

Regular Meeting of Council Agenda

Date: September 20, 2022

Time: 1:00 pm

Location: Hybrid meeting- virtual and Council Chambers, City Hall

City Council meetings are now being conducted using a hybrid model, allowing members of Council, city staff and the public the option of participating remotely or in-person. We ask for your patience as we work through this new meeting model today. The meeting will be live web streamed, as usual, and archived on the city website.

Pages

- 1. Call to Order:
- 2. National Anthem:
- 3. Land Acknowledgement:
- 4. Regrets:
- 5. Proclamations:
 - 5.1. Terry Fox Day: September 18, 2022
 - 5.2. Franco Ontarian Day: September 24, 2022
 - 5.3. British Home Children Day: September 28, 2022
 - 5.4. Rail Safety Week: September 19 25, 2022
 - 5.5. National Coaches Week: September 17 25, 2022
 - 5.6. National Forestry Week: September 18 24, 2022
 - 5.7. Support United Way Month: September 2022
 - 5.8. National Seniors Day: October 1, 2022
 - 5.9. Wrongful Convictions Day: October 2, 2022

- 5.10. Childcare Worker and Early Childhood Educator Appreciation Day: October 18, 2022
- 5.11. Rett Syndrome Awareness Month: October 2022
- 5.12. Probus Club Month: October 2022
- 6. Recognitions and Achievements:
- 7. Motion to approve Council Minutes:

Confirm the minutes of the following meeting of Council:

- 7.1. Regular meeting of Council July 12, 2022
- 7.2. Special meeting of Council August 4, 2022
- 7.3. Special meeting of Council September 14, 2022
- 8. Presentations:
- 9. Declarations of Interest:

10. Delegations:

In order to speak at a Council meeting, Individuals must register as a delegation no later than noon the day before the meeting. To register, complete the online application at www.burlington.ca/delegation or by submitting a written request by email to the Office of the City Clerk at clerks@burlington.ca

If you do not wish to delegate, but would like to submit feedback, please email your comments to clerks@burlington.ca by noon the day before the meeting. Your comments will be circulated to Council members in advance of the meeting and will be attached to the minutes, forming part of the public record.

- 10.1. Myles Rusak representing Sound of Music Inc. will speak regarding Sound of Music Financial Support Request (F-36-22)
- 10.2. Anne and Dave Marsden will speak regarding Burlington 150 anniversary opportunities (RCC-13-22)(SD-24-22)
- 10.3. Anne and Dave Marsden will speak regarding By-law Fine Review and Updates for Coyote Response Strategy (BB-14-22)
- 10.4. Karmel Sakran will speak regarding proposed inclusion of downtown properties on the City of Burlington Heritage Register (PL-59-22)

11. Petitions:

12. Recommendations from Standing Committees:

12.1. Audit Committee meeting of September 12, 2022

1 - 3

a. Evaluation of external auditors (F-26-22)

Receive and file finance department report F-26-22 providing an evaluation of the external auditors.

b. Financial highlights for the period ended June 30, 2022 (F-28-22)

Receive and file finance department report F-28-22 providing financial highlights as at June 30, 2022.

c. Aldershot Village Business Improvement Area Update (F-32-22)

Receive and file finance department report F-32-22 providing an update on Aldershot Village Business Improvement Area (Aldershot BIA) 2021 financial statements and review of internal control policies and procedures.

d. Summary of In-Progress Management Action Plans (CA-07-22)

Receive and file office of the city auditor report CA-07-22 providing a summary of the Management Action Plans in progress as identified in Appendix A.

e. Quarterly Dashboard for Office of the City Auditor (CA-08-22)

Receive and file office of the city auditor report CA-08-22 providing a quarterly dashboard of City Auditor Key Performance Indicators (KPI's).

12.2. Community Planning, Regulation & Mobility meeting of September 13, 2022

4 - 14

a. Official Plan and Zoning By-law amendments for 4103 Palladium Way (PL-50-22)

Direct staff to continue to proceed with the processing of the submitted Official Plan amendment and Zoning By-law amendment application for 4103 Palladium Way, including evaluating and incorporating any/all comments received by committee and the public at the statutory public meeting, as well

as the comments received through the ongoing technical review of this application by agency partners and internal departments.

b. Official Plan and Zoning By-law amendments for 3110 South Service Road (PL-62-22)

Direct staff to continue to proceed with the processing of the submitted Official Plan amendment and Zoning By-law amendment application for 3110 South Service Road, including evaluating and incorporating any/all comments received by committee and the public at the statutory public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.

c. Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)

Receive and file community planning department report PL-65-22 regarding Official Plan and Zoning By-law amendment applications for 1396 Guelph Line.

d. Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)

This Item was referred to the Environment, Infrastructure and Community Services Committee meeting of September 15, 2022.

Refer community planning department report PL-66-22 regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line to the Environment, Infrastructure and Community Services Committee meeting of September 15, 2022.

e. PRESTO Contactless Payment (TR-02-22)

Authorize the Mayor and City Clerk to sign the Amending Agreement for the 905 Agencies and Metrolinx related to Open Payment, referred to as the PRESTO Contactless Payment, with content satisfactory to the Director of Transit and in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Approve the recommended changes to the rates and fees for the Transit Department include PRESTO Contactless payment as a payment option for transit at the current cash rate of \$3.50; and Enact the By-law to amend By-law 61-2021, to implement PRESTO Contactless payment options, attached as Appendix "A" to transit department report TR-02-22, which has been prepared in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

f. CUTRIC/CUTZEB™ Joint Procurement Initiative (TR-04-22)

Receive transit department report TR-04-22 which outlines the key deliverables and planning activities to be developed by the Canadian Urban Transit Research & Innovation Consortiums (CUTRIC) Zero-Emissions Bus CUTZEB™ Joint Procurement Initiative to support the development of the Zero-Emission Bus Fleet Implementation and Rollout Plan, capital funding application(s) and joint procurement services for the supply of Zero Emission Buses (ZEBs), chargers, power supply services and infrastructure development services for Burlington Transit for the years 2023 to 2026; and

Direct the Director of Transit to confirm Burlington's participation in the CUTZEB™ joint procurement initiative at an estimated cost of \$92,500 plus HST, using existing funds received from the Provincial Gas Tax and authorize the Mayor and City Clerk to execute on behalf of the Corporation of the City of Burlington the necessary contracts with CUTZEB™, to the satisfaction of the Executive Director of Legal Services and the Director of Transit.

g. Request to amend Heritage Designation Bylaw for 38 Frontier Trail (formerly 398 Mountain Brow Road East) (PL-61-22)

State an intention to amend By-law 44-2009 pursuant to Part IV of the Ontario Heritage Act, section 30.1 (1), as shown in the draft amending by-law and revised statement of significance attached as Appendix C to community planning department report PL-61-22; and

Direct the Director of Community Planning to provide notice of Council's intention to amend By-law 44-2009, in accordance with section 29 (3) and 29 (4) of the Ontario Heritage Act; and

Direct the City Clerk to present the draft amending by-law to Council for approval within 120 days after the date of publication of the notice of intention to amend By-law 44-2009, provided there is no objection or withdrawal; and

Direct the City Clerk to take the necessary actions in the event

of any objection to the statement of intention to amend By-law 44-2009 pursuant to Part IV of the Ontario Heritage Act, sections 29 (5) and 29 (6); and

Direct the City Solicitor to take necessary steps to implement the following amendments to the existing Heritage Conservation Easement Agreement, registered on title for the heritage property at 398 Mountain Brow Road, Instrument No. HR1518674 (the "HEA"), dated April 29th, 2009:

- Replace the Statement of Significance attached to the HEA under Schedule "C" with the revised statement of significance attached as Appendix C to community planning department report PL-61-22
- Make any required amendments to the HEA to remove references to the demolished house and accurately reflect the existing condition of the property to the satisfaction of the Director of Community Planning
- c. Introduce any necessary bylaw in Council to amend the HEA.
- h. Future of City of Burlington Outdoor Patio Program update for Q3 2022 (PL-67-22, SD-22-22)

Receive and file community planning department report PL-67-22 regarding the future of the City of Burlington Outdoor Patio Program update for Q3 2022; and

Direct the Director of Community Planning to deliver an interim report to the Community Planning, Regulation & Mobility Committee meeting of December 6, 2022, regarding the future of outdoor patios outlining progress to date and draft policy directions for the 2023 patio season.

 New Zoning By-law Review Project - Terms of Reference (PL-60-22, SD-23-22)

Endorse the proposed Terms of Reference for the City's New Zoning By-law Project attached as Appendix A to community planning department report PL-60-22; and Authorize the Director of Community Planning to engage consultants through a Request for Proposal process to carry out the work, in accordance with the above noted proposed Terms of Reference; and

Direct the Director of Community Planning to finalize the Engagement Plan based on the draft Engagement Plan

attached as Appendix C to community planning department report PL-60-22; and

Direct the Director of Community Planning to provide quarterly update reports on the New Zoning By-law Project including community engagement, budget and other matters. (SD-23-22)

j. Draft Plan of Subdivision at 4375 Millcroft Park Drive (PL-64-22)

Approve the application submitted by Salotto Building Group Inc. to draft approve a residential plan of subdivision consisting of 30 lots and a public road at 4375 Millcroft Park Drive, Block 133 of Plan 20M-811, as shown in Appendix A of community planning department report PL-64-22, subject to the conditions contained in Appendix B of that report.

k. Zoning By-law amendment for 2154 Walker's Line (PL-63-22)

Approve the Zoning By-law amendment application for the property located at 2154 Walker's Line to permit nine (9) townhouse units of two (2) storeys in height to be developed on a private road; and

Approve Zoning By-law 2020.445, attached as Appendix D of community planning report PL-63-22, which rezones the lands at 2154 Walker's Line from 'R3.2' zone to 'RM2-517'; and Deem that the amending zoning by-law will conform to the Official Plan of the City of Burlington and that there are no applications to alter the Official Plan with respect to the subject lands.

12.3. Corporate Services, Strategy, Risk & Accountability meeting of September 14, 2022

15 - 24

 Investigation report from Burlington Ombudsman MUN-14027-0621 (CL-35-22)

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

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

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.

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

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

d. Mid-year 2022 operating budget performance report (F-30-22)

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

e. 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.

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

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.

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

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

h. 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.

 i. 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.

Instruct the Executive Director of Legal Services and Corporation Counsel or her designate to proceed in accordance with the instructions sought in confidential legal department report L-42-22.

