults have vacated (you will be glad you did!).
- Cap chimneys and ducts so birds, squirrels, raccoons, and other wildlife cannot come inside to nest.
- Repair holes and cracks where mice or other animals may be entering your home to seek warmth or food.
- Seal up sheds, decks, and unused/abandoned buildings on your property to exclude wildlife.
- Secure cottages to ensure they are wildlife-proof during the winter months.

Be a Good Pet Guardian

- Follow leash laws and supervise pets outdoors.
- Keep cats safely indoors or in an enclosed play area/catio.
- Never allow pets to chase or harass wildlife.



For the Love of Leash!



We all enjoy exploring the outdoors with our family pets, and we want to keep our pets safe, while respecting and enjoying nature. Using a leash is the best way to achieve this!

This fact sheet provides helpful suggestions to create awareness about our wild neighbours and to keep family pets and wildlife safe in the great outdoors.

Did You Know?

- Our pet dogs are part of the Canidae family, which also includes wolves, foxes, coyotes, and jackals. All canids are curious, and domestic dogs are driven by instinct to explore and to chase or kill wildlife. Leashing up prevents negative encounters between our off-leash dogs and wildlife.
- Coyotes and other wildlife are protective of family members and may perceive domestic dogs as a threat or danger.
- Findings from a Canadian study showed that 92% of dog-coyote conflict occurred when dogs were off-leash.
- Conflict often occurs near coyote den sites or in established coyote territory; however, many dog walkers are unaware of these dens and territories. You may frequent these spaces daily, without even realizing it!
- It is not uncommon for a coyote to 'escort' or 'shadow' a dog walker out of an area when pups or a den are nearby.
- Allowing dogs to chase or harass wildlife is illegal in most areas. Wildlife harassment incites conflict between species and alters the natural behaviours of wild animals, causing them to venture outside of their territories and expend vital energy unnecessarily.
- Free-roaming pets can encounter a wide range of dangers, including vehicles, other animals, or ill-willed individuals. In Ontario, traps and snares can be set in wild spaces with no markers or signage. Many dogs are reported to have been exposed to toxic products, poisons, or sick animals when off-leash.

Tips for Keeping Family Pets Safe

- Get to know the wildlife in areas where you walk your family pets. There may be fascinating species in your neighbourhood that you aren't even aware of!
- Always obey signage regarding nature and the bylaws or ordinances that apply to the wild spaces you visit.
- Keep a safe and respectful distance if you see a coyote, fox, or wolf.
- Never feed wildlife. This includes indirect feeding, such as leaving food waste in wild spaces. Wildlife feeding disrupts natural foraging behaviours and encourages an unnatural proximity tolerance to people.
- If a coyote is in the area and a dog is off-leash, immediately leash up. Keep your dog close. Small dogs can be lifted and carried for safety.
- Never run from any canid (wild or domestic). Leave the area slowly, keeping your dog close to you.

*Shelley M. Alexander & Michael S. Quinn (2013). Coyote (Canis latrans) Interactions With Humans and Pets Reported in the Canadian Print Media (1995-2010). Human Dimensions of Wildlife, 16(5), 345-359. <http://dx.doi.org/10.1080/10871209.2011.599950>

www.coyotewatchcanada.com



COYOTE WATCH CANADA



Eastern Coyote

Coexisting with Wildlife

Fostering Positive Human and Wildlife Experiences

Wildlife Hotline: 905.931.2610

Email: info@coyotewatchcanada.com

National Online Canid Reporting:
niagarafalls.ca/coyote

coyotewatchcanada.com



COYOTE WATCH CANADA



Eastern Coyote

Keeping Coyotes Away

Everything you need to know to be wildlife smart and help keep coyotes wild

Hotline: 905.931.2610

Email: info@coyotewatchcanada.com

National Online Canid Reporting:
niagarafalls.ca/coyote

coyotewatchcanada.com

Wildlife in trouble? Here's how you can help.



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1. **Learn about your local wildlife organizations.** Find out what they do, if they have rescue capacity, and keep contact information handy so it's there when you need it most urgently.



2. **Reach out to make wildlife responders aware of the animal.** A detailed email is helpful if you think medical help is needed. If the animal is contained or downed, call immediately.



3. **Write down sighting details whenever you see the animal.** This is vital to any rescue effort. Record the date, time, location, behaviour, and which direction the animal was travelling.



4. **Take photos and videos.** These are incredibly helpful for assessing the condition and mobility of an animal. Photos also help us distinguish one animal from another in its family.



5. **Talk to your neighbours.** Coordinate efforts so that sighting details can be consolidated and shared. The more information you can provide, the better the chances are of a successful rescue.



6. **Be patient with us.** We want to help. Some agencies have no rescue resources. But those that do require sufficient details to assess the feasibility and safety of any rescue effort.

Coyote Watch Canada is an all-volunteer, not-for-profit organization dedicated to fostering human-wildlife coexistence.

Learn more and donate today at COYOTEWATCHCANADA.COM



@coyotewatchcanada



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MYTH: We have both coyotes and coywolves living in Ontario.

FACT: The one and only coyote species in Ontario is the Eastern Coyote, which shares common ancestral DNA with the Algonquin (Eastern) Wolf. The mixing of DNA occurred more than 100 years ago, and some remnant DNA still exists in our Eastern Coyotes today. "Coywolf" is a nickname for the Eastern Coyote.

MYTH: Coyotes lure domestic dogs.

FACT: Coyotes are family oriented and do not use these family members to bait or lure other animals. When a free-roaming dog chases and harasses a coyote, the coyote will flee to the safety of family members. If a dog continues pursuit, coyotes will defend their families.

MYTH: Coyotes abandon their pups.

FACT: Coyotes mate for life and co-parent their pups. They are devoted and protective parents and do not abandon their young. During infancy, pups depend on their mother's milk; if she is killed, they will perish. If both parents are killed, pups will be orphaned.



COYOTE WATCH CANADA

MYTH: A yipping coyote means it has killed something.

FACT: Coyotes do not advertise their food sources. Consider this: can you sing opera with your mouth full? Well, neither can coyotes! Vocalizations are like a "Canid GPS": coyotes yip, howl and bark to defend territory, locate family, celebrate, warn each other of danger and greet one another.

MYTH: Coyotes stalk people.

FACT: Coyotes are aware of everything in their territory. When raising families, coyotes will escort or shadow visitors travelling through shared spaces to make sure they leave the area. Often misinterpreted as being "bold" or "brave", a curious coyote may stop and watch visitors to assess any threats to his or her family. It's important to note that a coyote who has been fed by people may exhibit demand behaviour. For everyone's safety, never ever feed a coyote.

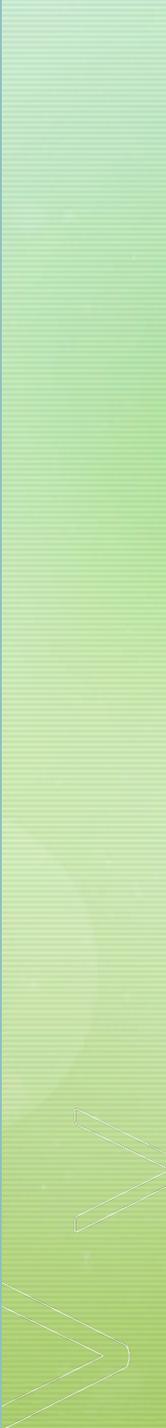
WOULD YOU LIKE TO LEARN MORE?

Visit us at coyotewatchcanada.com

Coyote Watch Canada is an all-volunteer, not-for-profit organization dedicated to fostering human-wildlife coexistence.

SCIENCE EDUCATION COEXISTENCE

- Providing humane options and support through a canid response team when wildlife overstays their welcome. Education and prevention is key. A helping hand goes a long way to assist residents.





COYOTE WATCH CANADA

Monday, September 12, 2022

Dear Mayor, Council, and City Officials,

I write regarding a report by Burlington & Oakville Coyote Management (BOCM). The February 2022 report was submitted to the City of Burlington with the intent of it being added to the Council's agenda or as an addendum to a public report.

While Coyote Watch Canada encourages citizens to become involved in local issues related to wildlife, several claims made within this document regarding Coyote Watch Canada, our reputation, and our work, are of significant concern. This does not reflect the numerous points in the BOCM report with which we agree, and which we have recommended in the past.

Concerns Regarding BOCM Report

In their "Summary of Recommendations", the BOCM makes statements regarding Coyote Watch Canada that are demonstrably false. Examples of these claims are included herein.

On page 8, they write, "BOCM maintains that organizations such as Coyote Watch have propagated several untruths that need to be de-bunked. The first is that coyotes are an endangered species."

Coyote Watch Canada has never claimed that coyotes are an endangered species. They write that "the existence of coy wolves is refuted by organizations such as Coyote Watch who maintain that coyotes are comparatively small and weigh less than forty pounds."

Coyote Watch Canada has never said that coywolves do not exist, instead that they are the same canid as the Eastern Coyote. Extensive field evidence collected by reputable university research teams, government researchers, and other naturalists indicate that 14-18kg is an approximate average weight for Eastern Coyotes.

"Coyote Watch is predominantly a Niagara Region based advocacy group whose real agenda is neither research nor safeguarding the public, but rather, environmental advocacy. Unlike BOCM which is comprised entirely of local taxpayers and residents whose predominant concern is public safety Coyote Watch is intent on perpetuating an outdated narrative that is both dangerous and jeopardizes the health of residents and their pets."

Coyote Watch Canada is based in Niagara and has conducted extensive fieldwork, research, community outreach, and educational programs across Ontario and Canada. Our organization is advised by top-level researchers and run entirely by volunteers. While environmental advocacy is a component of promoting coexistence and healthy ecosystems, the primary goals of Coyote Watch Canada are education, community outreach, field response, and research. Our work, accomplishments, and information disputing the claims made by the BOCM are available on our website.

Sincerely,

Lesley Sampson
Executive Director, Coyote Watch Canada

PO Box 507 St Davids ON L0S 1P0 | T 905-931-2610 | E info@coyotewatchcanada.com

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Municipal Canid Response Strategy

Document Purpose:

This document is intended to provide information that can be used when creating a Canid Response Strategy and accompanying organizational Standard Operating Procedure (SOP).

Document Format:

The document is a written response strategy that includes 3 appendices as follows:

Appendix A – Canid Management Response Guideline

This is a table that includes common situations involving humans and wild canids with suggested response to each situation.

Appendix B – Aversion Conditioning

This appendix contains detailed information on how to apply “aversion conditioning”, a term that is referenced in the strategy.

Appendix C – Canid-Safe Neighbourhood Checklist

This is a checklist that can be used by organizational staff and residents when investigating situations involving humans and wild canids. The purpose of the checklist is to determine causes or reasons for canid behaviour.

A field response team should receive formal training and have an action plan in place so they can take immediate action, without a lot of planning at the onset of an emergent situation. Fee-based training is available from Coyote Watch Canada.

Notes in bracketed italics are prompts for the reader/user and not meant to be part of the final document.



Strategy:

(name of organization) response strategy adopts best practices and focuses on a multi-pronged approach:

1. General education

Information about wild canids, will be made available to the public on social media in regular intervals, press releases, website and signage. The information will include the benefits of wild canids in communities and how they fit into the landscape with an emphasis on how humans should respond to a sighting of a wild canid.

The goal of the provided information is to encourage appreciation for wild canids and inform people on how to act or behave upon sighting a wild canid. Fear is a common response to situations that people are not accustomed to or don't have knowledge about. Educational information can help to prevent a fearful reaction to a canid sighting and equip people with the knowledge they need to respond appropriately. Conversely, some people find reward in feeding wild canids and if this occurs on a regular basis, can cause the animals to behave unnaturally and, in rare cases, cause people or pets to be bitten.

Educational information on wild canids will help people to understand that canids are wild animals which are not a threat to humans and should be appreciated from afar for the role they play in our environments and for the connection they provide for humans to the natural world. Human interference with a canid's typical routine or behaviour is likely to cause harm to the animal and to the community at large. When humans understand how to live among canids, difficult problems are prevented.

2. Field response

Field response should be considered for specific situations that indicate an escalation in negative encounters. Some or all of the following actions may be necessary:

- Accurate and complete record-keeping - important to determine the extent of the potential human-wildlife challenge. If there are numerous concerns from different residents in the same geographical area, an on-site investigation may be necessary.
- Early intervention - key to preventing escalation of specific situations.
- Investigation – detailed discussion should take place with those who have expressed concerns. Discussion should include gathering facts and information as well as one-on-one education on aversion conditioning, specific to the situation.
- Physical investigation of the neighbourhood for potential community hotspots, listed in the Canid-Safe Neighbourhood Checklist (appendix C).
- Door to door information campaigns to distribute print materials about canids in general, how to deter canids, pet safety and Canid-Safe Neighbourhood



- Checklist. During the distribution of materials, discussions with neighbours can occur to determine if there are known food sources in the area.
- If it can be determined that a person in the area is feeding canids, actions must be taken to stop this activity. *(Authority will vary by jurisdiction. If no enforcement is possible, a discussion with the feeder is necessary and a written request from the municipality to stop the feeding in the interest of public safety can also be issued.)*
- It is strongly recommended that a bylaw be enacted to prohibit the feeding of wild canids.
- Organize and advertise a community meeting – experts should be invited to speak and educate attendees.
- Refer to:
 - Appendix A - Canid Management Response Guideline
 - Appendix B - Aversion Conditioning
 - Appendix C - Canid-Safe Neighbourhood Checklist for detailed information on neighbourhood field response to concerns about wild canids.

3. Lethal Measures

The strategy allows for removal of a wild canid *only* if a bona fide health and safety risk to the public has been determined or if euthanasia is necessary for humane reasons. Removal methods include capture using a leg-hold trap or dispatch by firearm. In these cases *(name of organization)* will seek assistance from a licensed wildlife trapper or police services. Lethal response is considered as a last resort.

4. Partnerships

Partnerships are crucial to provide opportunity for non-lethal, problem solving and solution-focused action planning.

(Include list of potential partners i.e. Coyote Watch Canada, relevant Provincial Ministry, local licensed wildlife rehabilitator. Briefly describe the expertise of each partner)



Canid Management Response Guideline

*This is a guideline and does not account for variables that can occur in specific situations.

Description of Situation	Response
Canid heard or seen moving through an area OR Canid seen resting or lingering in parkland or ravine	<ul style="list-style-type: none">• Conversation on telephone or in person to educate on typical canid behaviour and habitat
Canid following/approaching a person (this behaviour is commonly referred to as “shadowing” or “escorting” and is often seen when the person is accompanied by a dog, but may happen without a dog’s presence) OR Canid biting unleashed dog	<ul style="list-style-type: none">• If a dog is accompanying the person and is unleashed, educate dog caregiver about the importance of leashing dog and controlling dog’s behaviour• Recommend aversion conditioning if appropriate (see appendix B)• Ask investigative questions and use observations to determine if feeding or food attractants may be in the area• If occurring in residential area, recommend use of Canid-Safe checklist
Canid biting leashed dog	<ul style="list-style-type: none">• Recommend aversion conditioning if appropriate (see appendix B)• Ask investigative questions and use observations to determine if feeding or food attractants may be in the area• If occurring in residential area, refer to and recommend use of Canid-Safe checklist for on-site or in-field investigation purposes• Educate dog caregiver on walking dog in areas where there are other people and dogs• Assess area for possible canid den or young• If young canids are in the area, assess need for taping off the area, if practical
Canid seen resting or lingering in residential neighbourhood	<ul style="list-style-type: none">• Conversation in-person to educate on typical canid behaviour and habitat.• Ask investigative questions and use observations to determine if feeding or food attractants may be in the area• Recommend use of Canid-Safe checklist• Recommend aversion conditioning if/when canid is resting or lingering on or near residential property• Track further concerns from same area for future reference.
Multiple sightings of canid resting or lingering in residential neighbourhood,	<ul style="list-style-type: none">• Door to door distribution of education materials and Canid-Safe checklist• Recommend aversion conditioning



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including canid entering yards with or without pets	<ul style="list-style-type: none">• Discussion and investigative questions with residents to determine why the canid is entering yards and if there are potential feeding or food sources• Observe/educate neighbourhood businesses with improperly stored garbage• Check nearby parks, golf courses, cemeteries etc. for evidence of feeding• Organize community meeting for educational purposes• Continue to track concerns and complaints from area
Canid biting or injuring a person	<ul style="list-style-type: none">• Confirm bite visually or by photograph• Identify and gather information on specific canid involved and circumstances around the bite• Provide all information resources, including Canid-Safe Checklist and aversion conditioning techniques• Report to local police authorities and consult with wildlife partners• Consider necessity and options for removal of canid• Contact 911 in case of immediate threat or danger



Keeping Canids Away: Aversion Conditioning

Aversion Conditioning is an effective tool for building healthy boundaries between humans and wild canids. It is important to note that using aversion conditioning close to a den site or with young pups is not appropriate. Canid seasonal milestones must be accommodated so the parents are able to raise their pups in a way that helps them disperse when they are old enough. **If situations arise where there is a den or a rendezvous site, it may become necessary to temporarily restrict dogs and/or humans from that area.**

- Aversion conditioning (commonly called “humane hazing”) is a method of negative association that **safely compels wildlife such as coyotes, foxes or wolves to move away from humans**, sometimes through the use of deterrents
- **Aversion conditioning has been used with great success around the world** with many species, including bears and tigers
- Aversion conditioning can restore a coyote’s natural avoidance of humans and minimize interactions. **Communities that employ these techniques experience measurable results** while educating and empowering citizens
- For communities experiencing regular canid sightings in identified hot spots, patience is required. **Intensive and consistent action may be required to encourage the canid to move on entirely.** Teams can be trained to respond to calls, communicate with residents, and utilize more intensive techniques if needed
- Remember that **each canid has a different “food education”**: some canids have **been taught that people (and their properties) will provide food** (e.g., direct feeding, compost bins, bird feeders, or cat and dog food left outside)
- Aversion conditioning can effectively **change canid behaviour and can help to ensure that future canids do not develop these behaviours**

Always Put Safety First

- Never run from any canid, including dogs, foxes, coyotes and wolves
- Never corner a wild animal; always provide an escape route
- Never approach a sick or injured canid
- Seasonal milestones dictate response in field (e.g., never approach den area or rendezvous site when doing aversion conditioning)



Basic Aversion Conditioning Techniques

- **Stand tall, make yourself big, wave your arms and shout** (don't scream) while stepping in the direction of the canid until he or she runs away
- **Clap your hands** in front of you and above your head
- **Alternate gestures and be firm**
- **Use a noisemaker**, such as:
 - your voice
 - an air horn or whistle
 - pots and pans banged together
 - a shake can (such as a pop can filled with coins or pebbles)
 - snapping a large plastic garbage bag
 - jingling keys, or
 - an umbrella popping open and closed

- **Use a projectile (toward, not AT the canid)**, such as:
 - sticks
 - clumps of dirt
 - small rocks, or
 - a tennis ball

- **During warm months, use liquids**, such as:
 - a garden hose
 - a water gun, or
 - water balloons

Note: a canid that has never been exposed to aversion conditioning techniques before may not leave immediately. You may need to use more than one of the above-mentioned deterrents. If the canid runs a short distance, stops, and turns to look at you, continue your aversion conditioning actions until the canid has left the area.



Canid-Safe Neighbourhood Checklist

Review and share information resources:

- Coyote Watch Canada [website](#):
 - Watch [e-Learning module](#) (created in partnership with City of Toronto) and include your family.
 - Review all content on the [Resources tab](#)
- Discuss canids and canid safety with your children
- Share/circulate information with your neighbours, property manager or landlord
- Learn aversion techniques and be ready to use them
 - keep a large garbage bag in your pocket

Property:

- Storage of garbage, green bin and blue bin materials
 - To the curb on the morning of scheduled pick-up day
 - Store indoors or in locked containers – ensure lids are secure
 - Call your municipality if bins are damaged and need to be replaced
- Compost
 - Don't compost meat, bones or dairy (these are green bin items)
 - Secure compost bin into the ground and enclose top with metal mesh
 - If rodents visit your compost, use green bin instead (rodents are prey for and attract canids)
- Barbeques
 - Clean and cover barbeques after use
 - Ensure drip-tray is cleaned
- Feeding animals
 - Any/all food outside can attract canids
 - Never feed wild mammals and don't feed pets outside
 - Clean up daily under bird feeders – seed on the ground attracts rodents which attract canids
 - If canids visit your yard or are seen daily in your neighbourhood, consider removing bird feeders and bird baths until there are less canid sightings
- Shelter and hiding spots



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- Keep grass mowed – long grass provides cover for canids
- Clean up brush piles and debris on property
- Keep fencing, decks and sheds in good repair. Remove or replace structures that can't be repaired
- Trim bushes and lower branches from evergreen trees to reduce hiding places
- Check in and behind structures and bushes before letting pets outside

Pets

- Closely supervise pets while they are outside in your yard, ground-floor balcony or patio. Keep cats inside or in enclosed areas. Do not leave pets unattended
- Canids can jump over or dig under fences. Check fences for holes dug under them and if found, fill them in and repair them
- Remove pet feces from your yard immediately
- Consider installing "coyote rollers" on the top of your fence. Information on coyote rollers can be found on the internet
- Ensure property is well lit at night and check darkened areas prior to letting pets outside.
- Ensure chicken coops are clean and predator-proof
- Keep dogs on leash in parks and other public property

Garden and Fruit Trees

- Canids eat fruit – ensure fallen fruit from trees is picked up from the ground daily
- Vegetable gardens attract rabbits and squirrels which are prey for canids. Ensure vegetable gardens are wildlife-proofed as much as possible

Neighbourhood and Public Spaces:

Feeding of Canids

- Contact your municipality to make a confidential report of deliberate or indirect feeding of canids and other mammals
- If you find food being left for wildlife in a park or other private property, consider disposing of the food in the garbage. If feeding seems significant, contact your municipality to report
- If food appears to contain a possibly toxic substance, call police immediately

Improperly stored garbage – Commercial or Residential

- If you notice that canids are being attracted to improperly stored garbage at residential communal garbage areas or commercial buildings, contact your municipality to report

Potential community hotspots – contact your municipality if you identify activity that could align with direct or indirect human feeding of wildlife:

- Cemetery
- Parklands – especially picnic areas and benches
- Construction sites
- Hydro corridors
- Conservation areas
- Bike paths and trails



- School yards
- Parking lots – can be in parks, industrial properties or shopping malls
- Golf courses
- Ravines
- Industrial sites – active and inactive
- Derelict or abandoned properties
- Waterfront or beaches
- Camping, picnic, or encampment sites
- Rural pastures with deadstock/animals

This checklist was modified from Toronto Animal Services' "Coyote-Safe Neighbourhood Checklist".

SAMPLE



Notes on Field Rescue and Outreach:

Wild canids may require assistance due to illness or injury, anytime throughout the year. The ability to intervene can be greatly impacted during the spring and summer months. In late winter, wild canids are preparing to have families. In January/February, females may be pregnant, by March/April, babies are arriving. (Refer to infographic on Seasonal Milestones)

Coyotes mate for life when left to thrive, and they co-parent their young. Babies depend on both parents for food, protection, and important life lessons about how to survive and thrive in a very dangerous world and survival readiness is a months-long process. We need to ensure that removing canids from their environment to receive intervention is absolutely necessary during the spring and summer months, thus collaborating with experts is a key factor.

There may very well be an entire family depending on the canid in question. There may be babies waiting for their mother to return so they can nurse, or a tired nursing mother waiting for her partner to bring food to nourish her while she nourishes their young. While it is difficult to see animals in trouble, it's important that we step back and ask how we can best serve each animal. Every case requires careful assessment and sometimes a challenging amount of patience.

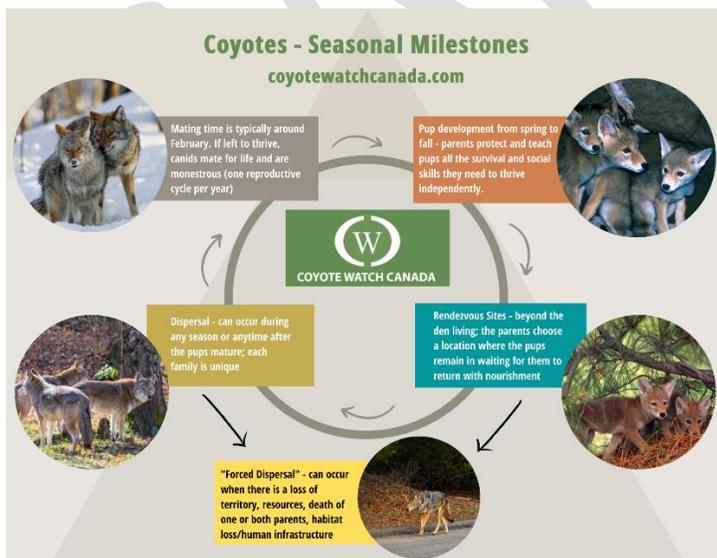
It's important to work with a reputable wildlife rehabilitator and/or organizations, such as Coyote Watch Canada, to evaluate the urgency of each animal's condition. Some animals require urgent, life-saving medical care, but others may be best helped when humans step back, allow families to remain intact, and monitor from a distance. This is referred to as "mindful monitoring" and these cases should still be considered active. It's possible to rely on engaged members of the public to provide regular sighting reports so the animal's condition can be monitored, and the outreach approach modified if needed.

Wildlife rescue requires front line responders to consider and respect the needs and wildness of the animals that potentially need help. This is not always an easy process. It is vital to have a "big picture" assessment to determine when to intervene versus when to provide mindful monitoring (e.g. using trail cameras to gain better insight). This process requires a great deal of patience, knowledge, and experience.



Diagrams

These infographics are provided in PDF format for incorporation into your Canid Response Strategy as reference guides:





Guideline for Report to Municipal Councils

Document Purpose:

This document covers points that can be included in a report to municipal councils when developing a formal Canid Response Strategy. A formal strategy will assist municipalities with developing an appropriate and effective wild canid (including foxes, coyotes, and wolves) response strategy that aligns with specific and common situations that can occur in large and small municipalities and jurisdictions. An effective response strategy is ecologically and socially complex and is specific to the context of each emergent situation. The document provides for the following:

- Accessible and inclusive collaboration with all demographics, including opportunities for engagement with Indigenous elders, leaders, and communities
- A living framework that allows for policy review and revision as needed
- A streamlined document that provides a foundation for policy that reflects current science and best practice field methodology, within a municipal framework
- Preparedness for human/canid interactions. The report guideline is applicable to all wild canids in Canada and can be modified to specify one, two or all canid species
- A goal that moves beyond the absence of human/wildlife conflict and towards a willingness to share spaces with wild canids appropriately and to appreciate the natural elements in the environment
- A general or broad view of the ecological role of wild canids in our communities, as well as addressing specific situations that are challenging at site-specific locations
- A strategy that is specific to context of each emergent situation

Document Format:

For the purposes of this document, the format contains headings which can be modified based on what is required for specific municipalities. The information under the headings is transferrable. The format is as follows:

Introduction – briefly describes the subject of the report and general situations or circumstances that sometimes occur.

Issue Background - describes the subject in more detail and includes what is happening in your community.

Comments – includes results of research into the subject and what actions are proposed to respond.

Notes in bracketed italics are prompts for the reader/user and not meant to be part of the sample report.



Introduction

Municipal/Community Canid Response Strategy

Canids are a natural part of the urban landscape in every municipality in North America, including *(insert name of your municipality)*. Park-like valleys and natural areas make a very attractive habitat for canids. Food and shelter are also abundant and natural predators are limited. Canids perform an important role in maintaining the ecosystem, helping to control the populations of rabbits, rats and other rodents, and geese.

Canids are rarely a threat to people. As an example, research indicates that an average of 2.4 people per year are scratched or bitten by coyotes in Canada, compared to 460,000 dog bites that occur per year. (Statistics Canada, 2009). There was a recent situation in British Columbia's Stanley Park where a number of coyotes were removed because they had bitten people. This situation is considered unique and is not expected to become commonplace.

The International Union for Conservation of Nature, Species Survival Commission, describes human-wildlife conflict as "*struggles that emerge when the presence or behaviour of wildlife poses actual or perceived, direct and recurring threat to human interests or needs, leading to disagreements between groups of people and negative impacts on people and/or wildlife*"

When these situations occur and become escalated, they often require extensive human resources from city staff and partners to resolve. Conflict between neighbours can linger as a result. Therefore, the emphasis of this strategy is on prevention of heightened situations.

Research and experience have demonstrated that the most important actions that municipalities can take to reduce negative human interaction with canids are education and prevention. Other methods (such as removal) have proven ineffective and/or unsafe in urban environments.

Issue Background

(The following statement can be used if applicable or if a bite to a human took place, include the number of incidences.) In the last decade, there have been no reported instances of canids biting people in *(insert name of your municipality)*. Canids are adaptable animals and thrive in rural and urban environments. Although they rarely pose a threat to humans, many people are scared or nervous when they see a fox, coyote or wolf *(specify the relevant species)*. Canids will usually develop a tolerance to closer proximity with humans when they are being fed by people. Deliberate and inadvertent feeding of canids has become a common human activity which must be addressed to resolve human/canid conflict.

When canids are encouraged to develop a tolerance of closer proximity to humans, there is an increased risk for negative encounters. Proximity tolerance makes some people very uneasy and can lead to conflicts with pets in or near residential neighbourhoods. Canids will sometimes prey on outdoor, roaming cats and can have negative encounters with dogs. Conflicts with domestic dogs can also occur outside of residential neighbourhoods and are usually caused by dogs that are off-leash and not appropriately supervised in an area where canids live, such as a park or a ravine. One study, done by Dr. Shelley Alexander, PhD, University of Calgary, found



that in Canadian print media, dogs were off leash in 92.3% of incidents between dogs and coyotes [\[link to abstract\]](#) (Consider including statistics relevant to your municipality on the number of dog/canid conflicts, where they took place, how many dogs were off leash on public property etc.)

Comments

Best Practices

(Include results of jurisdictional scan. If applicable, consider using the following information)

The scan demonstrated that the most effective methods for reducing human-canid interactions include public education and the removal of canid attractants, such as food. The feeding of canids can be deliberate or inadvertent. Overflowing or carelessly stored garbage can attract smaller rodents such as mice and rats, which in turn attract canids. As a result, most public education campaigns on canids aim to raise awareness about food attractants, include instructions on how to canid-proof properties and what to do during a canid encounter. *(Include information on any bylaws that would prohibit feeding of canids or wildlife in general, if any)*

Beyond the removal of canid attractants such as food, and public education, other methods applied for managing canids have proven ineffective in urban environments. These methods include relocation, trapping and hunting. *(Include any information on provincial statutes governing these activities)*

The relocation of canids from urban areas is impractical and will not offer a permanent solution. Canids are mobile and territorial animals. They can travel great distances to return to their original home. Relocation could also inflict the canid's problem behaviour on another community. Relocation of a canid requires that it be caught first. Canids are extremely intelligent animals that generally will not enter a box trap (this is the type of trap that is baited with food, which when eaten, trips a door to close, trapping the animal inside). Other capture methods include use of firearms or leg-hold traps. These methods can be dangerous to people and domestic pets in urban areas. Furthermore, when large numbers of wild animals are removed from an area, the animals quickly repopulate by producing larger litters and expanding their range if there is suitable habitat. For these reasons, efforts to remove canids from some urban areas in the U.S. have been futile.

Proposed Canid Response Strategy

The four cornerstones of an effective wildlife response strategy are: prevention, education, investigation, and enforcement. The following strategy includes actions that align with the four cornerstones.

- Residents can report canid and related human activities to the municipality
- Reports will be tracked by geographical area to determine if there is a specific canid or a group of canids that seems to have developed proximity tolerance to humans



- Municipality will respond appropriately based on the available information and the degree of potential impact the canid behaviour has on the community
- *Emphasis is on early response* to resolve issues before they become heightened or are mischaracterized on social media or other publications
- Municipality will respond with one or more of the following actions, depending on the situation:
 - Community meeting – can be done in person or remotely
 - Door-door information provided in neighbourhood
 - Mail-outs of educational material to residents in neighbourhood
 - Information on website and social media platforms
 - Investigation of potential feeding sites and identification of potential feeder(s) – this will include information gathering during discussion with neighbourhood residents and physical observations
 - Enforcement of by-law infractions
(OR if no by-law exists)
 - Issue a written request to the person feeding canids to reinforce the importance of why their behaviour must stop, including public and pet safety as well as welfare of the canid.

Partnerships

Working with local wildlife experts, such as Coyote Watch Canada and licensed wildlife rehabilitators offers important added value to any Canid Response Strategy. Consulting with experts will help municipal staff to navigate the nuances of wild canid behaviour. Canids are very adaptable and quickly learn how to respond to what is in their environment. Consultation with experts is necessary to determine how to respond to an escalated situation.

Engagement with Indigenous communities in the early stages of planning wildlife strategies provides for opportunities to share information and ideas, note any concerns and explore cultural connections. *(Include specific results of the engagement, if any)*

(insert name of your municipality) Canid Response Strategy aligns with best practices in urban canid management. Providing long-term solutions and factual information to residents usually alleviates conflict, fear and misperceptions regarding canids. These policies are reinforced by expert partnerships and increased coordination with emergency responders to reduce negative interactions between residents and canids.

Collaboration with neighbouring municipalities is crucial where canids are living on or near a geographical border. Actions taken to address a situation must occur in both municipalities to be effective.

Lethal Measures

While the strategy includes possible removal of a canid, this should only occur if there is a bona fide health and safety risk to the public and/or for humane reasons. Removal methods include



capture using current equipment, or dispatch by firearm. In these cases, municipalities can seek assistance from wildlife experts, such as a licensed trapper or rehabilitator, and police services if removal requires use of a firearm. (*Including police in the strategy requires consultation and agreement*)

Although there are no feasible alternatives to capture a canid without including the option to use firearms when necessary, the lethal response is considered as a last resort. Municipal Animal Services are not armed, and their efforts are focused on educating the public on how to minimize negative interactions with canids.

SAMPLE

Advancing best practices for aversion conditioning (humane hazing) to mitigate human–coyote conflicts in urban areas

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Abstract: Coyotes (*Canis latrans*) are now recognized as a permanent feature in urban environments across much of North America. Behavioral aversion conditioning, or humane hazing, is increasingly advocated as an effective and compassionate alternative to wildlife management strategies, such as trap and removal. Given a growing public interest in humane hazing, there is a need to synthesize the science regarding methods, outcomes, efficacy, and other relevant considerations to better manage human–coyote conflicts in urban areas. This paper was prepared as an outcome of a workshop held in July 2019 by Coyote Watch Canada (CWC) to synthesize the literature on aversion conditioning. The paper also includes the deployment experiences of members of the CWC Canid Response Team. Herein, we propose best practices to enhance the efficacy of aversion conditioning for the management of urban wildlife, particularly coyotes. We detail recommendations concerning: the importance of consistency, adaptability, humaneness, and clear goals; training and proactive implementation; and the need for a comprehensive wildlife coexistence program. We further detail additional considerations surrounding domestic dogs (*C. lupus familiaris*), public perceptions, and defining behavior and conflict. We hope this synthesis will assist wildlife managers and local governments in identifying and deploying nonlethal human–coyote conflict mitigation strategies that are effective, humane, and community supported.

Key words: aversion conditioning, canid, *Canis latrans*, coyote, human–wildlife conflict, humane hazing, nonlethal, urban wildlife management

COYOTES (*Canis latrans*; Figure 1) are increasingly recognized as a permanent feature of urban environments across much of North America (Hody and Kays 2018). As highly adaptable generalist omnivores, they are proficient foragers who make use of a range of natural and anthropogenic foods within cities (Gehrt et al. 2011, Murray et al. 2015, Poessel et al. 2017). Heightened public awareness of their presence and concern over the potential for negative interactions, especially with domestic pets, have increased community interest and the dialogue surrounding human–coyote conflict (Alexander and Quinn 2011, Elliot et al. 2016, Draheim et al. 2019). At the same time, the public may be increasingly concerned with the use of lethal control options, which have been the status quo for managing predators and other “nuisance” wildlife (Messmer et al. 1997a, Wittmann et al. 1998, Messmer et al. 1999, Martínez-Espiñeira 2006, Jackman and Rutberg 2015). In addition to public perceptions, there are ethical, scientific, and legal considerations affecting the use of lethal control options in

urban environments (e.g., Sterling et al. 1983, Messmer et al. 1997b, Treves and Karanth 2003, Treves et al. 2016, Bergstrom 2017).

Concomitantly, behavioral aversion conditioning, also termed humane hazing, is increasingly advocated as an effective and compassionate alternative to wildlife management strategies such as trap and removal (involving translocation or lethal interventions; Shivik 2004, Bonnell and Breck 2017, Breck et al. 2017). Bonnell and Breck (2017, 147) defined aversion conditioning as “deliberate negative conditioning. A training method that employs immediate use of deterrents or negative stimulus to move an animal out of an area, away from a person or discourage an undesirable behavior or activity. Hazing is conducted to sensitize coyotes to the presence of humans or human spaces such as backyards and play spaces. Hazing does not harm animals, humans, or property.”

Among the approaches commonly termed hazing, there are a number of competing definitions. Project Coyote (n.d.) differentiates between passive hazing, or making an area



Figure 1. A mother eastern coyote (*Canis latrans*) feeds her pups in a residential backyard in the city of London, Ontario, Canada (photo by J. Merner for Coyote Watch Canada).

unsuitable for coyotes (i.e., habitat modification, attractant removal, deterrents), and active hazing, or responding to coyote activity to reshape their behaviors and create avoidance. Breck et al. (2017) stated that nonlethal (as well as lethal) approaches also may be either proactive or reactive. In proactive hazing, all coyotes in an area are conditioned to avoid interactions with humans prior to any specific concerns. Conversely, reactive hazing targets specific individuals who have already started to demonstrate behaviors that are viewed as undesirable by the community. The coyote management and coexistence plan in Chicago, Illinois, USA (Chicago Animal Care and Control n.d.) differentiates between basic hazing, in which residents routinely appear “big and loud” to scare coyotes away, versus high-intensity hazing, in which trained professionals respond to particular incidents using a variety of tools such as projectiles or pepper spray. A number of additional deterrent strategies are employed in rural settings, including flandry, conditioned taste aversion, and guard animals, but are either less implementable or have yet to be explored in urban settings (Shivik and Martin 2000, Shivik 2004, Parr et al. 2017).

Despite increased public interest in the use of hazing to manage human–coyote conflicts, the evidence available regarding the methods, outcomes, efficacy, and relevant considerations is conflicting and poorly supported (Shivik 2004, Grant et al. 2011, Bonnell and Breck 2017, Breck et al. 2017). The lack of published data on the

efficacy of aversion conditioning and the factors that influence its success have been used to argue against the widespread implementation of nonlethal conflict-mitigation strategies (e.g., Brady 2016). However, studies that report mixed results of hazing efficacy have acknowledged limitations, including: (1) difficulty in quantifying coyote behavioral responses to hazing; (2) no standard approach for assuring and assessing the competency of those administering the treatment, especially if conducted by members of the lay public; (3) difficulty in relating short-term behavioral responses of coyotes to long-term changes in behavioral patterns; and (4) pronounced differences between treatment and control sites that likely confound study results (Bonnell and Breck 2017, Breck et al. 2017).

As local governments and wildlife managers attempt to develop human–wildlife conflict mitigation strategies that are effective, humane, and community supported, there is a need for guidance regarding if and how aversion conditioning can be successfully implemented as a nonlethal response strategy (Young et al. 2019).

To respond to this need, in July 2019 Coyote Watch Canada (CWC) convened an Aversion Conditioning Best Practices Workshop to discuss existing evidence and recommendations on aversion conditioning. Coyote Watch Canada is a community-based and volunteer-driven federal not-for-profit wildlife organization that collaborates with a broad range of stakeholders to develop and implement nonlethal human–wildlife conflict solutions. We have demonstrated success in facilitating the development and implementation of sustainable, effective, and compassionate wildlife coexistence programs, with a focus on canids (coyotes and foxes). We provide: multilevel educational programming; private, municipal, and provincial level consultation; on-site and in-office training; and support for municipal wildlife conflict mitigation policy development. Our methods are field tested and have evolved through decades of implementation and experimentation. Our longest-running program is in the Niagara Region of Ontario, Canada, which after over a decade of collaboration now represents a flagship model for our Wildlife Strategy Framework (City of Niagara Falls n.d.; Coyote Watch Canada n.d., 2013).

Workshop participants included research-

Table 1. Terms used and the results of a Google Scholar search to compile literature on aversion conditioning for coyote (*Canis latrans*) management published between 2000 and 2019, Coyote Watch Canada, St. Davids, Ontario, Canada.

Search term	Date range	Results yielded	Results pages scanned	Papers included
Coyote “aversion conditioning”	Since 2000	283	10	2
Coyote “aversive conditioning”	Since 2000	556	10	12
Coyote hazing	Since 2000	903	10	4
Coyote deterrent	Since 2000	3,460	10	1
Coyote repellent	Since 2000	2,170	10	1
Coyote haze	Since 2000	4,290	10	0
Coyote harass	Since 2000	2,340	10	3
Coyote harassment	Since 2000	3,900	10	2
Coyote nonlethal	Since 2000	3,030	10	1
Mined from reference lists	Since 2000	N/A	N/A	2

ers and members of the CWC Canid Response Teams (CRTs). The CRTs consist of volunteers trained in CWC’s field-tested methodology who consult and collaborate to implement on-the-ground response such as investigation, rescue, and conflict resolution. Team members have a combined total of >35 years of experience in implementing humane wildlife strategies. The CRTs provide on-site investigation, wildlife rescue and release assistance, and assessment and mitigation directives, including deployment of aversion conditioning.