12.4. Environment, Infrastructure & Community Services meeting of September 15, 2022

25 - 32

a. Public tree removal - 4385 Mainway Blvd (RPF-24-22)

Approve the request by the applicant to remove three (3) public trees to proceed with the proposed site plan application file no. 535-010-21 as outlined in roads, parks & forestry department report RPF-24-22; and

Instruct the applicant, Jason Menkes on behalf of Menkes Barrett Burlington II Inc., to provide compensation for the public tree removals by providing cash-in-lieu of replacement totaling \$3,500.00; and

Direct that a tree permit be obtained for the public trees and pay the associated tree permit fees as outlined in the city's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant and the contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

b. Public tree removal - 1294 Coric Ave (RPF-25-22)

Approve the request by the applicant to remove five (5) public

trees in order to proceed with the proposed two-storey single family detached dwelling (ZC-501/21) as outlined in roads, parks & forestry department report RPF-25-22; and

Instruct the applicant, Konstantin Alekseevon on behalf Constant Shape Design Studio, to provide compensation for the public tree removals by providing cash-in-lieu of replacement totaling \$8,500.00; and

Direct that a tree permit be obtained for the public tree removals and pay the associated tree permit fees as outlined in the city's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant and the contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

c. Public tree removal - 320 Pine Cove Road (RPF-27-22)

Approve the request by the applicant to remove one (1) public tree in order to proceed with the proposed two-storey dwelling as outlined in roads, parks & forestry department report RPF-27-22; and

Instruct the applicant, Gerardo Castillo on behalf of Keystone Home Designs Inc., to provide compensation for the public tree removal by providing cash-in-lieu of replacement totaling \$3,500.00; and

Direct that a tree permit be obtained for the public tree removals and pay the associated tree permit fees as outlined in the city's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant and the contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

d. Burlington 150 anniversary opportunities (RCC-13-22)(SD-24-22)

Direct the Director of Recreation, Community and Culture to bring forward options to consider during the 2023 budget, working with all departments and local boards on potential activities to celebrate Burlington's sesquicentennial. (SD-24-22)

e. Burlington Climate Action Plan update (EICS-11-22)

Council requests Burlington Hydro to prepare a Sustainability Plan by the end of Q2 2024 with the following information:

- current and planned actions by Burlington Hydro to support the programs and the target outlined in the City's Climate Action Plan to be a net carbon neutral community by 2050;
- infrastructure investments required to support electric mobility (electric vehicles, electrification of fleets, electric transit buses and bi-directional charging), electrification of thermal energy (air source heat pumps), solar energy and battery storage;
- Burlington Hydro's investment plans to improve resiliency of the local distribution grid given increasing frequency and intensity of severe weather events, as identified through Climate Resilient Burlington – a plan for adapting to our warmer, wetter and wilder weather; and
- a process for stakeholder and community engagement.

f. Electric Mobility Strategy (EICS-16-22)

Receive and file environment, infrastructure and community services department report EICS-16-22 regarding the Electric Mobility Strategy as presented in Appendix A; a strategy to provide guidance to the city and local stakeholders to take action and accelerate electric mobility adoption in the community.

g. Health Protection and Air Quality By-law (CM-22-22)(SD-25-22)

Receive and file city manager's office report CM-22-22 providing a response to staff direction SD-06-21 regarding the review of the feasibility of a city-wide Health Protection and Air Quality By-law; and

Direct the City Manager to consider options and methods to systematically monitor the performance of emitters of odours and air pollution to ensure that regulators are actively engaged on achieving sustainable, compliant, safe air quality and report back in Q2 2023. (SD-25-22)

Direct the City Manager to consider options and methods to systematically monitor the performance of emitters of odours and air pollution to ensure that regulators are actively engaged on achieving sustainable, compliant, safe air quality and report back in Q2 2023. (SD-25-22)

 Proposed public access/ongoing maintenance agreement for Burlington Canal Pier with Hamilton Oshawa Port Authority (ES-43-22)

Authorize the City Manager to proceed with negotiating an agreement with the Hamilton-Oshawa Port Authority for public use and ongoing maintenance of the Burlington Bay Canal shipping pier under terms as generally outlined in engineering services department report ES-43-22; and

Direct the City Manager to report back to the Environment, Infrastructure and Community Services Committee following negotiations to provide a status update and recommendations related to the proposed public access and maintenance agreement.

 Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)

Direct staff to continue to process the submitted applications for Official Plan and Zoning By-law amendments for 1989 Appleby Line, including evaluating and incorporating comments received by committee and the public at the statutory public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments

13. Motion to Approve Standing Committee Minutes:

Approve the following minutes:

- 13.1. Audit Committee meeting minutes of September 12, 2022
- 13.2. Community Planning, Regulation and Mobility meeting minutes of September 13, 2022
- 13.3. Corporate Services, Strategy, Risk and Accountability meeting minutes of September 14, 2022

13.4. Environment, Infrastructure and Community Services meeting minutes of September 15, 2022

14. Urgent Business:

14.1. Confidential Labour Relations Update (HR-08-22)

Pursuant to section 239(2)(d) of the Municipal Act, labour relations or employee negotiations.

14.2. Breach of Solicitor-Client Privileged Information involving an On-going Litigation Matter (L-46-22)

Pursuant to Section 239(2)(f), advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

14.3. Financial Support for Sound of Music Inc.

33 - 57

Approve a short-term loan to Sound of Music Inc. in the upset amount of \$200,000 to provide interim financial support for the remainder of 2022.

Direct the Chief Financial Officer to advance the Sound of Music Inc.'s 2023 base budget of \$100,093 in January 2023 to provide financial support in the early part of 2023.

Authorize the execution of any documentation (agreements) necessary to secure the City's interests, subject to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

14.4. Proposed inclusion of downtown properties on the City of Burlington Heritage Register (PL-59-22)

58 - 151

Note: this item was referred from the September 15, 2022, Environment, Infrastructure and Community Services Committee

Direct the Director of Community Planning to add the following list of properties to the Municipal Heritage Register and provide notice to the owner of the property within 30 days, pursuant to section 27(5) of the Ontario Heritage Act, R.S.O. 1990, c. O.18:

353-355 Brant Street 357 Brant Street 359 Brant Street

372-374 Brant Street

380 Brant Street

422 Burlington Avenue

426 Burlington Avenue

437 Burlington Avenue

437 Elizabeth Street

441 Elizabeth Street

468 Elizabeth Street

404-408 John Street

1415 Lakeshore Road

2003 Lakeshore Road

458 Locust Street

488 Locust Street

492 Locust Street

513 Locust Street

524 Locust Street

2010 Maria Street

1445 Ontario Street

431 Pearl Street

435 Pearl Street

436 Pearl Street; and

Authorize the City Clerk to take necessary action if there are any objections in accordance with Section 27(7) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 and report back no later than 120 days after notices are sent out presenting all of the objections received; and

Following study completion, direct the Director of Community Planning to re-assess the eligibility of the above listed properties for continued inclusion on the Heritage Register and report back to City Council with a recommendation.

14.5. By-law Fine Review and Updates for Coyote Response Strategy (BB-14-22)

152 - 163

Approve the recommended changes to By-law 49-2022 being "A By-law to Repeal and Replace Lot Maintenance By-law 59-2018", and By-law 60-2005 being "A by-law to regulate the licensing and keeping of dogs and other animals", as amended, intended to clarify definitions, regulations related to powers of entry for Animal Control Officers and increase the limits for fines issued in accordance with the Municipal Act and enable collection of defaulted fines through tax roll, detailed in the proposed amending by-laws attached as 'Appendix A' and 'B' to report BB-14-2022; and

Enact the By-law to amend By-law No. 49-2022 and By-law to amend By-law 60-2005, substantially as attached in 'Appendix A' and 'B' to report BB-14-2022, in a form satisfactory to the Executive Director of

16.	Council	Information	Package:
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- 16.1. Council Information Package July 22, 2022
- 16.2. Council Information Package July 15, 2022
- 16.3. Council Information Package July 29, 2022
- 16.4. Council Information Package August 5, 2022
- 16.5. Council Information Package August 19, 2022
- 16.6. Council Information Package August 26, 2022
- 16.7. Council Information Package September 2, 2022
- 16.8. Council Information Package September 9, 2022

17. Motion to Receive and File Information Items:

Receive and file Information items, having been considered by Council:

17.1. Correspondence from EMSHiH regarding Proposed inclusion of downtown properties on the Heritage Register (PL-59-22)

18. Motion to Consider Confidential Items:

19. Notice of Motion:

20. Motion to Approve By-Laws:

Enact and pass the following by-laws which are now introduced, entitled and numbered as indicated below:

20.1. 69-2022: A by-law to authorize a request for the issuing of debentures by the Regional Municipality of Halton for the Skyway Community Centre.

Report EICS-15-22, Special Council meeting of August 4, 2022

20.2. 70-2022: A by-law to appoint Municipal Law Enforcement Officers for the City of Burlington and to repeal By-law 64-2022.

	Report CL-34-22, Delegated authority report DA-85-22	
20.3.	71-2022: A by-law to assume parcels of land in the City of Burlington as Public Highway.	173 - 173
20.4.	72-2022: A by-law to amend 60-2005 being a by-law to regulate the licensing and keeping of dogs and the keeping of all other animals.	174 - 179
	Report BB-14-22, Council meeting September 20, 2022	
20.5.	73-2022: A by-law to amend By-law 49-2022 being a by-law to regulate exterior property maintenance including vegetation, refuse and graffiti.	180 - 182
	Report BB-14-22, Council meeting September 20, 2022	
20.6.	2020.445: A by-law to amend By-law 2020, as amended; 2154 Walker's	183 - 185

Report PL-63-22, Community Planning, Regulation and Mobility Committee meeting of September 13, 2022

21. Confirmatory By-law:

Line.

186 - 187

Enact and pass By-law Number 74-2022 being a by-law to confirm the proceedings of Council at its meeting held September 20, 2022 being read a first, second and third time.

22. Statements by Members:

23. Motion to Adjourn:

Adjourn this Council now to meet again at the call of the Mayor.



Audit Committee Meeting

Minutes

Date: September 12, 2022

Time: 3:30 pm

Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Lisa Kearns (Chair), Mathew Moore, Phillip Chisulo, Etienne

Durafour, Angelo Bentivegna, Paul Sharman, Mayor Marianne

Meed Ward

Member Regrets: Aaron Mendaglio

Staff Present: Maciej Jurczyk, Tim Commisso, Joan Ford, Brynn Nheiley,

Sheila Jones, Michelle Moore, David Thompson (Audio/Visual

Specialist), Suzanne Gillies (Clerk)

1. Declarations of Interest:

None.

2. Delegation(s):

2.1 Anne and Dave Marsden spoke regarding the evaluation of external auditors report (F-26-22)

3. Consent Items:

3.1 Evaluation of external auditors (F-26-22)

Moved by: Councillor Sharman

Receive and file finance department report F-26-22 providing an evaluation of the external auditors.