In this paper, we synthesize the results of the 2019 workshop with contemporary literature to advance a set of recommendations and considerations (i.e., best practices) for using aversion conditioning as a nonlethal management tool for mitigating human–coyote conflicts in urban areas. We briefly describe the methods employed to generate coyote aversive hazing best practices, relay the key recommendations in terms of the what, when, who, and how of implementing aversion conditioning for urban canid management, and conclude by describing additional relevant considerations concerning domestic dogs (*C. lupus familiaris*), public perceptions, and defining behavior and conflict.

Methods

To conduct the literature review, we compiled peer-reviewed sources using the Google Scholar search engine. We included only sources published since the year 2000, as we

Table 2. Coding nodes (themes) employed in NVivo 12 coding of 2019 peer-reviewed and gray literature search results on aversion conditioning for coyotes (*Canis latrans*). Emergent codes in italics. Coyote Watch Canada, St. Davids, Ontario, Canada.

Primary nodes	Secondary nodes
Considerations	Humane Geography Public safety Pups/den Other
<i>Definition</i>	
<i>Dogs</i>	
<i>Failure</i>	
Food attractants	
<i>Gaps</i>	
<i>Limitations</i>	
Noise	
Projectiles	
Recommendations	
Visual	
Other	

aimed to synthesize recent literature reflective of the current state of knowledge on aversion conditioning. We detailed search parameters and results (Table 1). We reviewed reference lists of included articles to identify further sources that aligned with the search. Combined methods yielded 27 unique articles.

Table 3. Summary of best practices for aversion conditioning (humane hazing) to mitigate human–coyote (*Canis latrans*) conflicts in urban areas.

Aversion conditioning methods should be adaptable, humane, and applied consistently. We recommend the garbage bag method and do not support the use of dogs (*Canis familiaris*) or projectiles in hazing.

All members of the public should be encouraged to implement basic hazing techniques where appropriate, but high-intensity hazing involving targeted responses to hotspots should only be conducted by personnel who have been trained by someone with firsthand experience deploying the methodology.

Mitigation measures should be implemented proactively, rather than reacting to escalating conflict scenarios, and after investigating the circumstances and planning the most effective response.

Aversion conditioning should not be implemented in isolation, but rather as part of a comprehensive wildlife coexistence program that attends to the 4 cornerstones of investigation, education, enforcement, and prevention.

Coyote management goals should be clearly defined, approaches consistently deployed, and effects monitored to measure efficacy based on an agreed upon definition of success.

Interactions between coyotes and domestic dogs should not be classified as “conflict,” and efforts should be made to educate and enforce responsible pet practices, including not allowing dogs to roam freely in wildlife areas. It should be acknowledged that hazing may be less effective when domestic dogs are present, and the priority should be to remove the dog from areas where coyotes may be denning.

When implementing aversion conditioning, public outreach and education should prioritize ensuring that residents understand the purpose of hazing as a humane wildlife response tool and that it not inadvertently validate unnecessary and inappropriately high levels of wildlife harassment.

“Proximity tolerance” should replace “habituation” in wildlife research, management, and policy vocabularies.

Nonlethal interventions such as aversion conditioning should be seen as an appropriate response and mitigation tool for coyotes engaging in any behavior that is deemed undesirable by the community.

Secondly, we identified relevant gray literature by first searching for “coyote humane hazing” and “coyote aversion conditioning” in the Google search engine. This search identified possibly useful organizations and locales with relevant recommendations or other documents on aversion conditioning. This search resulted in the following secondary searches: “project coyote,” “Stanley park coyote,” “city of Calgary coyote,” “San Francisco coyote,” “Chicago coyote management and coexistence plan,” and “humane society coyote hazing guidelines.” Searches resulted in 5 unique documents for coding.

We analyzed the documents generated by our searches by qualitative coding in QSR International’s NVivo (QSR International Pty Ltd., Version 12, 2018). We established nodes (themes) *a priori* and others emerged as the data were analyzed. Nodes included: considerations, definitions, failures, gaps, limitations, and recommendations as well as specific approaches (dogs, noise, projectiles, visual; Table 2).

We synthesized literature review findings into a workshop package, which was distributed to participants in advance of the workshop. The 1-day workshop consisted of 2 parts, each with distinct goals: (1) to draft a set of best practices; and (2) to discuss the tensions, gaps, and responses to existing literature and recommendations. There were 7 workshop participants with >35 combined years of experience in deploying response protocols to reshape interactions with canids, including aversion conditioning techniques. We present key best practice recommendations and additional considerations (Table 3).

Results

What: rigorous methods that are consistent, adaptable, and humane

In terms of what constitutes effective aversion conditioning, methods should be consistent, humane, deliver clear messaging, and be flexible in adapting to novel scenarios. Many



Figure 2. A member of Coyote Watch Canada demonstrates the garbage bag method (*photo by Coyote Watch Canada*).

sources note that hazing must be applied consistently and persistently to be effective (Timm et al. 2004, Grant et al. 2011), and our experience supports this. If it is only performed by 1 or 2 individuals in a neighborhood while other residents continue to make their property or company comfortable and appealing to coyotes, this mixed messaging risks eliciting poor results. Targeted education campaigns within community hotspots are therefore critical in terms of ensuring residents work together to apply mitigation measures consistently. There is evidence that domestic dogs can differentiate humans both by scent (Schoon and De Bruin 1994) and visually (Huber et al. 2013). Anecdotal observations from our CRTs and in the literature (Grant et al. 2011) similarly suggest that coyotes can recognize individual humans, and therefore if there are only the same few individuals hazing, coyotes may learn to avoid only them. Where aversion conditioning is being conducted by individuals in a professional role who wear a uniform (e.g., animal control, humane society, police), we will at times recommend that officers practice aversion conditioning without the uniform if the coyote has adapted to responding to those in uniform but does not act in a consistent manner with members of the public.

Aversion conditioning is not a specific method, but rather a collection of interventions designed for a certain aim: to communicate to coyotes to move and/or stay away; it is a toolkit of actions and gestures designed to main-

tain healthy boundaries between wildlife and humans. A wide variety of stimuli have been employed and can be successful (e.g., shaker cans, umbrellas, garbage bags). Generally, deployment involves using one's body along with additional visual or auditory stimuli or tools to send a clear message. The key to success lies not in the specific tool used, but rather the intention of the deployer, effective communication, and persistence. Clear messaging is integral to communicating effectively with canids. In domestic dog training, body language and gestural communication are key and are more effective than visual or auditory communication alone (D'Aniello et al. 2016, Scandurra et al. 2017). Thus, yelling at a coyote from a window may not always be effective, and physically advancing toward the coyote with purpose is often required. What works in 1 situation may not be effective in another (Grant et al. 2011), so some degree of persistence and adaptability may be required. Because each coyote will have a different history and there may be inherent differences in behavior, not all coyotes will respond similarly to the same stimuli. Efficacy requires creativity, flexibility, and innovation, along with skills to analyze the context and respond accordingly, which is why we emphasize the importance of experience and training in the following section.

One technique CWC frequently recommends is the garbage bag method (Figure 2). Quite simply, it involves unfurling and rapidly snapping a large, air-filled garbage bag loudly. It can be accompanied by walking toward the coyote and using a firm, loud voice to encourage the coyote to move away. Benefits of this method include: coyotes are often averse to loud and unfamiliar noises (Darrow and Shivik 2009), and this, if done properly, can be quite dramatic; and unlike whistles or airhorns, this method has the added benefit of providing a visual stimulus, which is why we recommend a black or green garbage bag rather than clear. It creates a visual barrier, and shiny billowing plastic can be an alarming sight to an animal. Finally, it is accessible and simple to carry and use. While other methods might have a similar effect, such as popping open an umbrella, garbage bags can fit easily into your pocket, are inexpensive, and are available anywhere. This method can be easily used by any member of

the public regardless of age or ability. It has been used extensively in the communities in which we work, both by members of our team, first responders (animal control or services, bylaw, humane society, law enforcement, etc.), and the public, achieving the desired outcome (e.g., immediate: the coyote is redirected out of the area in an encounter; long-term: coyote behavior is reshaped to avoidance, leading to a reduction in coyote complaints in an area).

Concerns have been raised that coyotes may become tolerant to a single tool; for instance, over time they may learn that snapping a garbage bag does not present a threat and stop responding to it. We have not encountered this in our experiences and feel it is important to reiterate that effective mobilization of aversion conditioning is less about any 1 specific tool and more about intention and persistence. Our high degree of success in this method is because if an individual coyote does not respond to a given stimulus, we immediately employ another tactic and follow through until the desired response is elicited. If insufficient response is generated through snapping the garbage bag, then one should walk quickly and with purpose toward the coyote while snapping it and/or vocalize loudly and firmly. Clear and confident body language and assertive voice is more important than sophisticated tools or body size in obtaining desired results. Thus, evolving public perceptions from fear and misinformation to understanding and empowerment is key to human–coyote coexistence.

Finally, although recommendations for aversion conditioning generally specify that methods should not harm coyotes, a discussion of what constitutes “harm” and how to avoid it is often lacking. Hazing, by definition, induces fear, which could constitute psychological harm, but which is preferable to the lethal control measures that are often implemented if conflicts remain unresolved. Generally, the aim of hazing is not to cause physical harm to coyotes. This means, for instance, throwing objects near, not at, them. It means being mindful of the circumstances and possible risks to coyotes (e.g., not hazing them onto a road). Humane practices also mean not forcing a family to relocate their den, unless the situation is dire. Most sources recommend that hazing not be conducted near pups or an active den site

(Project Coyote n.d., Bonnell and Breck 2017). In addition to welfare considerations, there is a risk that new den sites that result from forced relocation may be even more problematic than the original site (Colorado Parks and Wildlife n.d.). Finally, it is commonly advocated that sick or injured coyotes should not be hazed (Project Coyote n.d., Bonnell and Breck 2017). We agree with the former, because of the possible harm associated with additional stress, but would add that appropriately responding to sick or injured coyotes should entail efforts to rescue and rehabilitate where such opportunities and resources are available.

We advocate against the use of dogs or projectiles such as clay bullets in hazing because these methods are inhumane, and we challenge their efficacy. In terms of dogs, intentionally creating conflict between 2 canids puts both at risk and is unethical. Furthermore, given that domestic canines are key drivers of human–coyote conflict in urban areas (Bombieri et al. 2018), enabling an augmentation of this conflict by intentionally creating antagonistic situations is irresponsible. We suggest that in any situation where dogs are currently used to haze coyotes, a person could deploy the aversion conditioning methodologies described here with less risk to all involved, and likely with greater efficacy. In terms of projectiles such as clay bullets or paintball guns, the risk of injuring the animal is an important welfare concern. We also question the intention of hazing done at such a distance, as it is misaligned with the goal of preventing proximate encounters, making it difficult for the coyote in question to link stimulus to response (Shivik 2004).

Best practice: Aversion conditioning methods should be adaptable, humane, and applied consistently. We recommend the garbage bag method and do not support the use of dogs or projectiles in hazing.

Who: training

One of the more challenging questions related to aversion conditioning is who should be deploying it. Hazing is often undertaken by those in professional roles or official capacities, such as individuals working in animal control, parks staff, police, etc. Some recom-

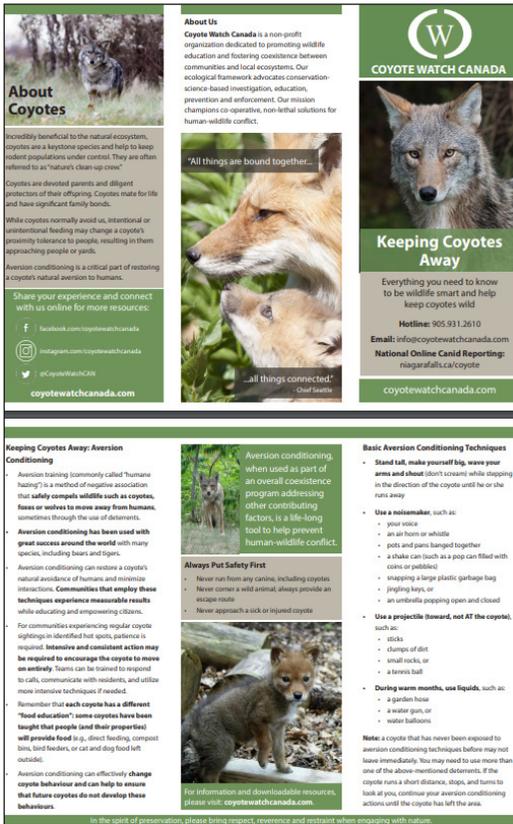


Figure 3. Coyote Watch Canada’s “Keeping Coyotes Away” brochure (available from <https://www.coyotewatchcanada.com/files/CWCKEEPING-COYOTES-AWAY-BROCH0920.pdf>).

mentations target broad audiences, suggesting that all members of the public haze coyotes. There is increasing discussion of “hazing crews” who can respond to hotspots and apply aversion conditioning (e.g., see Brennan 2017). Bonnell and Breck (2017) recruited 207 volunteer community scientists around the Denver Metropolitan Area, Colorado, USA, who were then trained in hazing and asked to record any coyote encounters or instances of deployment. But questions of who should be trained and how, as well as who should do the training, remain unaddressed.

The approach advocated by our organization aligns with the city of Chicago coyote management and coexistence plan’s (Chicago Animal Care and Control n.d.) differentiation of basic versus high-intensity hazing. All members of the public should be encouraged to practice basic hazing techniques, such as the garbage bag method, where appropriate. Our organization’s educational literature includes

a brochure on keeping coyotes away, which details basic hazing techniques (Figure 3). Some jurisdictions have incorporated instructional videos on hazing within their educational materials, such as the Town of Oakville (2016), Ontario. However, in situations of hotspots where concerns have escalated, effective aversion conditioning to mitigate the situation may require high-intensity hazing (in conjunction with thorough investigation). High-intensity hazing should be deployed only by trained personnel, such as animal control, humane society, parks staff, or wildlife organization employees or volunteers. Those deploying high-intensity hazing should have received comprehensive training on assessing conflict scenarios and effective use of the appropriate mitigation techniques. As noted by Bonnell and Breck (2017, 154), “hazing is a complex concept and is difficult to teach using non-personal media such as on-site signs,” and therefore, in-person training is recommended. We recommend that training on aversion conditioning only be conducted by those who have firsthand experience deploying the methodology. For instance, CWC regularly holds training sessions for municipal employees in animal management or first response roles. We do not support the formation of hazing crews by members of the lay public. Any targeted or high-intensity hazing response should only be undertaken by skilled professionals or volunteers capable of assessing and responding to the potential complexity of each situation and who are trained and supported by those with expertise and firsthand experience.

Best practice: All members of the public should be encouraged to implement basic hazing techniques where appropriate, but high-intensity hazing involving targeted responses to hotspots should only be conducted by personnel who have been trained by someone with firsthand experience deploying the methodology.

When: monitoring and timely response

Often there has already been an escalation of concerns over a period of weeks or months by the time interventions are deployed (Carrillo

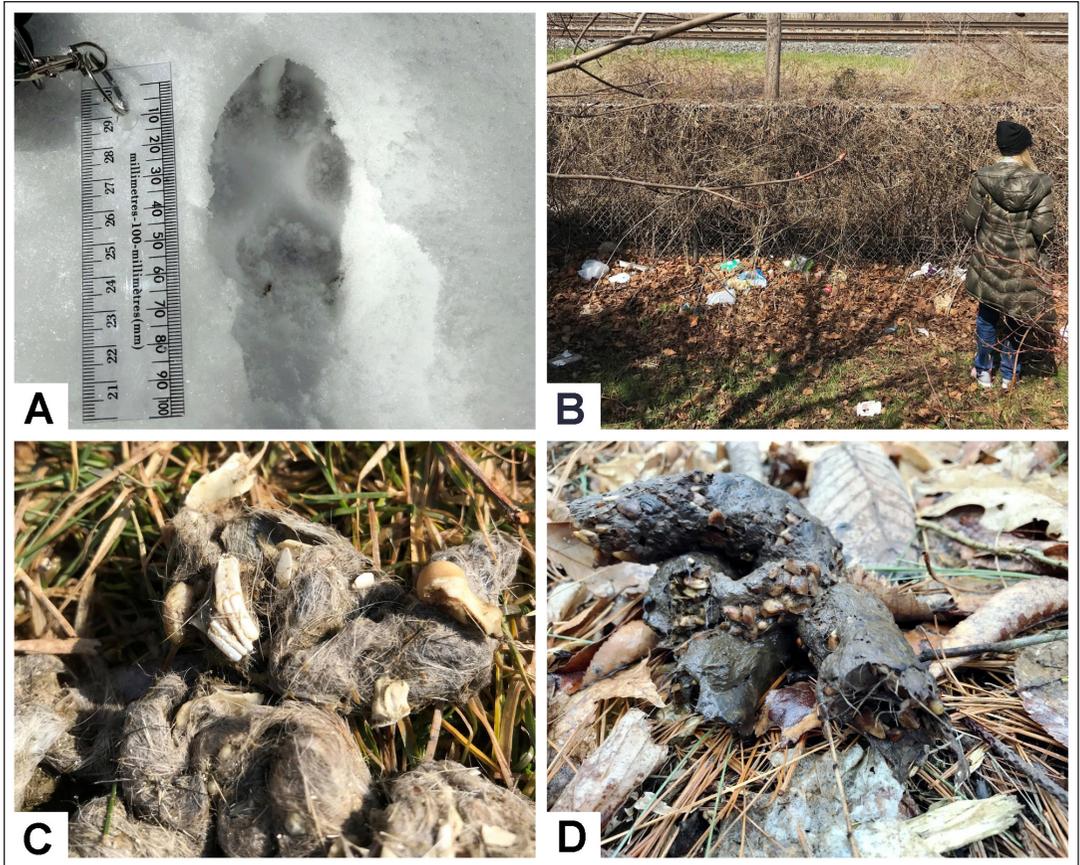


Figure 4. Investigation entails learning about the behaviors of coyotes (*Canis latrans*), human residents, and the context of interactions. This could involve: tracking coyotes (A); identifying any food attractants, such as garbage (B); and characterizing coyote diet, for instance looking for natural foods like fur and small mammal bones (C), or anthropogenic foods such as birdseed (D; photos by L. Van Patter).

et al. 2007). This is not ideal, but rather mitigation measures should be implemented proactively (Fox 2006, Breck et al. 2017). A system for reporting and monitoring encounters or concerns is invaluable in identifying and responding to possible emerging hotspots before conflicts can escalate. Ideally, hazing should be implemented after an investigation of contextual factors so that an understanding of drivers of conflict, goals of intervention, and effective mitigation techniques can be assessed and strategized (see next section).

Best practice: Mitigation measures should be implemented proactively rather than reacting to escalating conflict scenarios and after investigating the circumstances and planning the most effective response.

How: as part of comprehensive coexistence framework

In terms of how aversion conditioning should be implemented, our central recommendation is that it should not be used in isolation, but rather as part of a comprehensive wildlife coexistence framework. Aversion conditioning is often presented and assessed as a lone measure (e.g., Brady 2016, Bonnell and Breck 2017, Breck et al. 2017), despite the acknowledged imperative to address additional concerns, such as anthropogenic food provisioning (Timm et al. 2004, Baker 2007, Elliot et al. 2016, Baker and Timm 2017). Rather than advocating for the implementation of aversion conditioning as a solitary measure, CWC's 4-cornerstone approach to coexisting with wildlife entails prevention, investigation, education, and enforcement, each of which is briefly detailed below.

Keeping Coyotes Away

Setting Boundaries Using Humane Deterrents

Humane hazing (or aversion conditioning) is a method of negative association that **safely compels wildlife** such as coyotes, foxes or wolves to move away from humans, sometimes through the use of deterrents. **Hazing has been used with great success around the world** with many species, including bears and tigers.

Basic Hazing Techniques

- Stand tall, make yourself big, shout (don't scream) "Get Back!" and wave your arms until the coyote retreats.
- Use a **noisemaker**, such as your voice, an air horn or whistle, pots and pans banged together, a shake can (such as a pop can filled with coins or pebbles), a large plastic garbage bag being snapped, jingling keys, or an umbrella popping open and closed.
- Use a **projectile (toward, not AT the coyote)**, such as sticks, clumps of dirt, small rocks, or a tennis ball.
- During warm months, use **liquids**, such as a garden hose, a water gun, or water balloons.

For more information about coyotes in urban spaces, coyote behaviour, genetics, safety and coexistence, visit www.coyotewatchcanada.com.

Coyote Watch Canada is an all-volunteer, not-for-profit organization dedicated to fostering human-wildlife coexistence.

SCIENCE EDUCATION COEXISTENCE
www.coyotewatchcanada.com

Coexisting with Canids

Basic Prevention and Safety Tips

Know your wild neighbours. We share our urban and rural spaces with an array of fascinating species. Be wildlife-aware. Enjoy your surroundings and keep a safe and respectful distance from wild animals.

Don't invite unwanted houseguests. Keep your home properly sealed to exclude and discourage wildlife. Remove food attractants: secure garbage/compost containers, pick up dog feces, and clean outdoor grills. Reconsider bird feeders: they attract small mammals which, in turn, encourage carnivores to visit your yard.

Be a responsible pet owner. Free-roaming pets are vulnerable to a multitude of dangers. 92% of conflict between wildlife and domestic dogs occurs when dogs are running at large. For everyone's safety, they leash laws and keep cats indoors or in a secured enrichment area.

Do not feed wildlife. Feeding a wild animal will increase its proximity tolerance to people and pets. Direct feeding also attracts unintended/secondary wildlife and can ultimately put animals and people in harms way.

Visit [coyotewatchcanada.com](https://www.coyotewatchcanada.com) for comprehensive resources about human-wildlife safety and coexistence.

What to Do if a Coyote or Fox Approaches You

STOP: Pick up children and small pets, if necessary.

STAND STILL: Never run from a coyote, fox or domestic dog.

MAKE YOURSELF BIG: Wave your hands above your head.

BE LOUD AND ASSERTIVE: Shout "Go Away!", stomp your feet or clap your hands.

SLOWLY BACK AWAY: Be assertive as you leave, so the animal knows it is not welcome.

Figure 5. Coyote Watch Canada's "Coexisting with Canids" doorhanger (available from <https://www.coyotewatchcanada.com/files/CWCDDoorHangerMay122018.pdf>).

Investigation. Investigation is key, as implementing appropriate responses requires an assessment of contextual factors relevant to each situation. Without understanding the root cause of conflicts, interventions may be inappropriate or ineffective, responding to symptoms rather than causes. Usually when there is a problem situation, conflict, or hotspot, feeding is the root issue (though other considerations may be relevant, such as off-leash dogs or infrastructure changes that disrupt foraging opportunities or travel routes and corridors; Alexander and Quinn 2012). Investigation might entail ground truthing, tracking, interviewing residents, and identifying food attractants (Figure 4). The aim is to establish the relevant factors contributing to instances of concern or conflict to help inform the most appropriate course of action. Aversion conditioning is an important tool in responding to many situations. However, implementing additional concurrent strategies such as community outreach and education or enforcement of wildlife feeding bylaws, may be equally important to ensuring a successful out-

come. Without some investigation, it is impossible to understand the context, source of the issue, goal of the intervention, and how to best ensure its outcome.

Education. Education is integral to coexisting with wildlife in cities. It is particularly important to raise awareness of the consequences of intentional or unintentional food provisioning, including pet food, bird feeders, compost piles, accessible urban food gardens, and fallen fruit from trees. The urban coyote conflict literature emphasizes the importance of education about the consequences of feeding as well as wildlife-proofing property (Timm et al. 2004, Baker 2007, Carillo et al. 2007, Baker and Timm 2017). Education campaigns should be targeted and strategic. In a recent survey undertaken in Chicago, Illinois and in Los Angeles, California, USA, knowledge of and attitudes toward coyotes were highly variable, highlighting the challenges involved in reaching a consensus for appropriate management interventions (Elliot et al. 2016). Most respondents reported that when encountering a coyote, they were more likely to stand still or walk away than to try to scare the coyote away. The authors concluded that nature lovers may equally contribute to coyote conflict, as they are less likely to engage in hazing and more likely to participate in activities that attract wildlife (gardening, composting, bird feeding, etc.).

Thus, education efforts should target specific behaviors (i.e., what to do and not do), as opposed to attempting to shift broader attitudes concerning coyotes or other wildlife (Elliot et al. 2016). Along with conducting an investigation, one of the first responses undertaken by CWC when we are called into a community or made aware of an emerging hotspot is to schedule outreach meetings and/or circulate educational materials to the surrounding community, such as our doorhanger about coexisting with canids (Figure 5).

Enforcement. Enforcement of wildlife-related bylaws and ordinances, such as those that prohibit feeding, should be consistent to prevent coyotes from becoming used to frequenting anthropogenic resources or spaces (Fox 2006). Although education is often effective, a key question is "how many 'cheaters' does it take to change a coyote's behavior?" (Schmidt and Timm 2007, 299). Despite education, some

individuals may still be inclined to provide food, and therefore the creation and enforcement of bylaws and ordinances to prevent such behaviors and ensuing conflict scenarios is key. Partnerships and coordination between agencies are central to the success of human-wildlife conflict responses (Fox 2006). Relationship building across agencies and within communities ensures that information transfer and response occurs in a timely and effective manner. Within partner communities, CWC forges relationships with law enforcement, animal control, environmental and parks staff, neighborhood associations, and other relevant bodies to ensure alignment of expectations, efficient division of responsibilities, and clear communication and response pathways.

Prevention. Ultimately, strategies should prioritize prevention, as opposed to response. Proactive nonlethal strategies entail “altering the behavior of coyotes prior to the onset of conflict” (Breck et al. 2017, 134). Proactive interventions are preferable to reactive, wherein one responds to a situation after significant conflict has emerged. Proactive preventative strategies include education and enforcement, but there are also ways in which aversion conditioning can be used proactively. Generally, this involves practicing wider-scale basic hazing to maintain healthy boundaries between coyotes and humans sharing space in an urban environment.

Best practice: Aversion conditioning should not be implemented in isolation but rather as part of a comprehensive wildlife coexistence program that attends to the 4 cornerstones of investigation, education, enforcement, and prevention.

A final best practice in terms of how aversion conditioning is implemented pertains to defining and measuring success. It is imperative to clearly define the goals of response efforts from the outset. Grant et al. (2011, 21) noted that a common mistake is that “hazing is employed regardless of the specific behaviors or actions of the coyote...hazing should only be used if a coyote is behaving in a way that is unacceptable to the public or is using an area that residents deem unacceptable.” Therefore, communities need to define which spaces are and are not acceptable for coyotes to occupy and determine

levels of tolerance for specific behaviors. Ideal scenarios will involve community consensus and consistent application of techniques to discourage the presence of coyotes where they are deemed unacceptable and intervention in response to behaviors that are viewed as problematic. Coyotes need to live somewhere, and they need to make a living. If a coyote is walking across a field into a treed area, there is no need to haze it. If it is resting next to a sidewalk during a busy time of day, there will likely be community interest in discouraging this behavior. What is acceptable or not is subjective and will vary by community. The ultimate goals of management will vary accordingly, as will the strategies employed to attain these goals.

Finally, measuring success of aversion conditioning efforts is also a challenge. In our organization’s experience, deployment of basic or high-intensity hazing along with other relevant mitigation efforts (i.e., education and enforcement to remove food attractants) will result in a decrease of incidents reported and frequency of encounters or conflicts. However, it is important to note that individual coyote response to hazing may vary, and a lack of immediate decrease in sightings does not indicate failure, but rather that persistent action may be required. We caution against oversimplification of anticipated outcomes, such as Bonnell and Breck’s (2017, 150) “response coding of coyotes...being hazed by citizen scientists to rank individual coyote response to hazing from -4 (most averse) to 1 (coyote approaches).” Although some manner of typology may be useful, individual coyote responses to hazing techniques will depend greatly on contextual factors such as the presence of dogs, food resource being accessed, age of individual, proximity of den site, and the coyote’s history of interactions with humans. If a coyote fails to move away, this may not indicate that hazing is ineffective, but rather that the coyote is reluctant to leave a nearby den site or pups. If a coyote “moves <10 feet away after input, stops and looks back in the direction of stimulus <10 feet from the original starting point” (rank -1 on Bonnell and Breck’s [2017, 150] responses), they may be confused about the intentions of the deployer or reluctant to leave a valuable food resource. If a coyote approaches, is the deployer with a dog that is perceived as a threat to the coyote’s territory

or family? Individual responses will depend greatly on the coyote's history and food conditioning, as well as the efficacy of the specific treatment being employed. Individuals who are not confident and committed and who do not sufficiently follow through are not communicating effectively to the animal, and a lack of response should not be seen as problematic coyote behavior nor a failure of the methodology itself. This highlights the importance of training to response success.

Best practice: Coyote management goals should be clearly defined, approaches consistently deployed, and effects monitored to measure efficacy based on an agreed upon definition of success.

Additional considerations

Along with the best practices discussed above, there are several additional factors that are important to consider when implementing aversion conditioning: presence of domestic dogs, public perceptions, and consistent definition of behavior and conflict. We detail each of these briefly below and advance several further best practices that incorporate considerations of the complexities surrounding these factors.

Domestic dogs

A key consideration both from the literature and our experience involves the presence of domestic dogs, which can exacerbate human–wildlife conflict (Lukasik and Alexander 2011, Alexander and Quinn 2012, Bowes et al. 2015). In the case of coyotes, an analysis of Canadian print media between 1995 and 2010 found that 23.8% of articles reporting on conflicts with coyotes specifically pertained to coyote–dog interactions and were characteristic of territorial conflicts (Alexander and Quinn 2011). In our experiences, territorial conflicts with off-leash dogs is one of the primary drivers of human–coyote conflicts in urban areas. In terms of mitigating conflict, education pertaining to the risks to dogs, wildlife, and humans of allowing dogs to roam is important, along with the creation and enforcement of leash laws. This is important for protecting not only dogs and coyotes, but the many other wildlife species that are at risk from roaming dogs, which are an increas-

ingly recognized conservation threat (Lenth et al. 2008, Young et al. 2011, Hughes and Macdonald 2013, Doherty et al. 2017).

In terms of aversion conditioning, the presence of domestic dogs can present complications for deployment. Where a coyote is behaving defensively toward a roaming dog, the coyote may be less responsive to human hazing attempts, as the primary focus is on protecting its territory, resources, or family from encroaching canines. In this context, the priority is to maintain or create space between the dog and coyote. This can be done by calling the dog near, putting the dog on a leash, and slowly backing out of the area while deploying basic hazing techniques, such as the bag method described above. Bonnell and Breck (2017) reported that outcomes of hazing were negatively impacted by the presence of domestic dogs. In their research, “coyotes moved ≥ 10 feet away from the person hazing 49% of the time when no dog was present, but only 23% of the time when a domestic dog was present... dogs were present during 4 of 5 occasions when coyotes approached the person attempting to haze it” (Bonnell and Breck 2017, 153). The authors conclude, and we concur, that hazing can still be performed if an individual with a dog encounters a coyote, but that expectations of reduced efficacy in the presence of dogs should be clearly communicated to residents being educated about aversion conditioning. The response of individual coyotes to hazing in the presence of dogs will depend greatly on contextual factors, including proximity to a den, presence of pups, presence of food resource, and history of interactions with the individual dog or other domestic dogs.

Overall, education and enforcement concerning responsible pet practices are priorities for mitigating one of the largest sources of human–coyote conflict in urban areas. Where roaming dogs threaten coyote territories, resources, or families, we can expect coyotes to respond defensively. In instances where residents report behavior such as coyotes approaching or shadowing them while domestic dogs are present, the best practice is not necessarily to haze coyotes, but rather to ensure dogs are on leashes, or to keep dogs out of an area with known dens during pup rearing season. For instance, the Presidio Trust (2020) in California will tempo-

rarily close sections of trails to humans and/or domestic dogs when there are known active den sites.

Finally, we contend that interactions between domestic dogs and coyotes should not automatically be defined as conflicts or result in a coyote being designated as a problem individual. Contexts surrounding interactions need to be assessed on a case-by-case basis. As noted above, territorial interactions between animals is a natural process. If a dog is injured by a goose (Anatidae) protecting their young, the goose is not a problem animal, but rather the problem is inappropriate human behavior in allowing domestic pets to harass wildlife. The same should hold true in instances of altercations between coyotes and domestic dogs. This is common practice in many of the communities in which we work, including Toronto, Ontario, where the coyote response strategy stipulates that “a bite to another animal is not grounds for removal – it is normal coyote behaviour” (City of Toronto 2017).

Best practice: Interactions between coyotes and domestic dogs should not be classified as conflict, and efforts should be made to educate and enforce responsible pet practices, including not allowing dogs to roam freely in wildlife areas. It should be acknowledged that hazing may be less effective when domestic dogs are present, and the priority should be to remove the dog from areas where coyotes may be denning.

Public perceptions

One consideration that has received scant attention in the peer-reviewed and gray literatures is public perception. How the public perceives aversion conditioning will influence both uptake and willingness to conduct such practices at the community level and has the potential to present a risk to animal welfare. If members of the public do not understand the aims of hazing, they may be concerned about what they interpret as harassment or harm to wildlife. These concerns may be valid if best practices are not followed. Bonnell and Breck (2017) noted a reluctance to haze by some participants as a result of this perception, and Elliot et al.

(2016) similarly reported that individuals who do not see coyotes as a problem are unlikely to haze them. There is a need to educate the public that if they see wildlife responders conducting aversion conditioning, the aim is not to harm or harass the animal, but rather that this action represents a humane, nonlethal intervention aimed at cultivating healthy human–wildlife boundaries by reshaping canid behavior.

Just as perceived harassment will offend those who have positive views of coyotes or concerns for animal welfare, such actions, if carelessly applied or insufficiently accompanied by educational efforts, may embolden those who wish to harm coyotes. We have observed communities wherein what was presented as hazing crews have functioned primarily as vigilantes attempting to harass resident coyotes. An example of the latter would be teams that market themselves as nonlethal and humane, but who use weapons, projectiles, or dogs indiscriminately across space, and even around dens. The inappropriate nature of such applications and the risks they pose to both human and coyote safety highlight the importance of education and the need to carefully assess how aversion conditioning programs and practices are applied, perceived, and communicated.

Best practice: When implementing aversion conditioning, public outreach and education should prioritize ensuring that residents understand the purpose of hazing as a humane wildlife response tool and not inadvertently validate unnecessary and inappropriately high levels of wildlife harassment.

Defining behavior and conflict

A limitation in the existing literature is the inaccurate and sometimes inappropriate characterization of coyote behavior. We address several terms and consider how they impact practices and perceptions around success and failure in aversion conditioning delivery. The first of these is the concept of habituation. Habituation is defined as an “animals’ decreased responsiveness to humans due to repeated contact” (Geist 2007, 35). Most often the term “habituation,” rather than being used as a neutral behavioral descriptor, is norma-

tively loaded as an undesirable, permanent state of a “problem animal.” For instance, there is the claim that “habituated animals, those who have developed a psychological patience with our presence, are potentially much more dangerous than non-habituated, or ‘wild’ animals, because habituation is a state of unconsummated interest on the part of the animal, expressing itself as tolerance of and even an attraction to humans” (Geist 2007:35). Habituation as a descriptor of a fixed state is problematic due to the challenges in contextually defining a given animal’s behavior and the limited evidence to support the prevailing assumptions that it is both a permanent state and inherently dangerous.

Based on field experiences of the CRTs of CWC deploying wildlife response measures, we advance that “proximity tolerance” is a more accurate description of coyote behavior, which reflects the complex and contextual interrelationship between individual coyotes and humans. Over time and based on experiences, coyotes’ proximity tolerance with respect to humans (as well as other species, like domestic dogs) may change. This tolerance will depend on contextual factors, including the number, characteristics, and behaviors of the humans present, presence of dogs, if there is a food resource being accessed, and history of food provisioning and interactions. Just as experiences of food provisioning and positive interactions with humans may increase an individual’s proximity tolerance, negative interactions such as hazing can effectively decrease this tolerance. Our experiences challenge the assertion that coyotes with high human proximity tolerance are always inherently dangerous. Our observations in the field have yielded no evidence that links proximity tolerance and aggression toward humans. However, it is in a community’s interest to establish healthy boundaries with all wildlife, including coyotes, and restoring natural avoidance behaviors can be an important part of this. Unlike “habituation,” “proximity tolerance” highlights that these behavioral characteristics do not represent a fixed state but rather a fluid relationship that can, with proper response, be reshaped.

Best practice: “Proximity tolerance” should replace “habituation” in wildlife research, management, and policy vocabularies.

A further consideration is how conflict scenarios or problem coyotes are defined. A current limitation in both the scholarship and for wildlife practitioners is that “the definition of a ‘problem coyote,’ and what behaviors that coyote displays, varies greatly” (Draheim et al. 2019, 8). A frequently cited conceptualization of problematic coyote interactions is Baker and Timm’s (2017; drawing on Baker and Timm 1998, Baker 2008) “Behavioral Progression of increasing coyote habituation to suburban environments.” It progresses from level 1, “increase in coyotes on streets and in yards at night,” to level 7, “coyotes acting aggressively toward adults in mid-day.” The common assertion stemming from this classification is that once a situation has attained stage 3, “coyotes on streets, and in parks and yards, in early morning/late afternoon,” or greater, “problem” individuals will need to be lethally removed, as nonlethal interventions such as aversion conditioning alone will not sufficiently address the problem (Baker and Timm 2017). For instance, Timm et al. (2004, 55) concluded: “once coyotes have begun acting boldly or aggressively around humans, it is unlikely that any attempts at hazing can be applied with sufficient consistency or intensity to reverse the coyotes’ habituation. In these circumstances, removal of the offending animals is probably the only effective strategy.” Due to the difficulties of testing such a claim in a non-experimental (naturalistic) setting, it is difficult to either support or challenge this widespread belief.

Coyote Watch Canada observations and experiences in deploying aversion conditioning do not support the assumption that it is not possible to reshape the behavior of coyotes who are beyond a certain level of “habituation.” Our CRTs have experienced regular success in mitigating instances of human–coyote conflict even when encounters would have ranked highly on this scale, even at stages 5 or 6. The reason we do not include stage 7 is 2-fold. First, no member of our CRT has encountered a situation in which a coyote has acted aggressively toward humans. Second, the definition of “aggression” in the context of human–coyote interactions remains ill-defined within public discourse, policy, and management realms, as well as the scientific literature. We need more nuanced approaches to characterizing specific,

contextual behavioral responses, as opposed to assumptions and generalizations. Often “defensive-aggressive” behavior (as defined in the canid behavior literature, Fox 1970) is misinterpreted as “offensive-aggression,” which can be frightening to those who do not understand what they are seeing. For instance, a coyote may demonstrate defensive behaviors toward domestic dogs within their home ranges or shadow humans with dogs to ensure they leave an area with pups or an active den, and such behaviors are often incorrectly interpreted as aggressive coyotes threatening or stalking humans. Rather than aggression, these are naturally protective behaviors in response to threats to self, family, or territory. There is also a noted trend of humans being bitten by coyotes while intervening in an encounter between a coyote and domestic dog (White and Gehrt 2009, Alexander and Quinn 2011), but as we noted above, incidental injuries as a result of canid–canid conflict should not be defined as “aggression” toward humans.

Furthermore, we find Baker and Timm’s (1998, 2017) Behavioral Progression classification to be arbitrary. Why should stage 6, “coyotes seen in and around children’s play areas, school grounds, and parks in mid-day,” be ranked as more habituated than stage 5, “coyotes attacking and taking pets on leash or near owners; chasing joggers, bicyclists, other adults”? School grounds and parks often represent resource-rich areas containing human refuse and the small animals it attracts, so we would question why the presence of coyotes exploiting these resources in such areas would be characterized as highly problematic habituation, rather than simply signaling the need to manage direct human feeding and anthropogenic food attractants within such spaces.

Again, we assert that food conditioning and proximity tolerance should not be seen as fixed states, but rather as fluid, contextual relationships between individual humans and coyotes that can be reshaped. Similar findings have been noted elsewhere, for instance in Bogan’s (2012, 103) research where “the 1 case of emboldened behaviors was sustained as a tendency for 4 weeks, and then transitioned back to avoidance behavior.” Thus, we agree with Bogan’s (2012, 104) assessment that “conflict interactions may result from short-lived, situation-specific

events in which an animal quickly reverts back to an avoidance state.” Along with attractant removal and responsible pet care practices, aversion conditioning can be an important part of reshaping coyote behaviors within such temporary conflict scenarios.

Best practice: Nonlethal interventions such as aversion conditioning should be seen as an appropriate response and mitigation tool for coyotes engaging in any behavior that is deemed undesirable by the community.

Conclusions

Our recommendations and considerations for aversion conditioning center on key questions wildlife researchers and practitioners grapple with in implementing this increasingly promoted tool. In terms of what aversion conditioning should entail, we detail the importance of consistency, adaptability, humaneness, and clear goals. In terms of who should implement these techniques and when, we speak to the difference between basic and high-intensity hazing, outlining recommendations in terms of training and proactive implementation. In terms of the how, we contend that aversion conditioning should not be implemented in isolation, but rather as part of a comprehensive wildlife coexistence program that centers on prevention, investigation, education, and enforcement.

In terms of the why, our underlying assumption is that, where possible, nonlethal interventions are always preferable to lethal control, as is increasingly advocated by the conservation community (Dubois et al. 2017). Not only is this an ethical imperative, but nonlethal methods have the potential to be more sustainable and effective in the long term. Lethal coyote management has been the status quo for hundreds of years, and the evidence of its inadequacy in mitigating human–coyote conflict is increasingly dramatic (Sterling et al. 1983, Knowlton et al. 1999, Kilgo et al. 2017).