CARRIED

3.2 Financial highlights for the period ended June 30, 2022 (F-28-22)

Moved by: Councillor Sharman

Receive and file finance department report F-28-22 providing financial highlights as at June 30, 2022.

CARRIED

3.3 Aldershot Village Business Improvement Area Update (F-32-22)

Moved by: Councillor Sharman

Receive and file finance department report F-32-22 providing an update on Aldershot Village Business Improvement Area (Aldershot BIA) 2021 financial statements and review of internal control policies and procedures.

CARRIED

3.4 Summary of In-Progress Management Action Plans (CA-07-22)

Moved by: Councillor Sharman

Receive and file office of the city auditor report CA-07-22 providing a summary of the Management Action Plans in progress as identified in Appendix A.

CARRIED

3.5 Quarterly Dashboard for Office of the City Auditor (CA-08-22)

Moved by: Councillor Sharman

Receive and file office of the city auditor report CA-08-22 providing a quarterly dashboard of City Auditor Key Performance Indicators (KPI's).

CARRIED

4. Regular Items:

None.

5. Confidential Items:

None.

6. Procedural Motions:

None.

7. Information Items:

Moved by: Mayor Meed Ward

Receive and file the following item having been given due consideration by the Audit Committee.

CARRIED

- 7.1 Delegation notes from Anne and Dave Marsden regarding the evaluation of external auditor report F-26-22
- 8. Staff Remarks:
- 9. Committee Remarks:
- 10. Adjournment:

Chair adjourned the meeting at 3:43 p.m.



Community Planning, Regulation & Mobility Committee Meeting Minutes

Date: September 13, 2022

Time: 9:30 am

Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Shawna Stolte (Chair), Rory Nisan, Kelvin Galbraith, Lisa

Kearns, Paul Sharman, Angelo Bentivegna, Mayor Marianne

Meed Ward

Staff Present: Tim Commisso, Brynn Nheiley, Mark Simeoni, Craig Kummer,

Catherine Baldelli, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Jo-Anne Rudy

(Clerk)

1. Declarations of Interest:

None

2. Statutory Public Meetings:

2.1 Official Plan and Zoning By-law amendments for 4103 Palladium Way (PL-50-22)

The Community Planning, Regulation and Mobility Committee, in accordance with the Planning Act, held Public Meeting No. 11-22 on September 13, 2022, regarding Official Plan and Zoning By-law amendments for 4103 Palladium Way. Having considered the oral and written comments received from staff and delegations, the Community Planning, Regulation and Mobility Committee approved community planning department report PL-50-22.

Moved by Councillor Galbraith

Direct staff to continue to proceed with the processing of the submitted Official Plan amendment and Zoning By-law amendment application for 4103 Palladium Way, including evaluating and incorporating any/all

comments received by committee and the public at the statutory public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.

CARRIED

- a. TJ Cieciura and Kimberley Harrison-McMillan, representing Design Plan Services Inc, provided information on Official Plan and Zoning By-law amendments for 4103 Palladium Way (PL-50-22)
- b. Delegation material from TJ Cieciura and Kimberley Harrison-McMillan, representing Design Plan Services Inc., regarding Official Plan and Zoning By-law amendments for 4103 Palladium Way (PL-50-22)
- c. Staff presentation regarding Official Plan and Zoning By-law amendments for 4103 Palladium Way (PL-50-22)
- 2.2 Official Plan and Zoning By-law amendments for 3110 South Service Road (PL-62-22)

The Community Planning, Regulation and Mobility Committee, in accordance with the Planning Act, held Public Meeting No. 12-22 on September 13, 2022, regarding Official Plan and Zoning By-law amendments for 3110 South Service Road. Having considered the oral and written comments received from staff and delegations, the Community Planning, Regulation and Mobility Committee approved community planning department report PL-62-22.

Moved by Councillor Kearns

Direct staff to continue to proceed with the processing of the submitted Official Plan amendment and Zoning By-law amendment application for 3110 South Service Road, including evaluating and incorporating any/all comments received by committee and the public at the statutory public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.

CARRIED

a. David Nelson and Bruce Campbell, representing P3 Veterinary Partners, provided information on Official Plan and Zoning By-law amendments for 3110 South Service Road (PL-62-22)

- Delegation material from David Nelson and Bruce Campbell, representing P3 Veterinary Partners, regarding Official Plan and Zoning By-law amendments for 3110 South Service Road (PL-62-22)
- c. Staff presentation regarding Official Plan and Zoning By-law amendments for 3110 South Service Road (PL-62-22)
- d. Correspondence from Kristina Didiano, regarding Official Plan and Zoning By-law amendments for 3110 South Service Road (PL-62-22)
- 2.3 Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)

The Community Planning, Regulation and Mobility Committee, in accordance with the Planning Act, held Public Meeting No. 13-22 on September 13, 2022, regarding Official Plan and Zoning By-law amendment applications for 1396 Guelph Line. Having considered the oral and written comments received from staff and delegations, the Community Planning, Regulation and Mobility Committee received community planning department report PL-65-22.

Moved by Councillor Nisan

Receive and file community planning department report PL-65-22 regarding Official Plan and Zoning By-law amendment applications for 1396 Guelph Line.

CARRIED

- a. Gary Scobie spoke in opposition to Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)
- b. Stephanie Bye spoke in opposition to Official Plan and Zoning Bylaw amendment applications for 1396 Guelph Line (PL-65-22)
- c. Julija P. spoke in opposition to Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)
- d. Cynthia Erochko spoke in opposition to Official Plan and Zoning Bylaw amendment applications for 1396 Guelph Line (PL-65-22)
- e. Delegation material from Gary Scobie regarding Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)

- f. Staff presentation regarding Official Plan and Zoning By-law amendment applications for 1396 Guelph Line (PL-65-22)
- 2.4 Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)

Moved by Councillor Sharman

Refer community planning department report PL-66-22 regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line to the Environment, Infrastructure and Community Services Committee meeting of September 15, 2022.

CARRIED

- a. Dana Anderson, representing 1989 Appleby Latch GP Inc, provided information on Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- b. Doug Benton spoke in opposition to Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- c. Mathew Van Camp spoke in opposition to Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- d. Angela Molyneaux spoke in opposition to Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- e. Andrew Hall spoke to Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- f. Lara Henry spoke in opposition to Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- g. Luke Chiasson spoke in opposition to Official Plan and Zoning Bylaw amendment applications for 1989 Appleby Line (PL-66-22)
- h. Delegation material from Doug Benton regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- Delegation material from Dana Anderson, representing 1989
 Appleby Latch GP Inc., regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- j. Staff presentation regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)

- k. Correspondence from Richard and Catherine Beriault, regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- I. Correspondence from Valerie Ferencich regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)
- m. Correspondence from Matt Ferencich regarding Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)

3. Delegation(s):

- 3.1 Marwa Selim, representing BurlingtonGreen Environmental Association, spoke to CUTRIC/CUTZEB™ Joint Procurement Initiative (TR-04-22)
- 3.2 Anne and Dave Marsden spoke to Future of City of Burlington Outdoor Patio Program update for Q3 2022 (PL-67-22)
- 3.3 Mary Alice St. James, representing A.C.T. (Active Community Teamwork) spoke to New Zoning By-law Review Project Terms of Reference (PL-60-22)
- 3.4 Leslie Barbetta did not appear (PL-60-22)
- 3.5 Daintry Klein, representing Millcroft Greenspace Alliance, spoke to New Zoning By-law Review Project Terms of Reference (PL-60-22)
- 3.6 Lisa La Civita and Daniel Belli, representing Armland Group, spoke to Draft Plan of Subdivision at 4375 Millcroft Park Drive (PL-64-22)
- 3.7 Tony Millington spoke to Zoning By-law amendment for 2154 Walker's Line (PL-63-22)
- 3.8 Blake Smith spoke to Zoning By-law amendment for 2154 Walker's Line (PL-63-22)
- 3.9 Brian Dean, Executive Director, Burlington Downtown Business
 Association, spoke to proposed inclusion of downtown properties on the
 City of Burlington Heritage Register (PL-59-22)

4. Consent Items:

4.1 PRESTO Contactless Payment (TR-02-22)Moved by Mayor Meed Ward

Authorize the Mayor and City Clerk to sign the Amending Agreement for the 905 Agencies and Metrolinx related to Open Payment, referred to as the PRESTO Contactless Payment, with content satisfactory to the Director of Transit and in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Approve the recommended changes to the rates and fees for the Transit Department include PRESTO Contactless payment as a payment option for transit at the current cash rate of \$3.50; and

Enact the By-law to amend By-law 61-2021, to implement PRESTO Contactless payment options, attached as Appendix "A" to transit department report TR-02-22, which has been prepared in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

CARRIED

4.2 CUTRIC/CUTZEB™ Joint Procurement Initiative (TR-04-22)

Moved by Mayor Meed Ward

Receive transit department report TR-04-22 which outlines the key deliverables and planning activities to be developed by the Canadian Urban Transit Research & Innovation Consortiums (CUTRIC) Zero-Emissions Bus CUTZEB™ Joint Procurement Initiative to support the development of the Zero-Emission Bus Fleet Implementation and Rollout Plan, capital funding application(s) and joint procurement services for the supply of Zero Emission Buses (ZEBs), chargers, power supply services and infrastructure development services for Burlington Transit for the years 2023 to 2026; and

Direct the Director of Transit to confirm Burlington's participation in the CUTZEB™ joint procurement initiative at an estimated cost of \$92,500 plus HST, using existing funds received from the Provincial Gas Tax and authorize the Mayor and City Clerk to execute on behalf of the Corporation of the City of Burlington the necessary contracts with CUTZEB™, to the satisfaction of the Executive Director of Legal Services and the Director of Transit.

CARRIED

4.3 Request to amend Heritage Designation Bylaw for 38 Frontier Trail (formerly 398 Mountain Brow Road East) (PL-61-22)

Moved by Mayor Meed Ward

State an intention to amend By-law 44-2009 pursuant to Part IV of the Ontario Heritage Act, section 30.1 (1), as shown in the draft amending by-law and revised statement of significance attached as Appendix C to community planning department report PL-61-22; and

Direct the Director of Community Planning to provide notice of Council's intention to amend By-law 44-2009, in accordance with section 29 (3) and 29 (4) of the Ontario Heritage Act; and

Direct the City Clerk to present the draft amending by-law to Council for approval within 120 days after the date of publication of the notice of intention to amend By-law 44-2009, provided there is no objection or withdrawal; and

Direct the City Clerk to take the necessary actions in the event of any objection to the statement of intention to amend By-law 44-2009 pursuant to Part IV of the Ontario Heritage Act, sections 29 (5) and 29 (6); and

Direct the City Solicitor to take necessary steps to implement the following amendments to the existing Heritage Conservation Easement Agreement, registered on title for the heritage property at 398 Mountain Brow Road, Instrument No. HR1518674 (the "HEA"), dated April 29th, 2009:

- Replace the Statement of Significance attached to the HEA under Schedule "C" with the revised statement of significance attached as Appendix C to community planning department report PL-61-22
- Make any required amendments to the HEA to remove references to the demolished house and accurately reflect the existing condition of the property to the satisfaction of the Director of Community Planning
- c. Introduce any necessary bylaw in Council to amend the HEA.

CARRIED

5. Regular Items:

5.1 Future of City of Burlington Outdoor Patio Program - update for Q3 2022 (PL-67-22, SD-22-22)

Moved by Councillor Kearns

Receive and file community planning department report PL-67-22 regarding the future of the City of Burlington Outdoor Patio Program update for Q3 2022; **and**

Direct the Director of Community Planning to deliver an interim report to the Community Planning, Regulation & Mobility Committee meeting of December 6, 2022, regarding the future of outdoor patios outlining progress to date and draft policy directions for the 2023 patio season.

CARRIED

Amendment:

Moved by Councillor Kearns

Direct the Director of Community Planning to deliver an interim report to the Community Planning, Regulation & Mobility Committee meeting of December 6, 2022, regarding the future of outdoor patios outlining progress to date and draft policy directions for the 2023 patio season. (SD-22-22)

CARRIED

5.2 New Zoning By-law Review Project - Terms of Reference (PL-60-22, SD-23-22)

Moved by Councillor Sharman

Endorse the proposed Terms of Reference for the City's New Zoning Bylaw Project attached as Appendix A to community planning department report PL-60-22; and

Authorize the Director of Community Planning to engage consultants through a Request for Proposal process to carry out the work, in accordance with the above noted proposed Terms of Reference; and

Direct the Director of Community Planning to finalize the Engagement Plan based on the draft Engagement Plan attached as Appendix C to community planning department report PL-60-22; **and**

Direct the Director of Community Planning to provide quarterly update reports on the New Zoning By-law Project including community engagement, budget and other matters. (SD-23-22)

CARRIED

Amendment:

Moved by Councillor Sharman

Direct the Director of Community Planning to provide quarterly update reports on the New Zoning By-law Project including community engagement, budget and other matters. (SD-23-22)

CARRIED

5.3 Draft Plan of Subdivision at 4375 Millcroft Park Drive (PL-64-22)

Moved by Councillor Kearns

Approve the application submitted by Salotto Building Group Inc. to draft approve a residential plan of subdivision consisting of 30 lots and a public road at 4375 Millcroft Park Drive, Block 133 of Plan 20M-811, as shown in Appendix A of community planning department report PL-64-22, subject to the conditions contained in Appendix B of that report.

CARRIED

5.4 Zoning By-law amendment for 2154 Walker's Line (PL-63-22)

Moved by Councillor Bentivegna

Approve the Zoning By-law amendment application for the property located at 2154 Walker's Line to permit nine (9) townhouse units of two (2) storeys in height to be developed on a private road; and

Approve Zoning By-law 2020.445, attached as Appendix D of community planning report PL-63-22, which rezones the lands at 2154 Walker's Line from 'R3.2' zone to 'RM2-517'; and

Deem that the amending zoning by-law will conform to the Official Plan of the City of Burlington and that there are no applications to alter the Official Plan with respect to the subject lands. 5.5 Proposed inclusion of downtown properties on the City of Burlington Heritage Register (PL-59-22)

Moved by Councillor Kearns

Refer community planning department report PL-59-22 regarding proposed inclusion of downtown properties on the City of Burlington Heritage Register to the Environment, Infrastructure and Community Services Committee meeting of September 15, 2022.

CARRIED

6. Confidential Items:

None

7. Procedural Motions:

None

8. Information Items:

Moved by Councillor Galbraith

Receive and file the following 6 items, having been given due consideration by the Community Planning, Regulation and Mobility Committee.

CARRIED

- 8.1 Staff presentation regarding New Zoning By-law Review Project Terms of Reference (PL-60-22)
- 8.2 Staff presentation regarding Draft Plan of Subdivision at 4375 Millcroft Park Drive (PL-64-22)
- 8.3 Staff presentation regarding Zoning By-law amendment for 2154 Walker's Line (PL-63-22)
- 8.4 Staff presentation regarding proposed inclusion of downtown properties on the City of Burlington Heritage Register (PL-59-22)
- 8.5 Delegation material from Mary Alice St. James regarding New Zoning Bylaw Review Project - Terms of Reference (PL-60-22)

8.6 Delegation material from Tony Millington regarding Zoning By-law amendment for 2154 Walker's Line (PL-63-22)

9. Staff Remarks:

9.1 Tim Commisso, City Manager, provided a verbal update regarding a day of mourning on September 19, 2022, for Queen Elizabeth II.

10. Committee Remarks:

11. Adjournment:

9:57 a.m. (recessed), 10:07 a.m. (reconvened), 10:36 a.m. (recessed), 10:46 a.m. (reconvened), 12:04 p.m. (recessed), 1:05 p.m. (reconvened), 2:40 (recessed), 2:47 p.m. (reconvened), 4:56 p.m. (recessed), 6:30 p.m. (reconvened), 7:29 p.m. (recessed), 7:40 p.m. (reconvened), 8:13 p.m. (recessed), 8:20 p.m. (reconvened), 9:59 p.m. (recessed), 10:04 p.m. (reconvened)

Chair adjourned the meeting at 10:06 p.m.



Corporate Services, Strategy, Risk and Accountability Committee Meeting Minutes

Date: September 14, 2022

Time: 9:30 am

Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Rory Nisan (Chair), Paul Sharman, Lisa Kearns, Kelvin

Galbraith, Shawna Stolte, Angelo Bentivegna, Mayor Marianne

Meed Ward

Staff Present: Tim Commisso, Kwab Ako-Adjei, Nick Anastasopoulos, Kevin

Arjoon, Laura Boyd, Joan Ford, Sheila Jones, Allan Magi, Karen

Roche, Brynn Nheiley, Enrico Scalera, Nancy Shea-Nicol, Richard Bellemare (Audio/Video Specialist), Georgie Gartside

(Clerk)

1. Declarations of Interest:

None

2. Delegation(s):

- 2.1 Anne and Dave Marsden spoke regarding 2022 Community Benefits Strategy and Bylaw (F-31-22)
- 2.2 Stephen White, representing Burlington & Oakville Coyote Management (BOCM), spoke regarding City of Burlington Coyote Response Strategy update and response to recent serious attacks on city residents (CM-26-22)
- 2.3 Lesley Sampson, representing Coyote Watch Canada, spoke regarding City of Burlington Coyote Response Strategy update and response to recent serious attacks on city residents (CM-26-22)

3. Consent Items:

3.1 Investigation report from Burlington Ombudsman MUN-14027-0621 (CL-35-22)

Moved by Councillor Galbraith

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

CARRIED

3.2 Vision to Focus integrated reporting update as of June 30, 2022 (CS-10-22)

Moved by Councillor Galbraith

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.

CARRIED

3.3 Financial status report as at June 30, 2022 (F-29-22)

Moved by Councillor Galbraith

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

CARRIED

3.4 Mid-year 2022 operating budget performance report (F-30-22)

Moved by Councillor Galbraith

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

CARRIED

4. Regular Items:

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

Moved by Mayor Meed Ward

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.

CARRIED

4.2 2022 Community Benefits Strategy and Bylaw (F-31-22)

Note: This item was approved at the September 14, 2022 Special Council meeting.

Moved by Councillor Kearns

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.

CARRIED

4.3 Halton Digital Access Strategy implementation (CM-21-22)

Moved by Councillor Bentivegna

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.

CARRIED

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

Note: This item was approved at the September 14, 2022 Special Council meeting.

Moved by Mayor Meed Ward

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; **and**

Authorize the Director of Roads, Parks and Forestry to procure and install lids for non-decorative garbage cans in the immediate area of coyote concern, to an upset limit of \$15,000 in 2022; and

Direct the Director of Building and By-law to adopt a pro-active coyote response strategy model inclusive of adding two additional contract By-law Enforcement Officers, and engage appropriate coyote specialist resources to assist with investigations, canid response team, training staff and members of the public; and

Direct the Executive Director of Community Planning, Regulation and Mobility to review waste receptacles identified in various urban design guidelines, starting with Downtown Streetscape Guidelines, to ensure that those identified are secure and enclosed, and to report to CPRM Committee in Q4 2022; and

Director the Chief Financial Officer to include information regarding expenses incurred related to the Coyote Response Strategy when reporting on the 2022 year-end financial position and bring forward any amendments in the 2023 budget; and

Direct the Mayor and Government Relations Manager to connect with the Ministry of Natural Resources and Forestry, and other Ministries as needed, to formally request emergency funding, and staffing support, to help us respond to coyote attacks in Burlington; and

Direct the Executive Director of Legal Services and Corporation Counsel and the Director of Building and By-law to review the current fine structure for illegal dumping contained in the Lot Maintenance By-law 49-2022 and fines contained in City's Animal Control By-law 60-2005 relating to feeding of wildlife and bring back options to increase the fines for ticketing offences (Part I) and the maximum fine for Part III offences for the feeding of wildlife, including any required by-law amendments for consideration by Council on September 20, 2022; and

Direct the Director of Corporate Communications & Engagement to distribute a city-wide mail drop/social media communication plan by September 30, 2022 and focused solely on the fact that the recent crisis of aggressive wildlife attacks is the direct result of illegal dumping and/or feeding of wildlife and clearly communicating increases in Part I Offence ticketing and Part III Offence fines to be considered by Council on September 20, 2022; and

Direct the City Manager to include targeted cutting back of vegetation on public lands as part of the risk mitigation actions to be considered in the updated coyote response strategy.

CARRIED

Amendment:

Moved by Mayor Meed Ward

Authorize the Director of Roads, Parks and Forestry to procure and install lids for non-decorative garbage cans in the immediate area of the coyote concern, to an upset limit of \$15,000 in 2022; and

Direct the Director of Building and By-law to adopt a pro-active coyote response strategy model inclusive of adding two additional contract By-law Enforcement Officers, and engage appropriate coyote specialist resources to assist with investigations, canid response team, training staff and members of the public; and

Direct the Executive Director of Community Planning, Regulation and Mobility to review waste receptacles identified in various urban design guidelines, starting with Downtown Streetscape Guidelines, to ensure that those identified are secure and enclosed, and to report to CPRM Committee in Q4 2022; and

Director the Chief Financial Officer to include information regarding expenses incurred related to the Coyote Response Strategy when reporting on the 2022 year-end financial position and bring forward any amendments in the 2023 budget.