Management implications

Coyotes are part of the fabric of our urban communities and will remain as such, whether humans wish it or not. Whether grounded in utilitarian arguments of ecosystem service

provision or based on ethical claims about our obligations to other species, we have an opportunity to reshape the nature of our relationships with urban canids into one that is based on promoting compassionate coexistence, and aversion conditioning is a key tool in working toward this end. Wildlife managers should not automatically conclude that there are fixed states of advanced habituation that require lethal removal. Further research based on field observations and community engagement should be conducted to better understand behavioral plasticity in coyotes and the efficacy of appropriately deployed nonlethal interventions such as aversion conditioning.

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Coexisting with Canids



Basic Prevention and Safety Tips



Know your wild neighbours.

We share our urban and rural spaces with an array of fascinating species. Be wildlife-aware. Enjoy your surroundings and keep a safe and respectful distance from wild animals.



Don't invite unwanted houseguests.

Keep your home properly sealed to exclude and discourage wildlife. Remove food attractants: secure garbage/compost containers, pick up dog feces, and clean outdoor grills. Reconsider bird feeders: they attract small mammals which, in turn, encourage carnivores to visit your yard.



Be a responsible pet owner.

Free-roaming pets are vulnerable to a multitude of dangers. 92% of conflict between wildlife and domestic dogs occurs when dogs are running at large. For everyone's safety, obey leash laws and keep cats indoors or in a secured enrichment area.



Do not feed wildlife.

Feeding a wild animal will increase its proximity tolerance to people and pets. Direct feeding also attracts unintended/secondary wildlife and can ultimately put animals and people in harm's way.

Visit coyotewatchcanada.com for comprehensive resources about human-wildlife safety and coexistence.

What to Do if a Coyote or Fox Approaches You

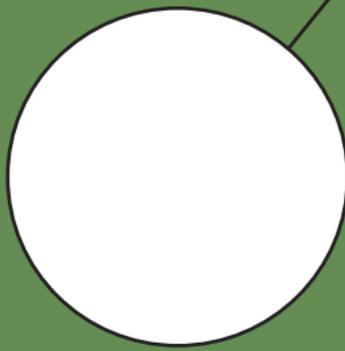
STOP: Pick up children and small pets, if necessary.

STAND STILL: Never run from a coyote, fox or domestic dog.

MAKE YOURSELF BIG: Wave your hands above your head.

BE LOUD AND ASSERTIVE: Shout "Go Away!", stomp your feet or clap your hands.

SLOWLY BACK AWAY: Be assertive as you leave, so the animal knows it is not welcome.



Keeping Coyotes Away



Setting Boundaries Using Humane Deterrents

Humane hazing (or aversion conditioning) is a method of negative association that **safely compels wildlife such as coyotes, foxes or wolves to move away from humans**, sometimes through the use of deterrents.

Hazing has been used with great success around the world with many species, including bears and tigers.

Basic Hazing Techniques

- **Stand tall, make yourself big, shout (don't scream) "Get Back!" and wave your arms** until the coyote retreats.
- **Use a noisemaker**, such as: your voice, an air horn or whistle, pots and pans banged together, a shake can (such as a pop can filled with coins or pebbles), a large plastic garbage bag being snapped, jingling keys, or an umbrella popping open and closed.
- **Use a projectile (toward, not AT the coyote)**, such as: sticks, clumps of dirt, small rocks, or a tennis ball.
- **During warm months, use liquids**, such as: a garden hose, a water gun, or water balloons.

For more information about coyotes in urban spaces, coyote behaviour, genetics, safety and coexistence, visit coyotewatchcanada.com.

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COYOTE WATCH CANADA

Winnipeg's Urban Coyotes: Getting Ahead of the Curve

by

Matthew Walker

A report submitted to the Department of Environment and Geography,
University of Manitoba,
in partial fulfillment of the requirements for course
ENVR 4500 (Honours Thesis Project)

April, 2015

Abstract

The opportunistic and generalist nature of coyotes has allowed them to inhabit a large range of habitats, both natural and human-created. In many cities throughout North America, coyotes have become a part of the urban ecosystem. Coyotes play an important role in the urban wildlife food chain; however, the more emphasized effects of coyotes in an urban landscape often involve conflict between humans and coyotes. Cities have adopted a variety of management strategies to minimize these negative human-coyote interactions and some cities have been more successful than others. This project attempts to gain a better understanding of the urban coyote situation in Winnipeg and provide insight for future management. The human dimensions component of this project involved interviews with individuals involved in the issue from cities across North America and Winnipeg. Differences in perspectives among interviewees were evident when categorized in terms of the level of conflict experienced in their respective city. Coyote sighting reports in Winnipeg have increased since 2011 and a larger amount of sightings were reported in the dispersal season. Management recommendations were made based on conversations with the interviewees.

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1. Introduction and Background

Coyotes are arguably one of the most wide-spread carnivores, occupying much of North America (Bekoff and Gese 2003). Their current range stretches from Panama, through Mexico and up to Northern Alaska (Bekoff and Gese 2003; Hidalgo-Mihart et al. 2004). The opportunistic and generalist nature of coyotes have allowed them to survive on a variety of food types depending on the availability of prey and plant sources and has allowed widespread colonization (Bekoff and Gese 2003). Coyotes may form packs, typically in the breeding season, allowing them to effectively capture ungulates (Gese et al. 1988). Other factors such as territoriality, cooperative defense and prey abundance can also determine if packs are formed (Bekoff and Wells 1980). Coyotes have three biological periods during the year: breeding (January 1 – April 30), pup-rearing (May 1 – August 31) and dispersal (September 1 – December 31) (Quinn 1997; Gehrt et al. 2009; Lukasik and Alexander 2011).

Typically, coyotes inhabit natural landscapes such as forests, grasslands, deserts and mountains; however, coyotes are easily capable of adapting to and inhabiting human altered landscapes, including many cities across North America (Bekoff and Gese 2003; Gehrt 2007). Coyotes have become urbanized for a few reasons. In some areas, undisturbed patches of habitat have been enclosed by development (Quinn 1995) whereas in other areas coyotes have been actively colonizing urban settings (Gehrt 2007). In an urban landscape, coyotes often choose green spaces less heavily used by people such as industrial yards, or cemeteries and golf courses at night (Magle et al. 2014). Given the opportunistic nature of coyotes, they are capable of feeding on many types of food that can be abundant in urban landscapes including, seeds, fruit, small mammals and birds and

coyotes can easily switch between these food sources when some sources are more abundant than others (Murray et al. 2015). Coyotes can substitute their natural diet with human provided food such as garbage, pet food left outside, or other food sources linked to humans (Murray et al. 2015; Newsome et al. 2015). This can lead to habituation and a loss of fear towards humans, which in turn may be linked to human-coyote conflict (Timm et al. 2004; Lukasik and Alexander 2011; Lukasik and Alexander 2012).

1.1 Positive Impacts of Urban Coyotes

Urban coyotes play an important role in ecosystem function in the urban landscape (Crooks and Soulé 1999; Bekoff and Gese 2003). Some argue that coyotes in cities can maintain small bird populations since coyotes help control mesopredators such as feral cats and mustelids (Crooks and Soulé 1999). Others also suggest that coyotes can help control Canada geese, rodent and deer populations within cities (Gehrt 2004; Hesse 2010; Piccolo et al. 2010; Alexander and Quinn 2011). People may also enjoy seeing coyotes for the joy of getting the opportunity to view a wild animal (Kellert 1985; Alexander and Quinn 2012).

1.2 Negative Impacts of Urban Coyotes

Coyotes are capable of living in close proximity to people, posing little threat to human safety (Gehrt et al. 2009); however, the more emphasized aspects of human-coyote coexistence often involve the negative impacts. Conflicts between humans and coyotes can pose a risk to human health and safety and often have negative consequences for wildlife. Minimizing these conflicts is a priority for wildlife managers, government officials and residents (Poessel et al. 2013). Once coyotes rely on humans for food (either

intentionally or accidentally), they could lose their fear of humans and human-coyote conflict may be more likely to occur (Timm and Baker 2007). Alexander and Quinn (2011) found that there was evidence of food conditioning in all of the articles about coyote attacks in Canadian media between 1995 and 2010. Some of these articles stated that there was partially digested human food found in the coyotes' stomachs or that there were residents who would feed wildlife (Alexander and Quinn 2011). In addition to provoking fear, there can be disease transfer, attacks on pets and in more rare cases attacks on humans (Carbyn 1989; Webber 1997; Lukasik and Alexander 2011; Alexander and Quinn 2012; Watts and Alexander 2012).

Coyotes elicit many strong emotional responses in citizens (Jacobs 2009). There is often a wide gap between the perceived fear and the risk of negative repercussions of co-existing with coyotes (Alexander and Quinn 2011). The wide variation in public attitudes and perceptions of coyotes are evident by looking at the media coverage about human-coyote interactions and the discourse the media provokes. After the fatal attack in Nova Scotia, there was a large increase in the number of articles about urban coyotes since the possibility of death became a well-known possible outcome of human coyote interactions (Alexander and Quinn 2011).

Some species of urban wildlife have higher rates of parasitism and disease for a number of reasons such as, increased stressors, poor nutrition, and/or increased frequency of inter- or intra-species interaction with domestic and wild animals (Watts and Alexander 2012). Urban coyotes in Canada host a wide variety of viral pathogens that are of concern to people and their pets, including rabies, canine distemper virus, and canine adenovirus (Rosatte 1988; Grindler and Krausman 2001; Arjo et al. 2003). Transmission of these parasites can occur directly (through physical contact with a coyote such as bites)

or indirectly (through fecal deposits) (Deplazes and Eckert 2001; Mani and Maguire 2009; Watts and Alexander 2012). Disease transmission is an important impact and must be considered when considering management approaches.

There have been many cases of coyotes attacking pets in urban settings and the dynamics of these types of attacks varies. Coyotes attacking dogs for food is rare but territorial attacks on dogs are more common (Lukasik and Alexander 2011). When attacks on pets occur, often times the owner gets involved and tries to defend their pet and the owner gets bitten as a result (Alexander and Quinn 2011). Attacks on cats are almost always lethal and are thought to be a result of coyotes seeing cats as a prey item (Carbyn 1989; Alexander and Quinn 2011).

Coyote attacks on humans are very rare, however they have occurred throughout Canada and the United States (Timm et al. 2004; Alexander and Quinn 2011). A review of Canadian media between 1995 and 2010 revealed that on average, just less than 3 people were bitten by a coyote per year in Canada (Alexander and Quinn 2011). There is also a perception that children are more likely to be bitten, but on average there was just over one toddler/child was bitten per year between 1995 and 2010 in Canada (Alexander and Quinn 2011). Although human death from a coyote attack is extremely rare (Gompper 2002), there was one lethal attack in Canada which occurred in a rural area of Nova Scotia. However, the coyote was suspected to be coyote-wolf hybrid, making it difficult to compare with the behaviour of normal coyotes elsewhere (Alexander and Quinn 2011). As coyote populations increase in areas of high human population densities, the number of attacks on humans are also likely to increase (Gompper 2002).

In contrast to Canada, a larger number of coyote attacks have been recorded in the United States, particularly in Southern California. Timm and Baker (2007) summarized

previously published information coyote attacks on humans in North America and found that in between 1977 and 2004, there have been 111 coyote attacks on humans in Southern California. They also concluded that the second and third ranked states, in terms of number of attacks on humans, are Arizona and Nevada. Many factors may be at play but high population densities are thought to be one factor contributing to the large number of coyote attacks experienced in Southern California (Timm et al. 2004). There have been attacks in other cities in the United States but to a lesser degree than what has been seen in Southern California (Timm and Baker 2007).

1.3 Situation and Management in Other cities

The greater Vancouver area witnessed a rapid increase in coyote complaints in the 1980s (Webber 1997). In response they implemented a rigorous coyote management strategy, which included monitoring, education, bylaws against wildlife feeding, and aversive conditioning techniques such as the use of noise-makers (Worcester and Boelens 2007). After seven years in place, human-coyote conflicts have been significantly reduced and remain at a low level presently (A. Nelson, Personal Communication, February 1st, 2016; Worcester and Boelens 2007).

Calgary has been dealing with urban coyote issues for a decade now. Many members of the public became very concerned after a child was attacked in 2005 (Lukasik and Alexander 2011). Calgary implemented a citizen reporting system using the Calgary 311 along with conducting research to get a better understanding of the issue (Lukasik and Alexander 2011). Little active education programs are being undertaken in Calgary at the moment, however passive education is set up, including signage and information on the website (S. Alexander, Personal Communication, February 9th, 2016).

Cities in Eastern Canada have been making great strides in coexisting with urban coyotes. Niagara Falls has implemented a substantial management strategy with an anti-coyote feeding bylaw along with intensive education, reporting, investigating, mitigation and conflict resolution strategies. The initiative was spearheaded by Coyote Watch Canada, a not-for-profit community-based wildlife organization (L. Sampson, Personal Communication, February 8th, 2016). Other cities in Eastern Canada have been jumping on board with coyote management as well. For example, Toronto has implemented an online form where members of the public can report coyote sightings along with an interactive map. The city also has information on the city website and holds open-houses to educate about urban wildlife (City of Toronto Municipal Licensing and Standards 2015).

In New York, there has been an increase in the number of reports from citizens with higher concentrations just north of New York City (Hudenko et al. 2008). In this area as well, there has been an active push by local governments and community groups to come up with strategies to educate and promote coexistence (Hudenko et al. 2008). In 2015, the town of New Castle, just north of New York City, created a coyote management plan which involves education programs, a response protocol for reported incidents, online resources and an interactive sightings map (Coleman and Ferry 2015).

Los Angeles and greater Southern California region have been experiencing human-coyote conflict for over 30 years. As mentioned previously, there have been many coyote attacks, including the only fatal attack ever recorded in the United States (Timm et al. 2004). The situation varies depending on the region but some have speculated that human-coyote conflict has been increasing in recent years (R. Timm, Personal Communication, November 30, 2016). Many management strategies have been

used over the years in different counties in Southern California. These strategies include public education of various forms, reporting systems and lethal control of problem animals by trapping or shooting (Baker 2007).

Denver began experiencing an increase in human-coyote conflict (many sightings, pet attacks, bold coyote behaviour and one human attack) for approximately two years before implementing coyote management guidelines in 2009 (White and Delaup 2012). The guidelines were derived from many stakeholders and focused on monitoring and data collection, education and hazing. The program was successful in reducing the level of conflict with documented reductions in sightings and pet attacks (White and Delaup 2012). Lethal control in Denver is reserved for when there is a human attack only (White and Delaup 2012).

1.4 Study Area

The city of Winnipeg is nestled in a vast mosaic of farmland and has two large rivers running through the urban center along with some smaller rivers and creeks. For the purpose of this study, Winnipeg is defined as the area within which all the coyote sightings reported to Manitoba Conservation and Water Stewardship, Winnipeg District fall. This area can be described as the perimeter of Winnipeg with a 3-kilometer buffer extending outwards. The city has witnessed an increase in coyote sightings over the past few years (K. Sinclair, personal communication, March 2, 2016) and there has also been media coverage of coyote activity in Winnipeg.

1.5 Research Purpose and Objectives

The purpose of this project is to get a better understanding of the urban coyote situation in Winnipeg and provide insight for future management. This project will assess the perceptions held by individuals that work in the wildlife field in Winnipeg and other cities in North America and compare the situations between these urban areas in terms of conflict level and management approach. Having an understanding of the human dimensions side of the issue serves as an important tool for wildlife managers (Webber 1997; Proulx 2015). The objectives of my project are as follows:

1. Conduct a literature review of urban coyote issues in other cities in Canada and the United States and examine the management practices that have been adopted in these cities.
2. Gather opinions and perspectives on the issue from individuals that are working on coyote issues (or have worked on coyote issues in the past) in our jurisdiction and other jurisdictions in Canada and the United States.
3. Gain an understanding of the issue in Winnipeg by analyzing temporal and spatial patterns.
4. Make recommendations for future management based on findings.

2. Methods

2.1 Interviews

One-on-one telephone interviews were conducted with individuals who are or have been involved in working with urban coyotes in Canada or the United States. The interviewees were chosen based on recommendations by my advisor, literature searches and searches

for coyote education programs. Some were also chosen by informant-based or “snowball” approach where interviewees recommend other interviewees (Hudenko et al. 2008). The interviews were conducted over the phone for all participants except for two for which it was possible to have a face-to-face interview in Winnipeg.

Each interview started with five demographic questions regarding their work on the subject, their educational background and whether they grew up in a rural or urban environment similar to Kellert (1985). The rest of the interview consisted of 21 questions, both open and closed, to guide the interview. A semi-structured approach allows the researcher to adjust the sequence of the questions and add questions based on the context of the responses (Zhang and Wildemuth 2006). The body of the interview was broken down into three main categories: concept, management strategies and emotion. The concept section served to gather information regarding information on the situation in whichever city the interviewee has done their work on. The goal of these questions is to get a general sense of the scale of the issue in these various cities such as the level of conflict. The questions on management strategies were posed to get a sense of the interviewee’s opinions on various management strategies. Questions were also asked about what management strategies have been implemented in their city and their thoughts on what else needs to be done. The final category of questions were designed to get a sense of the local public’s perspective on the issue and other aspects such as the media’s role in educating the public.

Each interview was digitally recorded after receiving verbal consent from the participant. Interviews were subsequently transcribed to allow for analysis, capturing key examples, justification for responses and descriptions (Hudenko et al. 2008). The responses were coded and categorized into common themes (Patton 2002; Ryan 2006;

Bloomberg and Volpe 2008; Hudenko et al. 2008). The closed questions serve as a way to get a short, pre-coded answers that can be easily summarized and compared among interviewees (Torkar et al. 2011). Responses to the closed questions and the important themes from the open questions were summarized in a data summary tables, which are useful for determining initial patterns in the data and aiding in the analysis later (Bloomberg and Volpe 2014).

The analysis was done using the “constant comparative method” described by Glaser and Strauss (1967), which involves “generating and plausibly suggesting many categories, properties, and hypotheses about general problems”. This method does not attempt to prove or impose universality of the suggested causes and does not provisionally test hypotheses (Glaser and Strauss 1967). During the coding process, patterns emerge from the data and allow the researcher to make categories along with a range of potential properties under that category (Glaser and Strauss 1967). The categories were chosen after the data was coded based on the emerging trends in the data but were also refined to serve the primary intention of the research, which is to examine the perspectives of individuals involved with urban coyotes and ultimately apply this insight to the situation in Winnipeg.

2.2 Spatial Analysis

In Winnipeg, Manitoba Conservation and Water Stewardship is responsible for dealing with problem wildlife in the city. When people call in to report a sighting or incident, the details get summarized in a District Occurrence Report (DOR). The locations from District Occurrence Reports were plotted using ArcGIS 10.2 over road and water layers obtained from the Manitoba Land Initiative. A heat map was created to visually represent

the density of the points across Winnipeg. The heat map was created in ArcGIS 10.2 by spatially joining the point data with a grid of one-by-one kilometer cells. A color gradient was then assigned to the cells to categorize them based on the various counts of District Occurrence Reports found within. A heat map is a visual way to spatially identify areas where there are a higher numbers of coyote sightings. In knowing where hotspots of human-coyote interactions are, management effort can be targeted to these high density areas (Poessel et al. 2013).

2.3 Temporal Analysis

The dates of the all the reports (regardless if they were plotted or not) were entered into a database and graphed to assess temporal differences in coyote sightings between month and biological period. Temporal patterns are also useful for implementing management strategies (Poessel et al. 2013).

3. Results

3.1 Interviews

A total of eleven interviews were conducted with individuals that are currently working on coyote issues (or have worked on coyote issues in the past) in our jurisdiction and other jurisdictions in Canada and the United States. The interviews were conducted from November 2nd, 2015 to March 2nd, 2016. The interviews of digitally recorded interviews were recorded. The average length of interviews was 38 minutes, 22 seconds with the shortest interview lasting 25:07 and the longest lasting 1:04:10. Due to a low sample size (N=11) connections and inferences made from the analysis should not be taken as

representative of all wildlife professionals across Canada and the United States. A study from Victoria, Australia, used a low sample size of fifteen to examine perspectives held by wildlife managers (Miller and McGee 2001). Therefore, for the purpose of providing guidance and insight for coyote management in Winnipeg, a low sample size and an interview format is adequate.

3.1.1 Demographics

Five of the eleven interviewees were from academia, three were from grassroots organizations including Coyote Watch Canada, Furbearer Defenders, Fort Whyte Alive and the Denver Coyote Project and the remaining two were from Manitoba Conservation and Water Stewardship, the wildlife management authority here in Winnipeg. Those from academia have studied coyotes in urban centers from a variety of angles including the human dimensions aspects of the issue and the biology of urban coyotes. The interviewees' experience working with wildlife ranged from 6 years to 44 years. The sample contained 4 females and 7 males. Five interviewees had PhDs, four had bachelor's degrees and two had post-secondary diplomas. All respondents indicated that they have either worked or grew up in a rural environment.