CARRIED

Amendment:

Moved by Mayor Meed Ward

Direct the Mayor and Government Relations Manager to connect with the Ministry of Natural Resources and Forestry, and other Ministries as needed, to formally request emergency funding, and staffing support, to help us respond to coyote attacks in Burlington.

CARRIED

Amendment:

Moved by Councillor Stolte

Direct the Executive Director of Legal Services and Corporation Counsel and the Director of Building and By-law to review the current fine structure for illegal dumping contained in the Lot Maintenance By-law 49-2022 and fines contained in City's Animal Control By-law 60-2005 relating to feeding of wildlife and bring back options to increase the fines for ticketing offences (Part I) and the maximum fine for Part III offences for the feeding of wildlife, including any required by-law amendments for consideration by Council on September 20, 2022.

CARRIED

Amendment:

Moved by Councillor Stolte

Direct the Director of Corporate Communications & Engagement to distribute a city-wide mail drop/social media communication plan by September 30, 2022 and focused solely on the fact that the recent crisis of aggressive wildlife attacks is the direct result of illegal dumping and/or feeding of wildlife and clearly communicating increases in Part I Offence ticketing and Part III Offence fines to be considered by Council on September 20, 2022.

CARRIED

Amendment:

Moved by Councillor Kearns

Direct the City Manager to include targeted cutting back of vegetation on public lands as part of the risk mitigation actions to be considered in the updated coyote response strategy.

CARRIED

4.5 Designing and evolving our organization – updated department functional design and management structures (CM-24-22)

Moved by Mayor Meed Ward

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

CARRIED

5. Confidential Items:

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

The committee provided instructions to legal department staff in closed session for this item.

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

Moved by Councillor Sharman

Instruct the Executive Director of Legal Services and Corporation Counsel or her designate to proceed in accordance with the instructions sought in confidential legal department report L-42-22.

CARRIED

6. Procedural Motions:

6.1 Motion to proceed into closed session

Moved by Mayor Meed Ward

Move into closed session in accordance with the following provision under the Municipal Act - section 239(2)(e), litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, with respect to confidential legal department report L-28-22 regarding Committee of Adjustment appeal regarding 5002 DesJardines Drive.

CARRIED

7. Information Items:

Moved by Mayor Meed Ward

Receive and file the following four items, having been given due consideration by the Corporate Services, Strategy, Risk and Accountability Committee.

CARRIED

7.1 Delegation material from Anne and Dave Marsden regarding 2022 Community Benefits Strategy and Bylaw (F-31-22)

- 7.2 Delegation material 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)
- 7.3 Delegation material 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)
- 7.4 Staff presentation regarding City of Burlington Coyote Response Strategy update and response to recent serious attacks on city residents (CM-26-22)

8. Staff Remarks:

9. Committee Remarks:

10. Adjournment:

11:09 a.m. (recessed), 11:18 a.m. (reconvened), 11:54 a.m. (recessed), 1:02 p.m. (reconvened), 3:11 p.m. (recessed), 3:24 p.m. (reconvened), 3:39 p.m. (closed), 4:20 p.m. (public)

Councillor Nisan was in attendance until 11:43 a.m. and returned at 2:17 p.m.

Councillor Sharman chaired the meeting from 11:43 a.m. until 2:37 p.m.

Councillor Kearns was in attendance until 4:14 p.m.

Councillor Stolte was in attendance until 4:15 p.m.

Chair adjourned the meeting at 4:23 p.m.



Environment, Infrastructure & Community Services Committee Meeting Minutes

Date: September 15, 2022

Time: 9:30 am

Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Kelvin Galbraith (Chair), Shawna Stolte (Vice Chair), Paul

Sharman, Lisa Kearns, Rory Nisan, Angelo Bentivegna, Mayor

Marianne Meed Ward

Staff Present: Tim Commisso, Kwab Ako-Adjei, Samantha Yew, Kevin

Klingenberg, Chris Glenn, Allan Magi, Nancy Shea-Nicol, Brynn

Nheiley, Mark Simeoni, Richard Bellemare (Audio/Video

Specialist), Suzanne Gillies (Clerk)

1. Declarations of Interest:

None.

2. Delegation(s):

2.1 Gabriella Kalapos, representing Clean Air Partnership spoke in support of the Electric Mobility Strategy (EICS-16-22)

3. Consent Items:

3.1 Public tree removal - 4385 Mainway Blvd (RPF-24-22)

Moved by Councillor Stolte

Approve the request by the applicant to remove three (3) public trees to proceed with the proposed site plan application file no. 535-010-21 as outlined in roads, parks & forestry department report RPF-24-22; and

Instruct the applicant, Jason Menkes on behalf of Menkes Barrett Burlington II Inc., to provide compensation for the public tree removals by providing cash-in-lieu of replacement totaling \$3,500.00; and

Direct that a tree permit be obtained for the public trees and pay the associated tree permit fees as outlined in the city's Rates and Fees Bylaw; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant and the contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

CARRIED

3.2 Public tree removal - 1294 Coric Ave (RPF-25-22)

Moved by Councillor Stolte

Approve the request by the applicant to remove five (5) public trees in order to proceed with the proposed two-storey single family detached dwelling (ZC-501/21) as outlined in roads, parks & forestry department report RPF-25-22; and

Instruct the applicant, Konstantin Alekseevon on behalf Constant Shape Design Studio, to provide compensation for the public tree removals by providing cash-in-lieu of replacement totaling \$8,500.00; and

Direct that a tree permit be obtained for the public tree removals and pay the associated tree permit fees as outlined in the city's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant and the contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

CARRIED

3.3 Public tree removal - 320 Pine Cove Road (RPF-27-22)

Moved by Councillor Stolte

Approve the request by the applicant to remove one (1) public tree in order to proceed with the proposed two-storey dwelling as outlined in roads, parks & forestry department report RPF-27-22; and

Instruct the applicant, Gerardo Castillo on behalf of Keystone Home Designs Inc., to provide compensation for the public tree removal by providing cash-in-lieu of replacement totaling \$3,500.00; and

Direct that a tree permit be obtained for the public tree removals and pay the associated tree permit fees as outlined in the city's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant and the contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

CARRIED

4. Regular Items:

4.1 Burlington 150 anniversary opportunities (RCC-13-22)(SD-24-22)

Moved by Mayor Meed Ward

Direct the Director of Recreation, Community and Culture to bring forward options to consider during the 2023 budget, working with all departments and local boards on potential activities to celebrate Burlington's sesquicentennial. (SD-24-22)

CARRIED

4.2 Burlington Climate Action Plan update (EICS-11-22)

Moved by Councillor Nisan

Council requests Burlington Hydro to prepare a Sustainability Plan by the end of Q2 2024 with the following information:

- current and planned actions by Burlington Hydro to support the programs and the target outlined in the City's Climate Action Plan to be a net carbon neutral community by 2050;
- infrastructure investments required to support electric mobility (electric vehicles, electrification of fleets, electric transit buses and bi-directional charging), electrification of thermal energy (air source heat pumps), solar energy and battery storage;
- Burlington Hydro's investment plans to improve resiliency of the local distribution grid given increasing frequency and intensity of severe weather events, as identified through Climate Resilient Burlington – a plan for adapting to our warmer, wetter and wilder weather; and

a process for stakeholder and community engagement.

CARRIED

4.3 Electric Mobility Strategy (EICS-16-22)

Moved by Councillor Kearns

Receive and file environment, infrastructure and community services department report EICS-16-22 regarding the Electric Mobility Strategy as presented in Appendix A; a strategy to provide guidance to the city and local stakeholders to take action and accelerate electric mobility adoption in the community.

CARRIED

4.4 Health Protection and Air Quality By-law (CM-22-22)(SD-25-22)

Moved by Mayor Meed Ward

Receive and file city manager's office report CM-22-22 providing a response to staff direction SD-06-21 regarding the review of the feasibility of a city-wide Health Protection and Air Quality By-law; and

Direct the City Manager to consider options and methods to systematically monitor the performance of emitters of odours and air pollution to ensure that regulators are actively engaged on achieving sustainable, compliant, safe air quality and report back in Q2 2023. (SD-25-22)

CARRIED

Amendment:

Moved by Councillor Sharman

Direct the City Manager to consider options and methods to systematically monitor the performance of emitters of odours and air pollution to ensure that regulators are actively engaged on achieving sustainable, compliant, safe air quality and report back in Q2 2023. (SD-25-22)

CARRIED

4.5 Proposed public access/ongoing maintenance agreement for Burlington Canal Pier with Hamilton Oshawa Port Authority (ES-43-22)

Moved by Councillor Kearns

Authorize the City Manager to proceed with negotiating an agreement with the Hamilton-Oshawa Port Authority for public use and ongoing maintenance of the Burlington Bay Canal shipping pier under terms as generally outlined in engineering services department report ES-43-22; and

Direct the City Manager to report back to the Environment, Infrastructure and Community Services Committee following negotiations to provide a status update and recommendations related to the proposed public access and maintenance agreement.

CARRIED

4.6 Proposed inclusion of downtown properties on the City of Burlington Heritage Register (PL-59-22)

This item was referred from the September 13, 2022 Community Planning, Regulation and Mobility Committee meeting.

Moved by Councillor Nisan

Motion to postpone definitely community planning department report PL-59-22 regarding proposed inclusion of downtown properties on the City of Burlington Heritage Register to the September 20, 2022 City Council meeting.

CARRIED

5. Statutory Public Meetings (continuation from September 13, 2022):

5.1 Official Plan and Zoning By-law amendment applications for 1989 Appleby Line (PL-66-22)

The Community Planning, Regulation and Mobility Committee and referred to the Environment, Infrastructure and Community Services Committee, in accordance with the Planning Act, held Public Meeting No. 14-22 on September 13, 2022 and September 15, 2022, regarding Official Plan and Zoning By-law amendments for 1989 Appleby Line. Having considered the oral and written comments received from staff and delegations, the Environment, Infrastructure and Community Services Committee approved community planning department report PL-66-22.

Moved by Councillor Sharman

Direct staff to continue to process the submitted applications for Official Plan and Zoning By-law amendments for 1989 Appleby Line, including evaluating and incorporating comments received by committee and the public at the statutory public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments

CARRIED

6. Confidential Items:

6.1 Verbal update regarding a breach of solicitor-client privileged information regarding an on-going litigation matter

Moved by Councillor Sharman

Direct the executive director of legal services and corporation counsel to bring a report with respect to providing further confidential advice on a breach of solicitor-client privileged information involving an on-going litigation matter and recommendations to the Council meeting scheduled for September 20, 2022.

CARRIED

7. Procedural Motions:

7.1 Motion to waive the rules of procedure

Moved by Councillor Kearns

Waive rule 22.3 of the Procedure By-law to allow an urgent item to be added to the agenda less than 24 hours before the hour appointed for holding the meeting; and

Rule 22.3 items or matters will not be added to the agenda after distribution to Council or Committee unless they are of an urgent nature and require a decision prior to the next posted Council or Committee meeting. In these cases, an addendum will be prepared, distributed and posted to the City's website calendar, not less than 24 hours before the hour appointed for holding the meeting to go into closed session under section 239(2)(e) and (f) of the Municipal Act for a verbal update regarding a breach of solicitor-client privileged information involving an on-going litigation matter.

7.2 Motion to go into closed session

Moved by Councillor Sharman

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

Section 239(2)(e), litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding confidential legal department verbal update regarding a breach of solicitor-client privileged information involving an on-going litigation matter; and

Section 239(2)(f), advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding confidential legal department verbal update regarding a breach of solicitor-client privileged information involving an on-going litigation matter

CARRIED

8. Information Items:

Moved by Councillor Bentivegna

Receive and file the following four items, having been given due consideration by the Environment, Infrastructure and Community Services Committee.

CARRIED

- 8.1 Staff presentation regarding Burlington Climate Action Plan update (EICS-11-22)
- 8.2 Staff presentation regarding Electric Mobility Strategy (EICS-16-22)
- 8.3 Correspondence from Fran Fendelet, representing TEC, regarding Health Protection and Air Quality By-law (CM-22-22)
- 8.4 Correspondence from Gord Pinard, representing CORE Burlington, regarding Health Protection and Air Quality By-law (CM-22-22)
- 9. Staff Remarks:
- 10. Committee Remarks:
- 11. Adjournment:

10:58 a.m. (recessed), 11:06 a.m. (reconvened), 12:01 p.m. (recessed), 1:00 p.m. (reconvened) 2:52 p.m. (recessed), 3:04 (reconvened), 3:06 p.m. (closed), 4:12 p.m. (public)

Chair adjourned the meeting at 4:14 p.m.

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SUBJECT: Financial Support for Sound of Music Inc.

TO: Mayor and Members of Council

FROM: Finance Department

Report Number: F-36-22

Wards Affected: All

File Numbers: 126-01

Date to Committee: September 20, 2022

Date to Council: September 20, 2022

Recommendation:

Approve a short-term loan to Sound of Music Inc. in the upset amount of \$200,000 to provide interim financial support for the remainder of 2022.

Direct the Chief Financial Officer to advance the Sound of Music Inc.'s 2023 base budget of \$100,093 in January 2023 to provide financial support in the early part of 2023.

Authorize the execution of any documentation (agreements) necessary to secure the City's interests, subject to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

PURPOSE:

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
- Building more citizen engagement, community health and culture

Background and Discussion:

Sound of Music Inc.

Sound of Music Inc. (SOM) is a non-profit organization that has been bring people to the City of Burlington's waterfront to celebrate live music for over 40 years. They host two live entertainment events each year: Live on the Lake and The Sound of Music Festival. These events are made possible by the support of local levels of government, sponsors, and volunteers. The events provide cultural and community value to Burlington, while also providing a strong economic impact to local businesses.

As with many live entertainment events, SOM was severely impacted by the pandemic over the last 2 years. The in-person festival was cancelled in 2020 and 2021. The event in 2020 was moved to an online platform designed to entertain, educate, and support the community during Covid. 2021 saw a revised experience that had multiple events that took place over several months. The return of the SOM festival in 2022 saw the event flourish with a record turnout. Unfortunately, revenues fell short due to the loss of sponsors who were struggling with their own pandemic issues. Uncertainty around the Covid recovery also impacted the SOM's ability to sell tickets to their "Live on the Lake" event. Compounding to the impact of the revenue losses was an increase in costs due to supply chain issues. These factors devastated the festivals' ability to generate a profit in 2022 despite the successful turnout.

The SOM needs immediate interim financial support in order to continue their operations through for the remainder of 2022 and in order to not impact the planning for the 2023 festivals.

Strategy/process

The SOM has submitted a written request to the City for interim financial support in order to maintain their operations for the remainder of 2022. They have provided projected cash flow figures through to the end of the year, 2021 draft financial statements and their Sound of Music Festival Community Impact Report for 2020, 2021 and 2022. The 2022 report is included in Appendix A. Based on the information provided staff recognize that an immediate solution is necessary to address SOMs short term cash flow needs. The recommendation is for the City to provide a short-term loan to the SOM to address their need for interim financial support. This option would not impact the operating budget but would result in a loan receivable on the City's books from SOM. The loan would be repayable within the next calendar year based on council approval of a business case for one-time funding in 2023 in addition to the consideration of an increase to the base budget grant.

Options Considered

The other option would be for the City to provide one-time funding in 2022 to the SOM to address their need for interim financial support. This would require funding from the Tax Rate Stabilization Reserve Fund. This option is not recommended as it is important

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for the next council to have a complete understanding of the business model and budget request for 2023 as part of the business case submission.

Financial Matters:

The City's annual operating budget provides a grant to support the SOM festival. For 2022 this grant was \$100,093. Additional "in-kind" support is also provided annually from the City;

- RPF and Transportation staff time and resources used for planning and the management of multiple road closures throughout the event.
- ITS provides Wi-Fi access through the City's provider (new in 2022)
- The use of Central Park field for SOM parade staging
- Additional power used in Spencer Smith Park for the event

Other City fees associated with the events, such as permits and licenses, are billed directly to SOM.

In addition to the City's annual grant, SOM also receives supporting contributions from various Provincial and Federal government programs. During Covid they were also able to access to the emergency wage subsidy grant, the Federal "Reconnect" grant and "Operational support" grant. These additional funds helped keep the SOM operational through the pandemic.

Total Financial Impact

The options recommended by staff in the report will have a nil impact the 2022 operating budget.

Source of Funding

SOM's annual grant is approved as part of the City's operating budget. A business case for the 2023 budget will be submitted by the Sound of Music to address the 2022 financial support matters as well as ongoing budget funding.

Other Resource Impacts

Not applicable.

Climate Implications

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Not applicable.

Conclusion:

The SOM events provide a cultural, community and economic value to the City. Staff are recommending that Council support the request for funding through a short-term loan and advancement of their 2023 base budget allocation to assist SOM's need for financial support.

Respectfully submitted,

Tim Commisso Joan Ford

City Manager Chief Financial Officer

905-335-7600 ext. 7608 905-335-7600 ext. 7652

Appendices:

A. Sound of Music Festival Community Impact and Funding Request

Notifications:

Name – Myles Rusak

Mailing or e-mail address - mrusak@soundofmusic.ca

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.



Sound of Music Inc. 204N - 1455 Lakeshore Rd. Burlington, On. L7S 2J1 Info@SoundofMusic.ca

Executive Summary Sound of Music Festival Community Impact And Request for Funding.

Presented By: Myles D. Rusak, CEO & Ashlee Livingstone, Chairperson

Presented To: City of Burlington City Council

Esteemed Members of Council:

A Year to Celebrate...

Many successes and records were realized this year as 416,000 people descended on Burlington's Downtown core and Spencer Smith Park for the 43rd annual Sound of Music Festival. A record number which toppled that of our previous high, 225,000 attendees. These guests contributed a monumental \$30M to the community impact which SOM generates (another record, up from \$12M in 2019).

The positive influences of SOM don't stop there. SOM's pillars of impact extend to the areas below (see full report for complete stats on each pillar):

Boosts The Economy:

- Supports local taxes and jobs
- Attracts Tourists
- Supports 136 FTE jobs in Burlington

Bolsters Community Pride:

- Engages over 1500 volunteers over 6000+ hours
- Supports local artists
- Showcases all things Burlington
- Best in its class

Fosters Mental Health, Well-Being & Inclusivity:

- Barrier free access to live music
- Special needs performance opportunities
- Low sensory engagements for youth

Builds Stronger Relationships:

- Burlington invests in SOM
- SOM in the community yearround
- Attendees care about partnerships
- SOM gives back



A Strategic Safe Restart...

The pandemic hit Live Entertainment and the Non-Profit industry with force. As we are both; SOM's unpredictable revenue sources turned out to be less than required.

Key sponsor accounts did not weather the pandemic and we lost over \$250,000 in historical partnership funding. Further, given the proximity to the recent wave of lockdowns and uncertainty in early COVID recovery days, ticket sales for our fundraising event "Live on the Lake" were well below projections (based on historic performance).

The revenue decline, coupled with supply chain/supplier cost recoupment created a perfect storm which eroded our opportunity to turn a profit in 2022. As a result, we will not break even this year and need to take necessary steps to ensure we don't lose momentum for 2023.







Sound of Music Inc. 204N - 1455 Lakeshore Rd. Burlington, On. L7S 2J1 Info@SoundofMusic.ca Our margins at the end of this year remain extremely tight and we have no cash reserve heading into the fall. This means we will have to work to bring in 2023's government revenue sooner than expected. We are asking The City of Burlington to implement an immediate strategic investment in our operations to allow us a sustainable future. As we execute this strategy to immediately request support from all levels of government, we hope the City of Burlington will be the most responsive, coming to action by October at the latest. This will allow SOM to continue operations uninterrupted and permit us to leverage the unwavering support of the City of Burlington with other levels of government and to use the City's commitment to our future as our champion to secure funds at other levels.

The Future for SOM...

The Board of Directors will be asked to approve a plan which has been developed and vetted by our Finance Committee which includes a highly skilled team of finance experts.

The Board will also be asked to approve a revamp to our accounting and budgeting processes to help improve our financial controls and how we deal with the unpredictability we face post-pandemic.

Looking to 2023 we are implementing some early revenue strategies and, where possible, cost-cutting without sacrificing overall quality and audience experience. We have identified areas behind the scenes that are long overdue for trimming in order to run a leaner and more efficient Festival.

Strategic Growth and Good Governance...

Throughout the pandemic SOM has been working hard to redevelop the structure of the Board of Directors and the processes which it uses to govern. Subcommittees have been created focusing on Finance, Governance, Resource Development, and our leadership Executive Committee. Together with the staff team, SOM is undertaking a strategic review and planning to bolster the next 5 years of our existence. The time is now to define the next chapter of SOM! The City of Burlington's commitment gives us a reliable funding source which creates sure footing for the road ahead.

As we look to our government funders, extensive research has been done to create an investment strategy whereby equitable financing is requested so that our future remains bright and sustainable. We don't want to just maintain the Sound of Music Festival, we want it to grow and flourish as the preeminent artist engagement hub for Ontario. This includes focusing on our four pillars: *An Exceptional Festival, Emerging Artist Engagement, Volunteerism, and Community Outreach.*

Thank you for your consideration and timely response.