3.1.2 Situations in their cities

When asked to describe the current situation in their cities, the interviewees responded with a wide range of descriptive terms, ranging from high conflict with attacks on pets and humans to situations where there are lots of sightings with no conflict, no confirmed pet deaths and no attacks on humans. When asked to rate their city based on conflict level, the interviewees from Winnipeg gave ratings between 1 and 4, whereas

interviewees from the other urban centers gave ratings between 5 and 10. Eight respondents indicated that coyotes in their city were feeding on either “natural” or “primarily natural” food sources and the remaining three respondents stated that coyotes were feeding of both human and natural food sources. As one respondent pointed out, “the majority of coyotes are not living strictly off garbage, in any city you go to.” (Respondent 9, Calgary). Four respondents indicated that there is seasonal variation as to when coyotes inhabit urban areas in their city and the remainder stated that coyotes are found year round.

When asked whether they feel the level of sightings have changed in the past ten years, four said it has not changed or that sighting levels have been variable while the rest said there has been an increase. Many respondents pointed out that increased sightings could be from vegetation changes or increased human population and not necessarily related to increase in coyote abundance.

When probed about their perspectives on the overall impact of urban coyotes on their cities, eight respondents said that they have an overall positive impact on the city, two stated that they contribute in both positive and negative ways, and one stated that urban coyotes have an overall negative impact.

3.1.3 Management Approaches

All but one respondent stated that their city is managing coyotes in some way. The management strategies being conducted by the various cities varied greatly. Eight respondents stated that lethal management is being done in some way. The cities of these eight respondents are Winnipeg, Southern California, Tuscon, Denver, New York and Calgary. Every respondent stated that there is some type of public education occurring;

however, the methods for public education varied greatly. Some common forms of public education discussed were information pages on authority websites, brochures and signage. Other public education methods mentioned less frequently were stakeholder meetings and school programs. One respondent stated: "...they ended up going into schools and teaching children about hazing... we now have like, 7 or 8 year old girls out there that are hazing coyotes...works well" (Respondent 5, Vancouver). When asked when they would take management action, there was a wide range of responses. Responses for when lethal methods should be implemented were once pets start getting attacked, when there was a threat to human health and safety, once the coyote is food conditioned/habituated or when there are many sightings in a specific area.

Many respondents stressed initiating education early on. For example, one respondent stated, "[initiate management] as soon as coyotes begin to coexist with people.... Human behaviour management is one of the biggest things" (Respondent 7, New York).

One of the most important questions of the interview was to determine what the respondents think should be done in a city that has just recently began dealing with issues involving urban coyotes. This question provides valuable insight for Winnipeg since the recommendations are from those who have experienced urban coyotes problems and may have important suggestions moving forward. The answers varied greatly; however, the broad theme of public education was mentioned by eight of the eleven respondents. The specific public education methods varied but five of the eight included hazing as something that should get taught to the public. Once again, this notion of commencing education early was common. Respondents stated things like "go for the proactive education to get in front of the issue" (Respondent 10, Denver) or "taking proactive

approaches is critical and can really prevent some of the sever incidents seen here” (Respondent 6, Denver) or “I think every community should have a coexistence program very early on” (Respondent 8, Niagara Falls). The three respondents (all from Winnipeg), who did not mention public education in their response to what should be done in a city at an early stage, stated that either nothing should be done or that continued use of lethal methods and potentially allow trappers to trap closer to the city. Other sections of their interviews, however, indicated that they did have a positive view on public education. Monitoring and reporting systems also came up many times in the discussions about what should be done in a city at an early stage. When asked if a city that does not experience any human-coyote conflict at this time could benefit from monitoring, all respondents but one said “yes”.

Three respondents stated that the media plays an important role, four stated that it could play an important role in educating the public, two stated that it does not play an important role and two stated they have mixed feelings saying it can be both good and bad and that it depends on the headline.

3.1.4 Perception of the Public

The perspectives of the interviewees on what the public thinks about urban coyotes in their respective cities are highly variable. Six respondents believe that the public’s perspectives on the issue are mixed. Two respondents, both from Winnipeg, believe that the general public is unaware that coyotes are in urban areas. Two other respondents believe that the general public is accepting of coyotes and one respondent believes that the majority is tolerant and aware but concerned. In terms of whether they believe the public is currently educated, eight of eleven responded saying no, two responded saying

yes and one responded saying unsure. Eight out of eleven believe it is not possible to eliminate the public's negative perception on coyotes and three believe that it is possible. Some respondents that claimed it is not possible did, however, say that there can be progress made, for example: "I think you're able to make some changes but some of these attitudes are so heavily rooted and those are a lot harder to change and so I don't know if we would be able to get rid of all the negative sentiment" (Respondent 6, Denver). Another responded stated: "I've seen people make great transition in their thought process but there will always be people that no matter what you give them will not change their view." (Respondent 8, Niagara Falls). Some respondents that said yes, qualified their answer, for example: "It's going to take a lot of money and resources and time...since you're dealing with values." (Respondent 2, Tuscon).

3.1.5 Basis for the Analysis

After coding and summarizing the data in a data summary table, it was evident that there was a spectrum of conflict levels among cities in which I interviewed someone. The classification of cities within the categories of the degree of conflict (high, medium, low) was based on the words used by the respondents to describe the current situation in their city. The three common themes used to describe the situation were coyote sightings, pet-conflict and human-conflict. Niagara Falls and Vancouver were classified under low degree of conflict since the two respondents both mentioned that there were lots of sightings and little conflict. New York, Calgary, Denver and Tuscon were classified in the medium category since respondents stated that there are isolated incidents involving pets and humans. Southern California was categorized under high degree of conflict since the respondent mentioned fatalities, many human attacks and regular pet deaths.

Winnipeg was not classified on this scheme since Winnipeg has just recently been dealing with the issue and has not implemented any major management strategies, whereas all these other cities have been managing coyotes for a number of years and have more experience dealing with the issue. The common themes of each level of conflict are summarized in Table 1. Another comparison was made between respondents from Winnipeg to the respondents of other cities.

3.2 Spatial Analysis

I was able to obtain 173 District Occurrence Reports from Manitoba Conservation and Water Stewardship from April 26th, 2010 to February 21st, 2016. Point locations from a total of 152 reports were mapped (Figure 1) and 21 reports were excluded if the sighting occurred outside of Winnipeg, if the report was vague or if no clear location was reported. Once all points were plotted, a heat map with a one-by-one kilometer grid was created based on the density of the District Occurrence Reports (Figure 2).

3.3 Temporal Analysis

The number of reports per year from 2011 to 2015 is summarized in Figure 3. Monthly totals between 2011 and 2015 were also calculated and are summarized in Figure 4.

Table 1. Comparison of common themes that emerged from the interviews classified based on the degree of conflict as described by the respondent.

Degree of Conflict	Cities classified based on degree of conflict	Parameter				
		Description of the situation	Overall impact of coyotes on the city	Perspectives on lethal methods for management	Perspective on general public's current perception	Perspective on if the public is educated
Low	Niagara Falls, Vancouver	Lots of sightings	Positive	Not needed	Accepting	Yes
Medium	New York, Calgary, Denver, Tuscon	Pet attacks and pet deaths	Positive and Negative	For isolated incidents, case-by-case	Mixed	No
High	Southern California	Many human attacks	Negative	Need more lethal management	Mixed	No

District Occurrence Report Density in Winnipeg, Manitoba

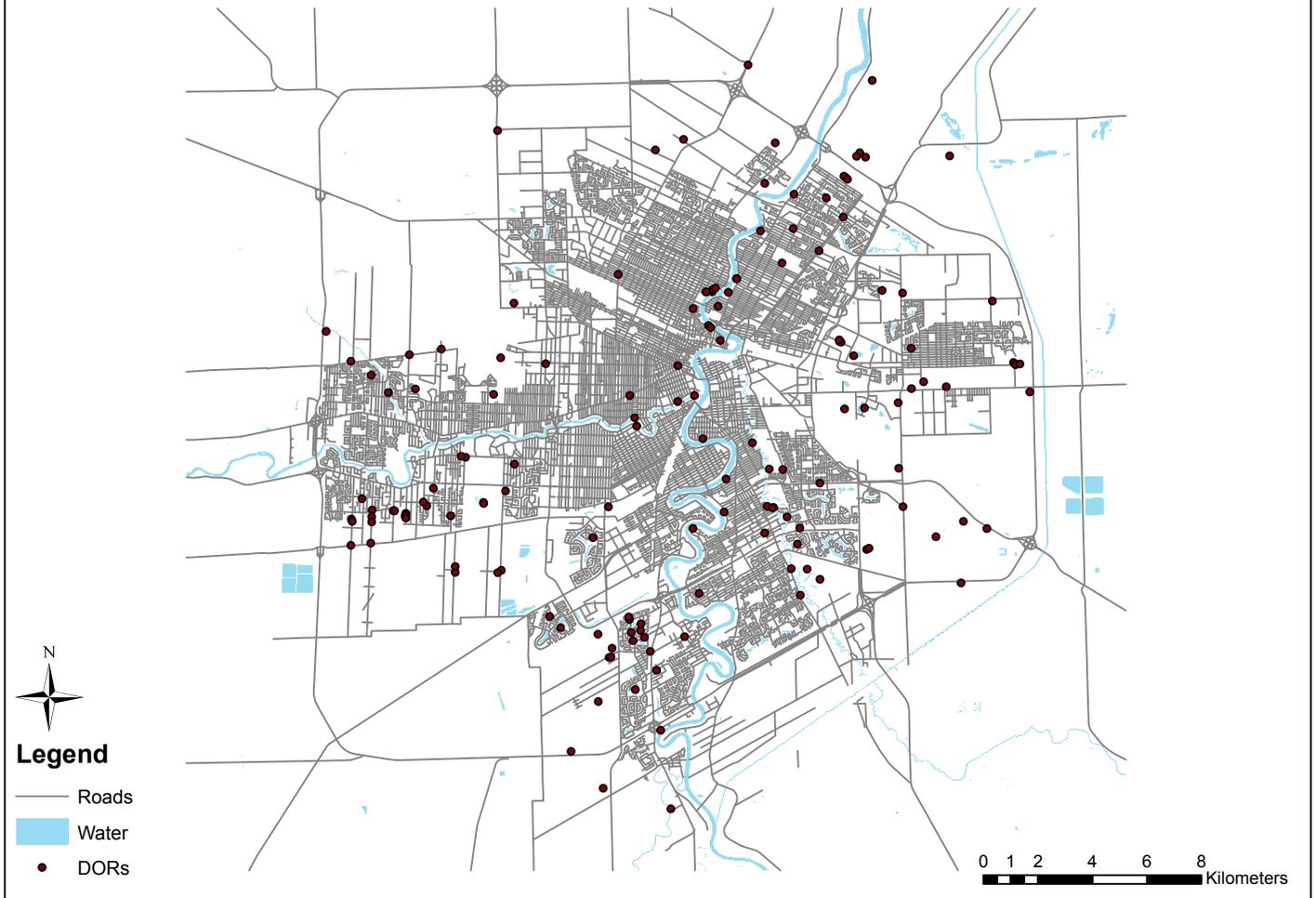


Figure 1. Distribution of District Occurrence Reports in the City of Winnipeg from 2010 to 2016.

District Occurrence Report Density in Winnipeg, Manitoba

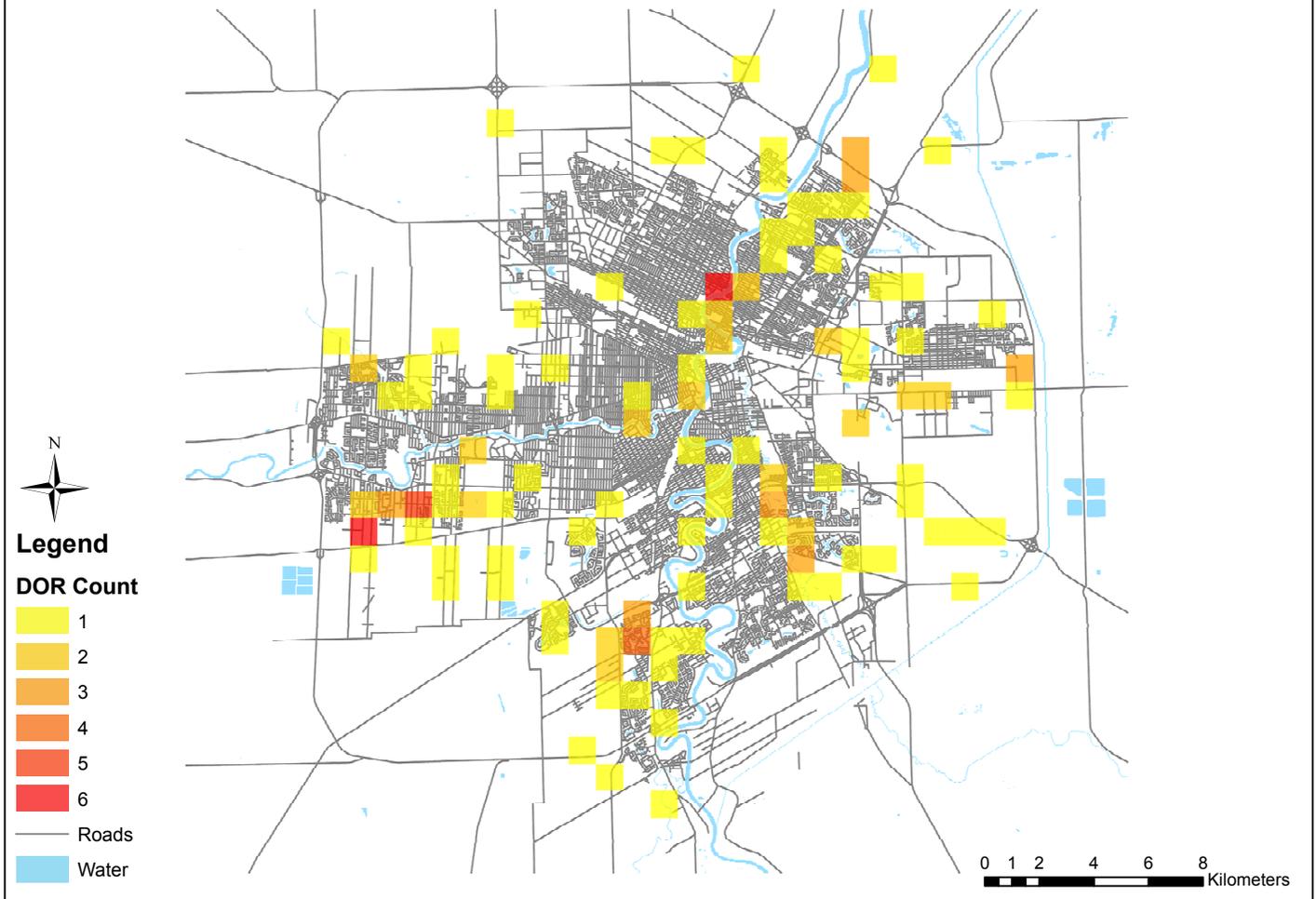


Figure 2. Heatmap displaying the number District Occurrence Reports per 1km by 1km cell in the City of Winnipeg.

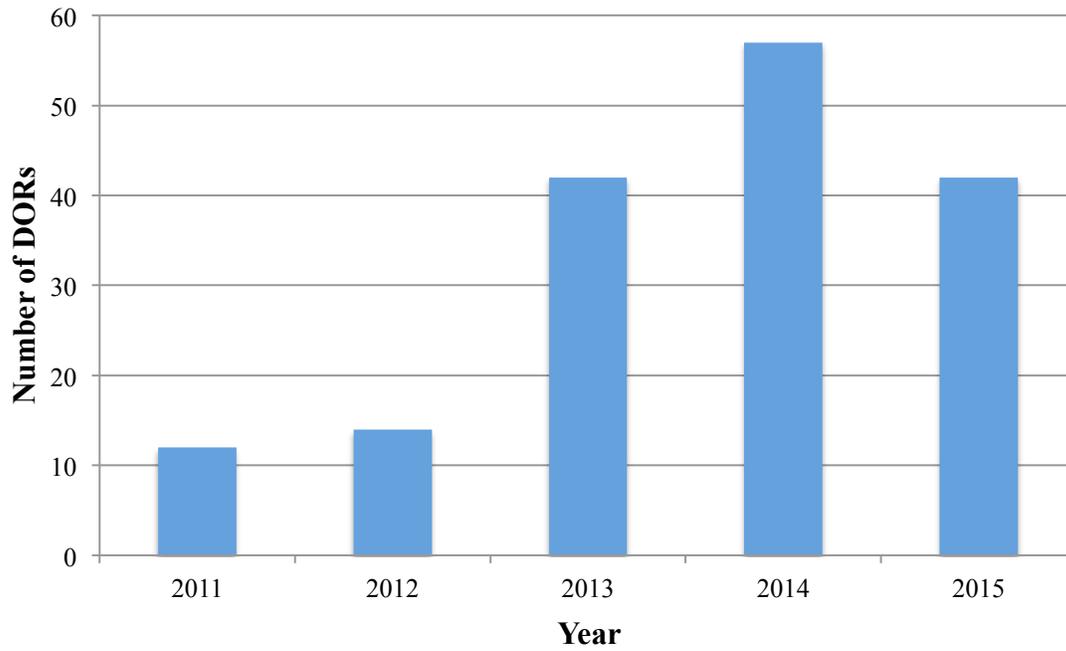


Figure 3. Number of DORs per year between 2011 and 2015 in the City of Winnipeg.

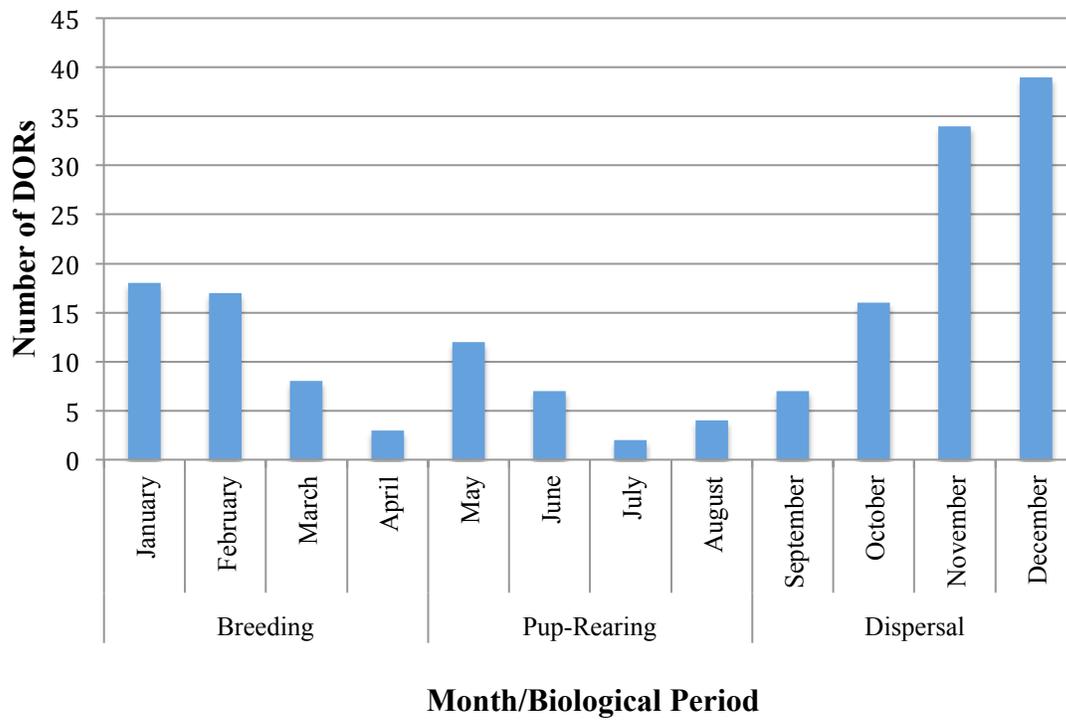


Figure 4. Number of DORs per month along with the biological seasons from 2011 to 2015 in the City of Winnipeg.

4. Discussion

4.1 Interviews

When asking interviewees about the effectiveness of various management practices it was clear that there was some ambiguity regarding the term “management”. For instance a management approach may be effective at removing the specific problem animal, but not effective at addressing the broader issue of human-coyote coexistence. Also when asked about when they would decide to initiate management action, this could be taken as either when to initiate direct lethal methods of controlling coyotes or when to initiate management in a broader sense, including education and increasing public awareness. Another confounding factor is the notion that an effective management strategy could be a combination of the various methods. A management strategy may therefore be deemed ineffective alone, but effective when used with a combination of other strategies. For these reasons, it is difficult to assess effectiveness of management approaches.

An additional constraint to this research is the low sample size. Since I was aiming to interview people in many different cities as opposed to multiple people in a smaller subset of cities, I was only able to interview one person from Southern California. This means that they were the only respondent in the high conflict category. A larger sample size is required to determine if the perspectives discussed are widely held among those involved in wildlife among each conflict category.