LIVE ON THE LAKE

Myles D. Rusak

Chief Executive Officer

Ashlee Livingstone
Chairperson, Board of Directors



REPORT TO BURLINGTON CITY COUNCIL
2022 COMMUNITY IMPACT
& ECONOMIC ANALYSIS

Who We Are:

Sound of Music Inc. (SOM) has brought millions of residents, visitors & tourists together through live music at Burlington's landmark waterfront for over four decades. SOM is Burlington's own live music non-profit organization which is home to two of Canada's most prestigious live entertainment events: Live on the Lake, a premiere artist engagement platform and fundraising event and The Sound of Music Festival, Canada's largest free music festival. These events have run on sponsor and volunteer power, providing a cultural and community value to Burlington, while driving a strong economic impact.

What We Do:

Every year in June an experience like no other happens in the heart of downtown Burlington through countless performances from internationally known artists such as The Offspring, Weezer, Bush, Live, The Cult, Honeymoon Suite, The Tea Party, and local musicians such as The Arkells, Walk off the Earth and Finger Eleven.

There is always something for everyone, including three mainstages, a parade on local streets, family zone, midway, Streetfest, vendors, club series and a local emerging artist showcase are just a few ways in which we celebrate the talent on our stages.

Why We Do It:

Music is truly the greatest way to bond people from all walks of life and all corners of our great city! It has the unique ability to connect us, foster community, inspire compassion and strengthen mental health. Music does these things regardless of race, creed, colour, gender, orientation, and/or socio-economic background – people simply love and need music! SOM has existed in Burlington for over 43 years and we believe wholeheartedly that music should be a barrier-free and inclusive experience for everyone to enjoy.

Highlights from the 2022 Sound of Music Festival

SOM continues its return to live as pandemic restriction began to lift. The 2022 Music Festival returned to the scene in a significant way. Not only did we shatter all previous attendance records, but the community also stepped up with a record breaking 600 new volunteers, increase in social media engagement by 1200%, and generation of more community impact than any prior year by a staggering 153%. We take these values seriously – we believe that each of these data points underpin the economic and community impact SOM directly contributes to. It's hard to measure the deep connection many have to this event, but we know this past year was a testament to it being a cornerstone of everyone's summer must-do list – a true connection to the city we love!

• 2022 COMMUNITY IMPACT: \$32,000,000*

(2019 Community Impact: \$12.6M)

- Equivalent of 136 full-year jobs supported by the festival
- Estimated \$5.2M in tax generated by festival-related spending
- 2022 ATTENDANCE: 416,000

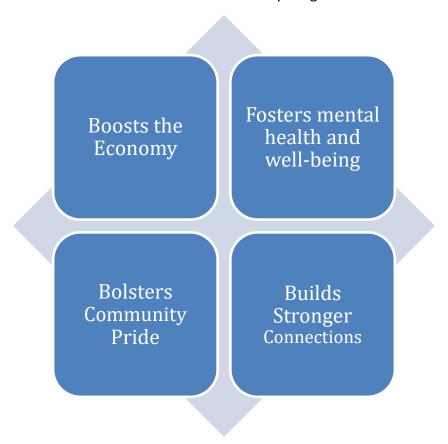
(2019 Attendance: 225,000)

- o 68% Reside Within 40km
- 20% 40-100km Away
- o 12% Farther Than 100km
- Social Media Engagements: 12,800,000+
- Traditional Media Impressions: 20,000,000+
- Volunteer Opportunities Created: 1500+
- Volunteer Hours: 6000+

^{*}As determined by an independent, event research firm using the benchmark Ontario TREIM model.

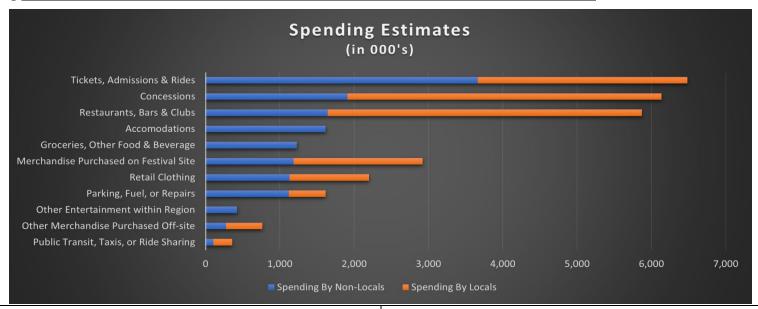
Sound of Music: We Are More Than a Festival...

The impacts of the Sound of Music Festival are so much more than nine days of great music.



Boosts the Economy:

By definition, festivals attract visitors and visitors spend money. In turn, this provides uplift to the local economy - both on and off the festival site. Onsite spending includes tickets, parking fees, food, beverages, merch sales — and more. Offsite spending includes restaurants, bars & clubs, parking, public transit and more. Sound of Music is the largest event in Halton region, generating a staggering \$30M in economic impact and supporting the equivalent of 136 full-time jobs this year.



- Local employment and taxes support by the festival:
 - o Equivalent to 136 full-year jobs supported by the Festival
 - Estimated \$5.2M in tax revenue generated by festivalrelated spending
- Local residents spent \$15.3M related to the Festival:
 - Locals spent approximately \$4.2M at local restaurants, bars, and clubs alone

- The Festival attracted tourists from many regions:
 - o 32% of attendees resided more than 40km from Burlington
 - 2% resided in other provinces and 5% were from outside Canada
- Taxes Generated:
 - o Federal: \$2.2M Provincial: \$2.8M Municipal: \$700k

Bolsters Community Pride:

Executing a Festival like SOM requires a tremendous amount of human-power, through our partners, staff and volunteers, SOM creates the perfect opportunity to help build a stronger community, and fully engage its members in sustaining a shared source of local pride. SOM celebrates all things that make Burlington special! And SOM's community is a big one!

Volunteers are at our core:

- Our 10-member Board of Directors is composed of local Burlington business and community leaders
- Over 1500 volunteers assisted with the execution of SOM 2022
- o 6000+ Volunteer hours were logged
- Volunteers range from age 14 to 87 years old!
- 12 Operational Committees spent over 150 hours planning SOM 2022

The Festival showcases Burlington:

- Burlington Teen Tour Band was featured in the parade, civic showcase, and VIP Tent during the entire festival.
- SOM contributed over \$10,000 to the Burlington Teen Tour Band Boosters during the Festival
- SOM's Festival App highlights over 300 local businesses
- An estimated 130,000+ tourists visited Burlington during the Festival
- \$1.6M was spent by non-locals at restaurants, bars and clubs in Burlington
- 27 local businesses were engaged to execute the 2022 Festival
- 72% of attendees agree that "SOM is the best cultural attraction in Burlington"

The Festival supports local artists:

- o 82 local artists were hired for the 2022 Festival
- International platinum artists got their start at SOM, including Walk off the Earth, The Arkells, Finger Eleven, and July Talk!
- In 2022 the Festival engaged in local artist development through: Songwriters Speaker Series, Battle of the Bands, Management Conferences, Workshops and Showcases

The biggest and best at what we do:

- SOM is recognized as an international leader in the Live Music Industry with the following designations:
 - Festivals and Events Ontario: Festival of Distinction
 - Festivals and Events Ontario: Top 100
 Canadian Events
 - Festivals and Events Ontario: Best Greening Program winner
 - International Festival and Events Association:
 Grand Pinnacle Award Winner
 - International Festival and Events Association:
 Best Volunteer Program Winner
 - Halton Social Capital Committee: Best Accessibility Program Winner
- SOM CEO has been a speaker and judge at National events such as Music PEI and the East Coast Music Awards

Fosters Mental Health, Well-Being, and Inclusivity:

COVID-19 had a drastic impact on our shared mental health. This year, perhaps more than ever, SOM brought a collective spirit back to our community. Music is such a powerful tool to help combat daily stresses and boost your well-being. Live music, such as concerts and festivals, foster a sense of community and provide an essential social connection that is beneficial for a positive mental outlook.

Sound of Music is vital to our vibrant musical scene here in Burlington, nurturing local talent and ensuring that all the mental health benefits of music remain a cornerstone of our community lifestyle. SOM supports mental health, well-being and inclusivity through the following:

Barrier Free Access to Live Music & Performance:

- Our Festival has remained free to the community since its inception some 43 years ago. Some artists who have played our stage command a \$100+ ticket in the current market.
- Sound of Abilities was created in 2019 to showcase artists with disabilities ranging from Downs Syndrome to Autism.
- Over 30 LGTBQ+ artists performed on SOM's stages this year!

• Supporting our Fellow Non-Profits/Charities:

- In 2022, SOM Donated over 200 tickets/festival upgrades to 20+ local non-profit and/or charitable organizations, schools and youth groups.
- SOM engages the local Boy Scouts, Girl Guides and other youth services groups in a paid capacity to assist with the logistical operations of the Festival

• Meeting the Special Needs of Our Communities Members:

- Our accessibility platform ensures individuals with mobility concerns have a safe, managed, and prioritized viewing experience (our platform won an award from the Halton Social Capital Committee in 2019)
- Since 2019 we have implemented a low sensory experience in the midway for young people with autism and other sensitivities to the lights/sounds

Music has been clinically proven to support in reducing stress & anxiety, improving cognitive performance, reducing symptoms of depression, improving memory and providing all around motivation though the release of positive chemicals in the brain. The absence of music and these Festival support pieces results in a negative impact on the over-all being of our community. SOM is proud to support the removal of barriers and offer an inclusive experience!

Builds Stronger Relationships:

Connections are the "glue" that hold communities together; without them, a community stagnates and the quality-of-life declines. Also called "social capital" when so viewed through this lens — SOM partnerships increase the social capital that fosters a cohesive community.