4.1.1 Comparison - Winnipeg to Non-Winnipeg

It is evident that Winnipeg is at an earlier stage and does not experience some of the more negative human-coyote conflicts when compared to the other urban centers where the

interviewees were from. The major noticeable difference between the responses from the interviewees from Winnipeg to those not from Winnipeg was their response to the question regarding what should be done in a city at an early stage. The interviewees from Winnipeg responded saying either nothing, increase trapping close to the city or continue to use lethal methods when human risk potential is high, whereas the interviewees from elsewhere all mentioned some aspect involving public education. This could reflect the fact that interviewees in these other cities have been dealing with the problem longer or that they have learned from what was not done in their cities early on. For Winnipeg, this means that there may be a required perspective shift into favoring a more proactive approach in order to get a handle on this issue and prevent it from becoming more severe in the future. The respondents from Winnipeg may have also factored in the cost and time required for education and that they believe these costs are not justified at this point in time.

4.1.2 Comparison by Degree of Conflict

The perspectives on if coyotes play a positive or negative role on the city varied between conflict categories and so did the perspectives on lethal methods, perspectives on the general public's current perception, and the perspectives on whether or not the public is currently educated (Table 1). Respondents categorized under low degree of conflict said that overall coyotes have a positive effect on their city, whereas those categorized under medium degree of conflict said both positive and negative and the respondent under the high conflict believed they have a negative impact on the city. These results are to be expected because when conflict is high, the benefit of having coyotes in the area becomes less important since there are many negative impacts on society. If there is no conflict

and people are coexisting with coyotes, the benefits of having coyotes around may be realized by the general public. The perspectives on lethal management varied between cities. Respondents in the low degree of conflict category believed lethal management was not needed, respondents in the medium degree of conflict mentioned it is beneficial in case-by-case, isolated incidents after other techniques have been fully exhausted and the respondent in the high degree of conflict stated that the urban areas have seen more conflict potentially because “they haven’t done as enough removal of problem animals” (Respondent 1, Southern California). The cities with low conflict may not need lethal methods since the problem is, for the most part, under control. Whereas the cities with conflict may find they need lethal approaches to protect human health and safety. Naughton-Treves & Treves (2005) made a similar conclusion, stating that those who experienced wildlife conflict are more likely to welcome lethal control. One respondent in the low degree of conflict category mentioned that the “more aggressive the management tactic, the worse problems people end up with in the future” (Respondent 5, Vancouver). Widespread lethal control of coyotes may exacerbate the problem by resulting in a change in social structure, more pups being born and thus greater recruitment which could increase conflict by favoring younger individuals who are less well socialized and prone to exploit human food sources and colonize marginal territories (Fox and Papouchis 2005; Alexander and Quinn 2012; Gese et al. 2012). For these reasons, an interesting proposition would be that wildlife managers in areas with high conflict favor lethal methods which in turn creates higher conflict, whereas those in medium or low conflict believe education is more valuable which has resulted in lower conflict. However, further investigation is needed to assess this relationship.

There may also be a relationship between the level of education and acceptance and the conflict level. A more educated general public may lead to less conflict since a major factor in dealing with human-coyote conflict involves changing human behaviour (White and Delaup 2012). A more educated public may result in people being more careful about feeding wildlife, more cautious with their pets around coyotes, better about securing garbage and even more knowledge about hazing techniques. Respondents in the low degree of conflict viewed the general public as being more accepting and more educated than those in the medium and high degree of conflict categories. This may potentially be a reason as to why they do not experience much conflict. If a large portion of the public is aware and educated on how to prevent negative coyote interactions, conflict will likely be reduced (Timm et al. 2004). Public acceptance may be related to more personal experiences with coyotes. A respondent from the low degree of conflict mentioned, “once they’ve had to do it [haze a coyote] they realize it’s no big deal at all” (Participant 5, Vancouver). Therefore it may only be after many years, once the public has had the opportunity to interact with coyotes, that the public becomes accepting of urban coyotes.

4.1.3 What does this mean for Winnipeg?

Every city should strive for coexistence and eliminate human-coyote conflicts for many reasons. First and foremost, health and safety should be priority and government has a duty to protect citizens. Second, economic benefits may be realized when wildlife response employees do not have to do coyote removal since it can be costly and difficult to target specific problem individuals (White and Delaup 2012). Third, as mentioned many times throughout the interviews, having urban wildlife and urban coyotes more

specifically can bring many benefits such as a better connection with nature or a healthy urban ecosystem.

One inclination to achieve total coexistence may be to emulate the cities in the low degree of conflict category in terms of management approach. However, there are difficulties in making this claim. For instance there may be significant differences in human population size, landscape characteristics, level of experience dealing with the issue and public perception. For example, if Winnipeg were to completely avoid lethal management techniques, like the low conflict cities, the situation will most likely not improve because there has not been the same level of underlying public education and value shifts needed for coexistence. When Winnipeg realizes what the public perceptions are towards urban coyotes, they will have a better idea of what education may be needed raise awareness to levels seen in the low conflict cities. The situation in Winnipeg must first be understood, from both a physical and human dimensions angle, in order to properly implement management strategy ideas from other cities to meet Winnipeg's needs.

4.2 Spatial Analysis

The heat map created from the District Occurrence reports illustrates spatial variation of coyote sightings in Winnipeg (Figure 2). From my observations when plotting the points, it is clear that the sightings were often in residential areas that are on the fringes of Winnipeg and in close proximity to fields, forests and other green spaces such as golf courses, riverbanks and cemeteries. These areas may offer adequate cover and prey to species to sustain coyotes. There are some biases present in this analysis. First, the locations mapped are likely influenced by population density distribution in the city since

more people in an area increases the likelihood of a sighting and subsequently the likelihood of a report (Quinn 1995). Furthermore, spatial bias occurred because more sightings are likely to occur where people are active during the day, such as parks (Quinn 1995; Poessel et al. 2013). Results may also be affected by land cover type, since it is much easier to see a coyote in a field area than in a forest, potentially resulting in more sightings close to open areas. Lastly, a coyote wandering a neighborhood, during the day and in the open, may lead to many reports from many people. This could result in an over-representation of sightings leading to hotspots in areas where there may have only been one coyote at one time (Gehrt et al. 2009). Nevertheless, this spatial analysis proves valuable to get a general sense of where human-coyote interactions have been occurring and where they may be more likely to occur in the future.

4.3 Temporal Analysis

The temporal analysis revealed a general increase in the number of District Occurrence Reports since 2011 (Figure 3). This could be due to many reasons including an larger urban coyote population, increasing suburban sprawl (Gompper 2002) or even a greater media presence which may spur people to report their sightings (Poessel et al. 2013). District Occurrence reports also varied monthly (Figure 4), with a higher number of sightings in the dispersal season. This is not consistent with Lukasik & Alexander's (2011) observations that coyote sightings were reported most frequently during the breeding season. However, movement patterns could potentially explain the high level during the dispersal season since daily coyote movements are typically far greater during the breeding and dispersal seasons than the pup-rearing season (Fox and Papouchis 2005), potentially making them more visible to people (Lukasik and Alexander 2011).

5. Conclusion and Recommendations

In my opinion, Winnipeg is at a turning point where managers and decision-makers have an opportunity to make great strides in ensuring a safe environment for citizens and coyotes. Results from this research show an increase in the number of sightings since 2011, hotspots in the city where there are more frequent sightings and a seasonal pattern of when coyote sightings are more likely. These results serve as an important baseline analysis of the current situation and can help support management decisions in the future. Additionally, the human dimensions component of this research project outline some potential cognitive shifts needed to address this issue. Managers and decision-makers need to be open to initiating and investing resources early on to prevent future conflict. Eight recommendations are outlined below:

1. Proactive approach

One of the most important recommendations evident from discussions throughout this project is to develop a strategy early on. It is very important to begin using the many management tools available before more serious problems occur. The ideal strategy should include proper monitoring and investigation of public reports, public education programs, and a protocol related to using more aggressive management techniques. A proactive approach may be more cost effective since reactive and targeted lethal management can be costly (Naughton-Treves and Treves 2005).

2. Address the underlying issue

The response to coyote incidents must include an attempt to address the underlying issue – usually related to human behaviour. In many cases, simply removing the coyote will only lead to another issue when another coyote enters the area and subsequently develops the same behaviours. This can be accomplished through education programs and thorough investigation of incidents to determine what behaviour needs to be addressed.

3. Citizen Science

Citizen science is where residents and non-professional scientists conduct research and contribute to the knowledge base by reporting their coyote sightings along with specific details about the coyote and its behaviour (Wine et al. 2014). Tracking this information can be beneficial to get a sense of what is currently happening in the community. Once this information has been tracked consistently for longer periods of time, the situation can be assessed and compared. Also, since people participate in the process, they become coyote advocates and feel they have a role to play in the management strategy (L. Sampson, Personal Communication, February 8, 2016; D. Decker, Personal Communication, February 8, 2016).

4. Community working groups

Working groups are useful to bring together many stakeholders in order to coordinate a management approach and foster cooperation. These working groups would involve people from Manitoba Conservation, grass roots organizations (Save Our Seine and Fort Whyte), media representatives, community leaders, and enforcement officers. These working groups have proved to be a valuable tool in Denver, Colorado and similar

approaches are used by Coyote Watch Canada. A working group improves the response to incidents and can educate important community members who are dealing with this issue first-hand (L. Sampson, Personal Communication, February 8, 2016; T. Teel, Personal Communication, February 5, 2016).

5. Systematic Reporting

Gathering the proper information in a consistent fashion must be a priority in order to track this issue through time. The precise location, date and behaviours of the coyote must be collected. Also, proper advertising must be set up so that the public is aware that they can report a sighting even though there has not been an incident. People may be hesitant to call in and report a sighting because they may not want the animal removed.

6. Mixed methods for report collecting

I recommend making it as easy as possible for people to report coyote sightings and by having multiple methods of collecting this information, more data can be collected. Many cities have implemented a coyote hotline where residents can call in and report a sighting. Also, an online reporting tool may be useful which has been implemented in Denver and Vancouver. Providing a publicly available map of the sightings to help educate people and alert people where coyotes are can be valuable. It is important however to ensure that the same information is collected, the information will be compiled into a single database and the language used between these methods is consistent. A clear definition is needed to distinguish when the coyote shows natural aggressive behaviour or if the coyote was shows behaviour that indicates habituation.

7. Collaboration with Coyote Watch Canada

Coyote Watch Canada has worked with many cities to help navigate this issue. When they get involved in a city they provide a framework that has been proven to help mitigate the negative effects of living with coyotes and work towards coexistence. The work they do is extensive and involves cooperation with local authorities as well as citizens.

8. Signage

Signage can be an important tool in managing coyotes and should not be underestimated (Draheim et al. 2011). A benefit of having signs is that they can be placed in the target areas where many reports are originating. Signs also remain visible for long periods of time and serve as a passive education tool that has long term benefits. In Denver, they have used strategically-placed sandwich board signs to inform the public that coyotes in an area and have also used signs to call citizens to action by either joining the citizen science group or reporting sightings.

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Appendix A: Interview question guide

Interview Questions

Demographics

- 1) Number of years working as a wildlife manager/current role?
OR Number of years studying urban coyotes/urban wildlife?
- 2) Have you worked in a rural environment and if so, in what capacity?
- 3) Record gender
- 4) Highest level of education?
- 5) Were you raised in an urban or rural environment? Outdoor experience/background?

Concept

1. Is there currently an issue regarding urban coyotes in your city? Explain.
2. On a scale of 1 to 10, 1 being no human-coyote conflict and little coyote sightings and 10 being regular human-coyote conflict and many coyote sightings, where would you say your city falls?
3. At what stage would you say your city is at:
 - a. Pre-coyote inhabitation: Almost no coyotes
 - b. Early stages of coyote inhabitation: coyote sightings
 - c. Mid stage: coyote sightings and conflict but no management strategies currently being used
 - d. Mid-Late stage: Coyote sightings, conflict and management strategies recently deployed
 - e. Late stage: Effective managements strategies put in place along with reduced conflict
4. Do you believe coyotes in your city inhabit urban areas by using natural prey sources or human provided food?
- If they respond saying natural prey items, what particular sources?
5. Do you believe there is seasonal variation of when coyotes inhabit the urban areas or more year-round coyote residents?
6. Have you experienced a change in coyote sightings (either your own or second hand) over the past 10 years? If yes explain.
7. Do you believe coyotes impact your city positively or negatively? Describe.

Management Strategies

8. Is your city currently managing coyotes in some way? Yes or No
- If yes, what were the reason(s) as to why they initiated management?
9. How would you decide when to take management action?
10. Which negative impact is the most important driver when deciding if management is needed and why?
 - a. Disease transmission
 - b. Attacks on pets

- c. Attacks on humans
 - d. Fear
11. What should be done in a city that is in an early stage of coyote inhabitation?
 12. Rate the following management strategies on a scale of 1 to 10 in terms of effectiveness (1 being least effective, 10 being most effective) if there is a problem:
 - a. _____ Public education for coexistence
 - b. _____ Hazing by the public (waving arms, yelling, act threatening, air horn, etc.)
 - c. _____ Hazing by assigned personnel (blank rounds, shooting to scare, etc.)
 - d. _____ Trap and release
 - e. _____ Lethal removal by trapping
 - f. _____ Lethal removal by shooting
 - g. _____ Legislation to prohibit feeding wildlife
 - h. _____ Other: _____
 13. Could cities that do not experience conflict at this point in time benefit from coyote monitoring programs?

Emotion

14. How does the media play a role in educating the public?
15. What do you feel is the general public's current perception on coyotes in your city?
16. Do you feel the majority is (choose one):
 - a. Excited to see coyotes in their neighbourhoods
 - b. Willing to coexist but not excited about their presence
 - c. Fearful of coyotes
 - d. Do not know coyotes are in their neighbourhood and therefore do not have an opinion
 - e. Not concerned because there are so few coyotes
17. Do you feel the public is currently educated on coexisting with coyotes?
 - a. If no, what needs to be done?
 - b. If yes, what steps were undertaken to educate?
18. Is it possible to eliminate the public's negative perception or fear towards coyotes in an urban setting?
19. What are your personal perspectives on urban coyotes? Urban wildlife in general? Essential part of a city or nuisance?

Other

20. Is there anything else you would like to add on the subject of urban coyotes?
21. Who else would be good to interview on this topic



SUBJECT: Designing and evolving our organization – updated department functional design and management structures

TO: Corporate Services, Strategy, Risk & Accountability Cttee.

FROM: City Manager's Office

Report Number: CM-24-22

Wards Affected: All

File Numbers: 155-03-01

Date to Committee: September 14, 2022

Date to Council: September 20, 2022

Recommendation:

Receive and file city manager's office report CM-24-22, regarding designing and evolving our organization – updated department functional design and management structures.

PURPOSE:

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
- Support sustainable infrastructure and a resilient environment
- Building more citizen engagement, community health and culture
- Deliver customer centric services with a focus on efficiency and technology transformation

Background and Discussion:

On September 24, 2019, the City Manager implemented a Council-approved new organization design for the City of Burlington; introducing Evolving the Organization (ETO) Phase 1. This new design positioned the City to meet our strategic goals, outlined in Council's 4-year work plan [Vision to Focus \(V2F\)](#), over the balance of this term of Council and beyond by emphasizing strategic management, risk assessment

and management and public accountability. It well positioned the high level corporate structure to strategically organize the service areas to better serve both the external and internal customers. The new design also highlighted the City's attention to City-wide customer service and public engagement through business process improvements, corporate-wide training and ongoing transformations such as digital service delivery.

In the latter months of 2019 and into early March 2020, the Burlington Leadership Team (BLT) began its work on Designing and Evolving our Organization (DEOO) – Phase 2. With the onset of the pandemic, this work paused while management and staff responded to the emergency and worked through the service re-design necessary to protect the health and safety of our community and staff and limit the spread of the virus. Through the pandemic, we confirmed work was still required on the overall structure and resources needed to maintain and deliver the services our community expects. In the latter part of July 2020, the work on DEOO – Phase 2 resumed as we fully recognized the resource issues to be resolved.

Since 2019, the process for recruitment of Executive Directors and Directors was enhanced to involve the Mayor and chairs of Council standing committees in the second round of interviews. This enhancement is in keeping with the evolution of the organization and demonstrates the strength of the council/staff relations as membership in the senior management team changes. Over the past three years, a total of eleven (11) new BLT members have been successfully hired through this process.

In December 2020, Council endorsed Designing and Evolving our Organization (DEOO) – Phase 2 ([CM-32-20](#)) supporting the City as it continued to evolve and set out a vision for the future state of the City of Burlington; a future state to be achieved over a 3- to 5-year timeline ([CM-32-20 Appendix A](#)) and yet allowing for refinement as conditions and environments change.

By definition, evolution is “a gradual process of change and development”¹. In 2020, management established the implementation plan framework and process to support the City in its evolution. Appendix B provides the overview of this framework and process. Key factors to successful transformation include continuing to assess our

¹ <https://dictionary.cambridge.org/dictionary/english/evolution>

management structure to find the right balance between management and staff resources to consistently and effectively deliver services; and knowing what services we deliver and how we deliver them to continue to have the best functional design. Burlington's Leadership Team (BLT) continues to review, assess and refine the functional design and required organizational structure to support operations and accomplish the short- and long-term goals.

Strategy/process

In 2022, the City finds itself operating in a changed environment. Some of our services require in-person or physical delivery while other services can now be delivered in a virtual manner. The expectation for and the use of digital tools has increased exponentially during the pandemic years. The market for talent is intensely competitive. Lasting effects of the pandemic are evident in changes in customer behaviour and staff shortages due to sickness. These changed environments foster evolution.

Designing and Evolving our Organization is an on-going process allowing the City of Burlington to continue to evolve to meet the changing environment, to address the strengths and weaknesses of our organization, and continue to prepare ourselves for the future. In organizational design, form follows function and with evolution the form needs to be refined and amended. Appendix A of this report builds on the 2020 endorsed future state management structures to reflect the outcome of our continued assessment and refinement.

In brief, the updates as described in Appendix A include:

- ***City of Burlington Functional Design – slide 2***
 - Information Technology Service (ITS) transformed to Burlington Digital Service with the refinement of functional areas to expand beyond the traditional functions (e.g. network operations, information and data security, and application and solution support) to functions supporting digital enterprise architecture, product delivery and decision support, and human-centered delivery; and,
 - By-law as a distinct area with expanded functionality to include policy and administration in addition to the existing functions of licensing services, by-law compliance and enforcement and animal services.

- ***Endorsed Future State Management Structures***

- Corporate Strategic Services reflects the new Community Relations & Engagement service group (slide 3) and the updated management structure for Burlington Digital Service including update of leadership title to Chief Digital & Information Officer (slide 4);
- Community Planning, Regulation & Mobility (CPRM) reflects the proposed management structure for a new By-law Compliance department (slide 6); and,
- Strategy & Risk Team (SRT) as amended to include the Executive Director Community Relations & Engagement and reflect the leadership title of Chief Digital & Information Officer (slide 7).

Detailed Rationale

- ***Community Relations & Engagement***

In September 2019 and then again in December 2020, Council approved the preliminary future state organizational design to bring together the Corporate Communications and Engagement and Customer Experience functions under a new Executive Director position. An upcoming retirement has provided the opportunity to establish this position thus creating a new service group; namely Community Relations & Engagement.

In addition to the previously identified departments – Corporate Communication and Engagement and Customer Experience, senior management is recommending the inclusion of the Office of the City Clerk in this service group. Each of these three departments delivers services with direct interaction with our community members and customers. The opportunity for synergies and collaboration in these areas, working together as a service group, reinforces and supports the enhanced strategic focus to be placed on community relations, engagement and the overall customer experience.

The reporting structure of this new service group (as depicted in Slide 3 of Appendix A) realigns two Director positions, currently reporting to the City Manager, to the Executive Director. The two Customer Experience manager positions continue to report to the Executive Director.

The Strategy and Risk Team (SRT) supports the establishment of the new service group - Community Relations & Engagement, the realignment of the Directors' reporting structure, and the inclusion of the Office of the City Clerk.

- *Burlington Digital Service*

The transformation of ITS to Burlington Digital Service advances the City in:

- Human-centred design – enabling the identification of needs and outcomes through the delivery of services with an efficient, timely and innovative approach with the user in mind;
- Digital Enablement - digitally enhancing service capabilities to address user and service area needs quicker, decrease time to delivery of outcomes and create new business models;
- E-Government – turning life events into digital civic moments or digital twins allowing for enhanced multichannel delivery of services, effective compliance activities and greater convenience for citizens, employees, businesses and visitors;
- Open Government – promoting transparency, citizen engagement and the data economy;
- Data-Centricity – leveraging data to promote a better understanding of situations which result in informed decision making and proactive services for citizens; and
- Smart – actively identifying and developing transformation opportunities becomes institutionalized enabling the organization to react to sudden or predictable events as well as prevention of events or prescribing behaviors.

Digital is more than information technology. Digital transformation involves delivering better outcomes enabled by technology and the use of data to support the core mission of City and to genuinely transform and redesign services and citizen experiences. Burlington Digital Service sets standards, develops platforms and assists the enterprise to build and deliver simpler, faster, cost efficient, better, common user-experienced municipal services and products for those who live, visit and do business in Burlington. Digital Service will:

- provide vital information and services for users through Burlington.ca;
- support the city's recovery from COVID-19 and emerging user needs by providing digital leadership and tools to enable services to be rapidly built and deployed;
- maintain, iterate and improve the services and tools provided to the rest of the city;
- increase the use of shared platforms and components across the organization;
- support departments by strengthening their digital capability and providing direct support for major digital projects;

- enhance our digital capability through education and the development of innovative processes, solutions, and digital leadership; and
- lead the city's progressive digital transformation and contribute to the visionary objectives contained in Vision to Focus and Burlington's Vision 2040.

With this transformation, Burlington Digital Service requires a broader and strategic focused management structure (as depicted in Slide 4 of Appendix A) to support the functional design. The expansion of service to include enterprise architecture, product delivery and decision support, and human-centered delivery requires leadership in each of these areas to design and develop the necessary strategies and manage the staff resources to establish tactical plans to deliver results.

In the spring 2022, SRT supported the Enterprise Architecture leadership position to establish the Enterprise Architecture practice. SRT also supported the proposed organizational structure in principle moving towards a digital service environment acknowledging it is an iterative approach. The transformation to Burlington Digital Service requires the development of a full business case for a phased approach to implementation. The business case is to be inclusive of all costs including corporate support functions requiring resources to support the front-line and back office positions (i.e. HR, Legal, Finance, Corporate Strategy, Corporate Communications & Engagement, etc.). The business case will be prepared for the budget deliberations in January 2023.

- *By-law Compliance Department*

Prior to the pandemic, Council supported a staff direction to “Direct the Director of City Building to investigate efficiencies of consolidating bylaw services and report back to council with a proposal for the 2020 budget. (SD-05-19)”. During the pandemic, the draw on by-law enforcement resources reached over-capacity limits. In 2021, Council supported a second staff direction related to by-law – “Direct the Director of Building and By-law to review options for updating by-laws to include mechanisms which will allow staff to remedy community issues related to items such as shipping containers and derelict vehicles and report back with by-law updates in Q1 2022. (SD-26-21)”. The City received Provincial audit and accountability funding providing an opportunity to look more closely at this area and respond to these staff directions.

With this information, management began to explore various options. In the spring 2022, SRT supported the service area with minor adjustments to staffing to continue to ease the burden of the increased workload, to begin work on the necessary

amendments to by-laws, and support the transition to the CRM system and Tier one calls to Service Burlington.

In addition, SRT supported in principle, management's proposed functional design and organizational structure for a new By-law Compliance department. This proposed new department requires an enhanced management structure, as depicted in Slide 6 of Appendix A, to provide the leadership and strategic direction to accomplish its objectives. These objectives include developing a 'service department' model offering enhanced community protection (e.g. animal services, by-law compliance/enforcement, and licensing) through proactive measures; aligning with the City's Customer Experience strategy; reducing reliance on the court system and court resources; improving cost recovery; improving staff professional development and growth opportunities and morale; and decreasing liability.

SRT's support in principle of a new By-law Compliance department is predicated on the development of a full business case for a phased approach to implementing the service enhancements for by-law with the creation of a by-law department. The business case is to be inclusive of all costs including corporate support functions requiring resources to support the front-line and back office positions (i.e. ITS, HR, Legal, Finance, Corporate Strategy, Corporate Communication & Engagement, etc.). The business case will be prepared and accompanied by a separate report for the budget deliberations in January 2023. A high-level preliminary report will also be presented to Council in Q4 2022.

Options Considered

1. Maintain the future state management structures as approved in December 2020 – This option does not provide the City with the opportunities to respond or be proactive to the changing environment.

Financial Matters:

Designing and Evolving our Organization involves competency, capability and capacity through investment in people, process and technology. It is important to emphasize DEOO is a multi-phased/multi-year evolution requiring an annual review to make the changes and adjustments necessary given the environment, technological advances, and the corporate landscape.

Given the nature of the resource needs, full-time positions, re-purposing of existing full-time positions and conversion of existing part-time to full-time positions, the resource needs must be prioritized and included in the annual budgets for Council's decision. As

indicated, business cases will be developed and brought forward for consideration with other positions needed to stabilize organizational structures and operations, manage risks, and enhance services (e.g. transit, by-law, etc.).

With respect to the Executive Director, Community Relations and Engagement, as indicated in the Detailed Rationale, there is nil 2023 net budget or FTE impact as the existing position of Executive Lead – Customer Experience will be repurposed to Executive Director of Community Relations & Engagement position.

Climate Implications

The effect of Designing and Evolving our Organization in stabilizing and enhancing our service delivery may have direct and indirect impact on our response to climate risks by providing resources to address the V2F initiatives and supporting directions to move to greener fleets and processes delivering our services.

Engagement Matters:

Designing and Evolving our Organization involved internal collaboration between directors and management staff, as well as communication with all staff through the City Manager.

Conclusion:

Designing and Evolving our Organization allows the City of Burlington to continue to evolve to meet the changing environment, to address the strengths and weaknesses of our organization, and prepare ourselves for the future. This update continues to advance to a future state where the City of Burlington is proactively managing future city growth, meeting enhanced community service and infrastructure needs, advancing Vision to Focus (V2F) priorities, delivering digital transformation, addressing critical corporate risks and, ultimately, retaining and attracting staff as an “Employer of Choice”. Our City’s future requires the investment of time, energy, and funding today to achieve our goals.

Respectfully submitted,

Tim Commisso

City Manager

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Sheila Jones

Executive Director of Strategy, Risk & Accountability

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Appendices:

- A. CM-24-22 Appendix A COB Functional Design and Management Structures - Updated September 2022
- B. CM-24-22 Appendix B - COB DEOO Implementation Framework and Process

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.

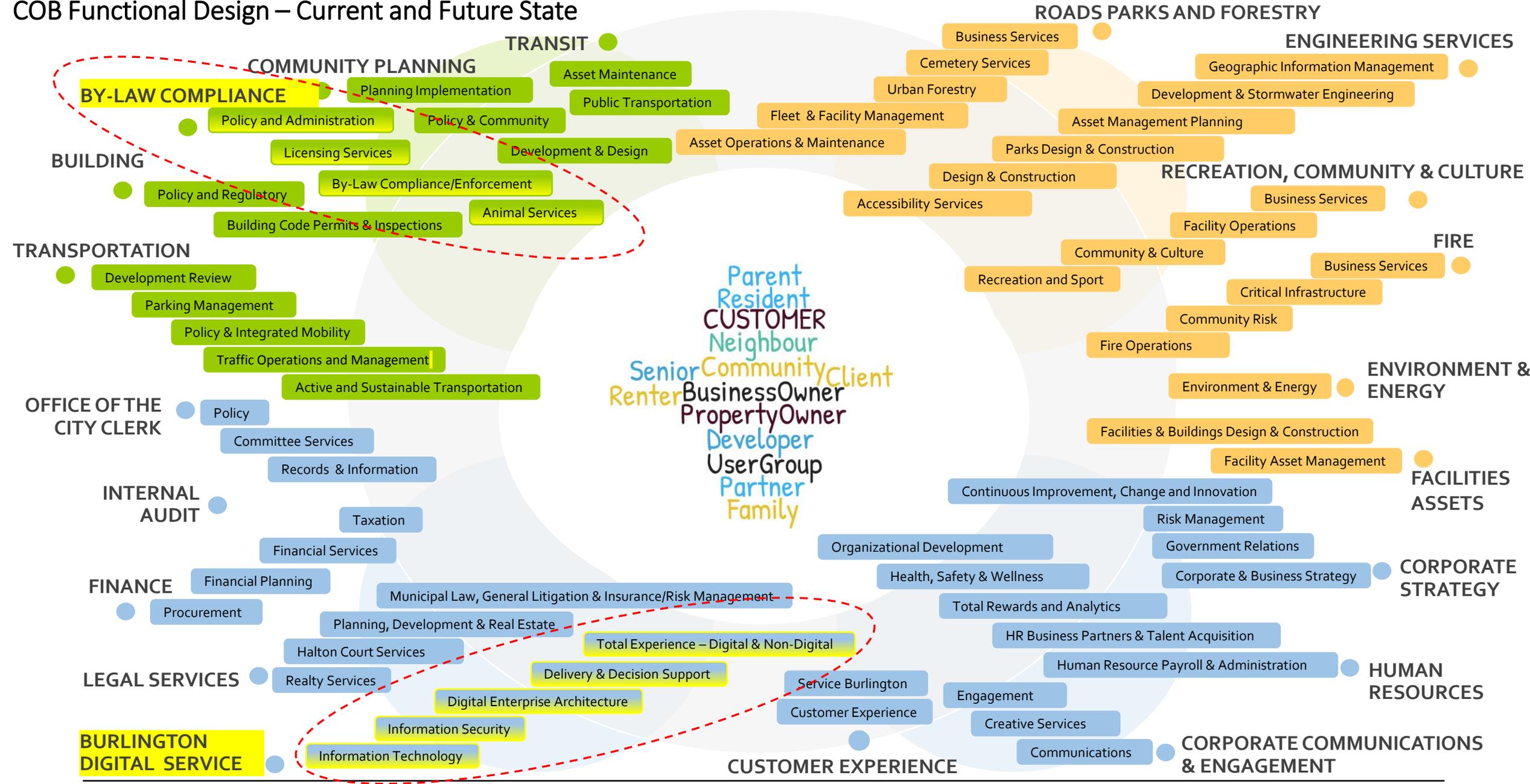


Updated: September 2022

Designing and Evolving Our Organization

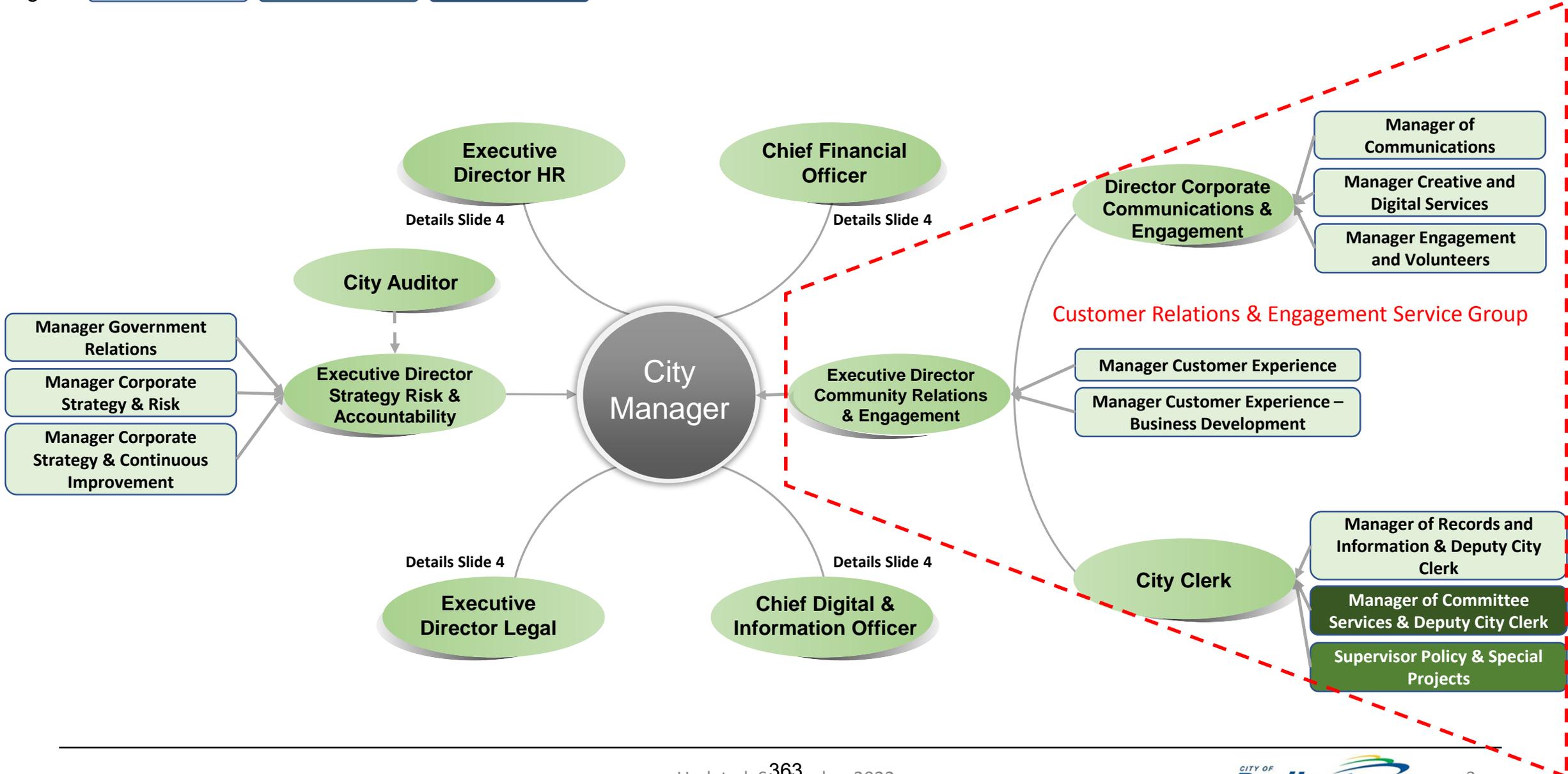
Working Toward the Future Management Structures

COB Functional Design – Current and Future State



Corporate Strategic Services - Endorsed Future State Management Structure (CM-32-20 December 14, 2020)

Legend: Existing Position Future Position Filled in 2022



Corporate Strategic Services - Endorsed Future State Management Structure (CM-32-20 December 14, 2020)

Legend: Existing Position Future Position Filled in 2022



Environment, Infrastructure & Community Service (EICS) – Endorsed Future State Management Structure

(CM-32-20 December 14, 2020)

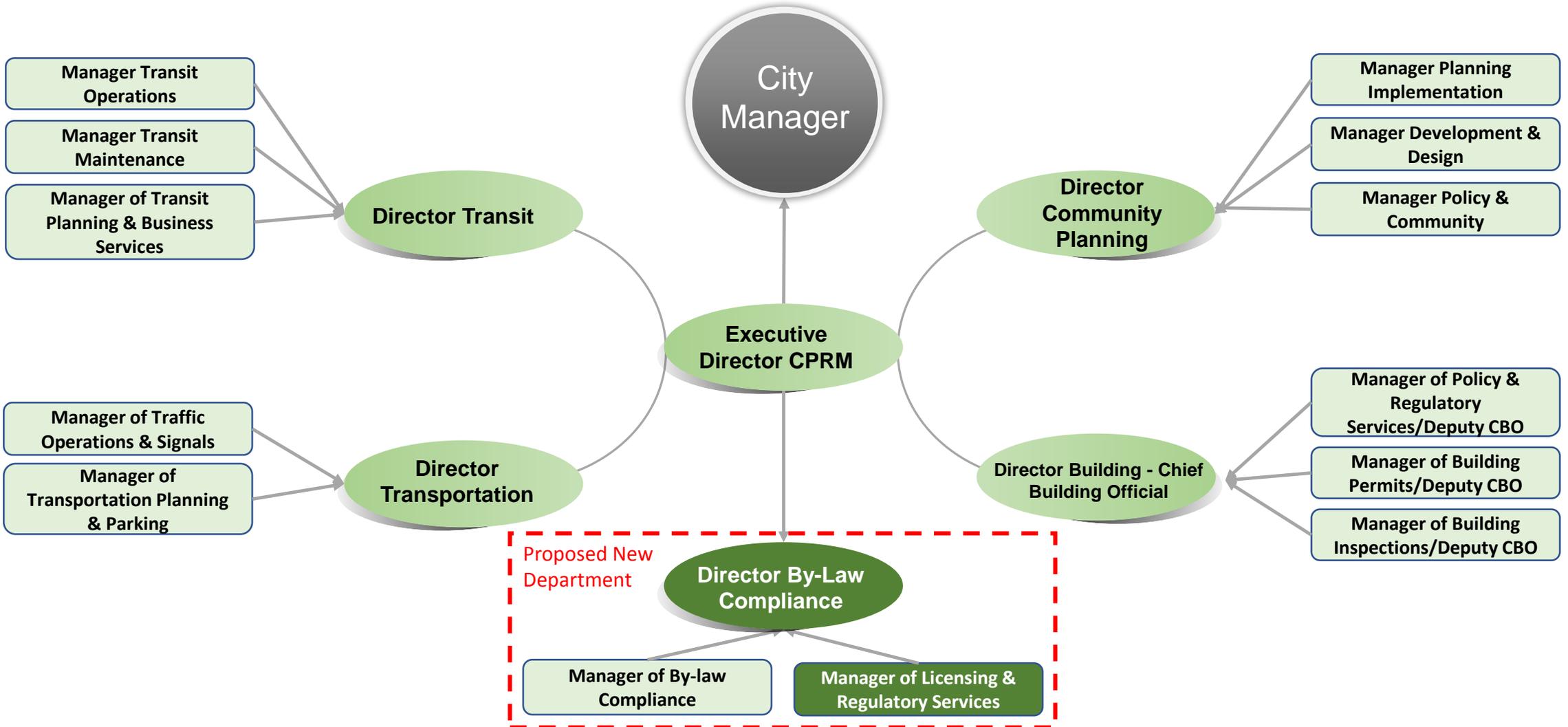
Legend: Existing Position Future Position Filled in 2022



Community Planning, Regulation & Mobility (CPRM) – Endorsed Future State Management Structure

(CM-32-20 December 14, 2020)

Legend: Existing Position Future Position Filled in 2022



Strategy & Risk Team - Endorsed Future State Management Structure (CM-32-20 December 14, 2020)

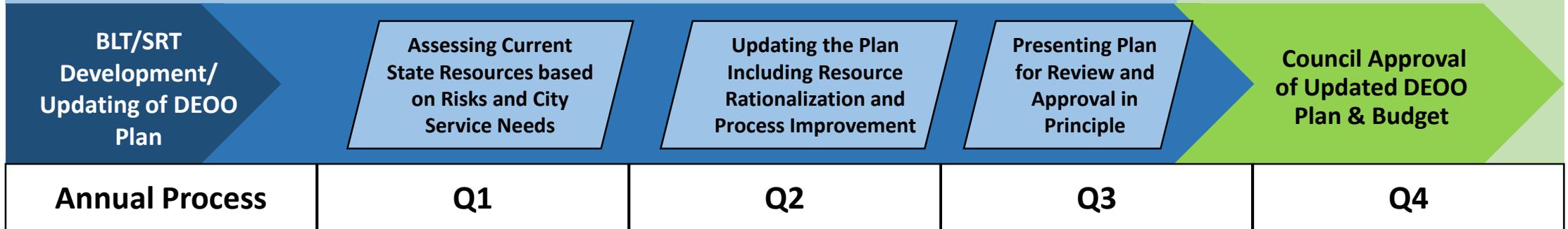
Legend: Existing Position Future Position Filled in 2022



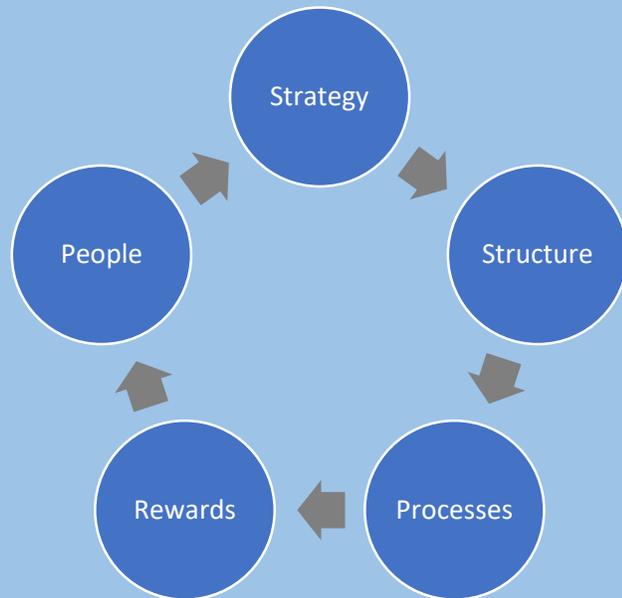
IMPLEMENTATION PLAN FRAMEWORK & PROCESS

City of Burlington – Designing and Evolving our Organization (DEOO)

CM-24-22 Appendix B



ORGANIZATIONAL DESIGN MODEL (STAR)



Strategy directs resources toward achieving Council goals and objective embedded in 25-year strategic plan & Vision to Focus

Structure encompasses accountability and decision-making at both the Council & staff levels

Processes encompass key inputs, information flows and work activities to effectively and efficiently deliver City services and deliver high customer satisfaction

Rewards provide motivation and align behaviour with strategy execution

People encompasses the selection and development of skilled employees that contribute directly to organizational excellence and performance.

Ongoing project management, change management and communications plan