• Burlington Invests in SOM:

- Over 40 local businesses sponsor SOM through cash or in-kind contributions
- 75% of festival-goers could easily recall the title sponsor by name

SOM is in the community year-round:

- As a part of our commitment to community and being "more than a festival" over the past 24 months, the Festival has sought to engage the community in new and impactful ways.
 Some highlights include:
- <u>Burlington Public Library</u>: Songwriters Workshop series host and guest provider
- <u>City of Burlington Canada Day</u>: SOM hosted the virtual Canada Day celebrations for the city
- Burlington Performing Arts Centre: Multiple joint ventures have taken place including live-streams, emerging artist hosting, and educational opportunities
- Hamilton Music Collective: Education opportunities including lessons, instrument petting zoo and showcases
- Halton United Way: Consulting on events and Gala artists

Attendees care about partnerships:

- 83% of attendees stated they "appreciate the corporate sponsors that supported the festival through the pandemic"
- 57% of attendees stated "I prefer to conduct business with companies that sponsor my favourite events"

SOM gives back to the community:

- SOM was able to support local non-profits and charitable initiatives in the community, including:
 - Terry Fox Foundation: Donation as 50/50
 Partner at Festival
 - Joseph Brant Hospital Foundation (2019):
 Donation as 50/50 partner at Festival
 - <u>Burlington Public Library:</u> Donated speaker's fees to library songwriters initiatives
 - YWCA: Donation of prizing and CEO time in celebrity fashion show fundraiser
 - Burlington Performing Arts Centre: Donation of Christmas Tree to fundraising auction

- YMCA Halton/Hamilton: SOM took over the Battle of the Bands when the YMCA was no longer able due to pandemic
- <u>Burlington Tourism:</u> SOM CEO, Myles Rusak, was invited to join the Burlington Tourism Board of Directors
- Halton Social Capital Committee: Creation of the Sound of Abilities to showcase local talent from the special-needs community

- <u>Local school fundraising initiatives:</u> Donation of ticket packages to raise money for school development
- <u>Taste of Burlington:</u> SOM donated musicians for the month
- Halton Arts and Culture Committee: SOM donated speaking engagements
- Volunteer Halton: SOM staff lead speaking engagements to youth

SOM Behind the Scenes:

The following table provides an overview of the 2022 Expense Budget vs Actuals of the 2022 Sound of Music Festival:

Cost Centre	2022 Budget	2022 Actuals
Live on the Lake	\$851,748	\$489,583
Programming	\$656,250	\$470,709
Logistics/Eco	\$441,000	\$735,671
Administration	\$372,355	\$364,779
Food & Beverage	\$166,000	\$124,241
Corporate Sponsorship Mgmt.	\$102,500	\$76,284
Marketing & Communications	\$95,000	\$67,528
Volunteerism & Outreach	\$28,700	\$10,657
VIP Engagements	\$18,000	\$29,905
Vendor Mgmt.	\$12,500	\$12,500
Merchandise	\$12,500	\$10,105
Total:	\$2,756,553	\$2,391,962

This year's Festival was extremely successful in attendance and economic impact. However, it was also financially challenging, due to enormous cost increases that eroded the opportunity to reinvest in the festival for the coming year. In some instances, due to pandemic supply chain issues and supplier cost increases, some expenditures experienced inflation from 40% to as high as 400%.

To combat these rising costs, some decisions had to be made regarding budget cuts. Careful considerations were made to ensure that our core values were not impacted to a detrimental degree, yet our infrastructure needed to be adjusted. Such pieces as lessening the artist budgets on Live on the Lake, Parade, Streetfest and Civic Stage, reducing the overall number of radios, golf karts and service equipment, utilizing year-round staff and volunteers to a greater degree (as opposed to using additionally hired labour from suppliers).

SOM did not break even this year and we recognize that we need to take immediate steps to ensure we don't lose momentum for 2023.

The following table provides an overview of the 2022 Revenue Budget vs Actuals:

Revenue	2022 Budget	2022 Actuals
Live on the Lake	\$1,111,480	\$281,205
Corporate Sponsorship	\$550,000	\$325,986
Grants	\$460,000	\$762,896
Food & Beverage	\$350,000	\$242,042
Vendors	\$200,000	\$220,424
VIP	\$117,950	\$158,094
Fundraising	\$20,000	\$6,449
Merchandise	\$12,500	\$56,099
Total:	\$2,756,553	\$2,053,195

Our largest revenue sources were also unpredictable coming out of the pandemic and proved to be less than predicted. Sponsorship and fundraising were difficult this year as key accounts did not survive the pandemic or were unable to contribute as they have in years past. Ticket sales for the paid event were also a challenge with the festival taking place soon after a moment of prohibitive pandemic lockdowns and regulation changes. All things considered, we experienced a perfect storm whereby financial contributions were less than optimal, and despite record attendance and increased grant amounts, constraints on earned revenue did not enable us to achieve our typical financial success.

Municipal Scan

The City of Burlington has always been our strongest champion

All levels of government provide vital financial support to SOM - The City of Burlington is a critical partner for our success, just as they are to many other local attractions and institutions. Together, we don't want to just maintain the Sound of Music Festival, we want it to grow and flourish as the premier non-profit musical event in Ontario and a catalyst for our community.

A look at neighbouring municipal funding for similar events and organizations:

Organization	Municipality	Non-Profit?	Funding by Municipality (Percentage of total operational value)
Burlington Performing Arts Centre	Burlington	Yes	30%
Hamilton Supercrawl	Hamilton	No	15%
Brott Music Festival	Hamilton	Yes	17%
Festival of Friends	Hamilton	Yes	20%
Because Beer Festival	Hamilton	No	12%
Burlington Sound of Music Festival	Burlington	Yes	3%

A Commitment to a Sustainable Festival How the City of Burlington can rise to the occasion

We are seeking an increase to the strategic investment from The City of Burlington to create a sustainable, vibrant, and engaging future for music in our community.

This investment in the Sound of Music will lend itself to our core operations in a way that is the most critical and most difficult to secure from other sources of funding. Key infrastructure pieces require sustainable support so that we may best provide for the long-term sustainability of the Festival.

The City of Burlington's funding will be used in part to support: Permits (City of Burlington), Facility Rentals (City of Burlington), Paid Duty Police Service (Halton Region), Facility Maintenance Staff (City of Burlington), Facility Repairs (City of Burlington), Staffing (Sound of Music Inc.), Rent and direct operating costs (Sound of Music Inc.)

Support is requested as an annual contribution under the following suggested timetable:

2023 (Delivered by October 31, 2022): \$350,000 2024 (Delivered by October 31, 2023): \$450,000 2025 (Delivered by October 31, 2024): \$500,000

2026 - 2028: \$500,000

Sound of Music Inc. commits to an annual report to City Council which outlines the direct and indirect impact of this funding on the organization and in turn the community impact which has been generated.

2023 & Beyond It's Time To Be *More Than A Festival...*

Strong Governance:

The SOM Board of Directors is committed to maintaining leading practices in our financial controls and governance. Creating more accountability to our stakeholders and providing a strong direction for the future growth of the organization is our top priority. SOM is committing to:

Revision of Financial Process:

- SOM's financial management process include the adoption of a leading non-profit financial management policy
- Clear definitions outline the accountabilities of the CEO, treasurer, finance committee, and Board.

• Strategic Plan: Revisited and Reimagined:

- SOM's 5-year strategic plan will be examined and undergo a critical analysis to determine key metrics and performance indicator for the future
- The Board and Management are committed to setting new goals which will see us evolve as "more than a festival" and serve the community in stronger ways

• Terms of Reference for Subcommittees of the Board:

 Current subcommittee terms of reference will undergo a strategic overhaul to better align with the future direction of the organization. Finance, Executive, Resource Development, Nominations and Special Projects will all go under review

Resource Development Diversification:

 SOM will endeavour to develop new strategies which will result in portfolio diversification, alleviating the stress placed on any one revenue centre. This may include fee-for-service, additional fundraising events, public campaigns etc.

Our Roadmap to becoming more than a festival...

As we turn our sights to 2023 and beyond, we are excited to share with you some of the ways that we aim to adapt, innovate and think outside the box in order to secure new funding streams and support the arts to a greater degree in our community.

Community Outreach

As the pandemic has taught us all; nobody in this community is alone. SOM aims to ensure that Music always fills our streets and our artists always know where they can turn for trusted advice from industry professionals. Through our community outreach pillar we aim to support local artists and find new ways to diversify our own portfolio through some of the following methods:

Community Impact Partnerships:

In 2021/2022 some highlight community impact partnerships included:

- **Burlington Public Library Songwriters Month:** SOM gathered some of our industry song-writing friends: Brandon Howard Roy (East Coast Music Award Nominee), David Wanless (Lead Singer, Canadian Classic Rock Group Sven Gali), Burlington's own published Singer/Songwriter: Abby J Hall, and the backing vocalist to Aerosmith and all around fantastic Burlingtonian: Suzie McNeil, to share their experiences with song writing in this month-long series presented by the Burlington Public Library.
- **Hamilton Music Collective Showcase:** A partnership with the Hamilton Music Collective designed to educate and inspire young people to pick up an instrument and learn to hone their skills as musicians. An instrument petting zoo, free lessons and band showcase opportunities were presented in partnership between SOM and the HMC.

Battle of the Bands: Resurrected! Historically the YMCA has hosted a battle of the bands for emerging artists in the community. SOM has always been front and centre as a judge and provided the grand prize: the opportunity to play the mainstage at the Burlington Sound of Music Festival! Unfortunately, due to the pandemic, the YMCA had to cease operations on this event. Not wanting to miss an opportunity to support emerging talent, SOM picked up the torch and in partnership with Long and McQuade Burlington, The Dickens, and Hamilton Music Collective, the Battle of the Bands was brought back as a part of SOM Club Series to record crowds (and artist submissions!), the winner was thrilled to grace the mainstage on Festival Sunday!

Emerging Artist + Tourism Engagement:

Export Buyers Delegate Showcase:

Modeled after our friends on the East Coast (Music PEI, Music NFLD, Music Nova Scotia), an export buyers delegate showcase is an exceptional way to bring festival, concert and event buyers to Burlington to showcase our talent and get these emerging artists hired to tour in a way that most artists simply can't accomplish on their own.

Buyers/Promoters from across Canada and select parts of the United States (Buffalo, New York, Chicago etc.) are hand selected to attend the Burlington Sound of Music Festival. Once here they will enjoy a curated tour of the arts, dining and hospitality hotspots that our beautiful community has to offer.

A panel of industry professionals will select a certain number of artist/bands/musicians to perform based on the following criteria:

- Level of export readiness (do you have the material required to tour and/or play a non-regional gig?)
- Level of career development (albums, recordings, singles, EP's, Social Media presence etc.)
- Willingness to play and travel
- Overall artist worthiness

A showcase at local venues takes place on the days leading up to the Festival where the buyers are taken around to hear our local musicians. Selected emerging artists then request one on one meetings with the buyers and given an opportunity to make their pitch. Following the formal showcase, delegates are invited to take in the Sound of Music Festival and enjoy their time in Burlington.

SOM itself has used this method to engage several artists from the East Coast, including 2022's The Royal North, Gordie MacKeeman, Ben Caplan, Andre Pettipas and the Giants and Arsenal Mills.

This style of Export Delegate program is not currently being done anywhere in Ontario. This is an opportunity to be at the forefront of Emerging Artist development and truly be a career making institution to these creative minds.

Volunteerism

The 2023 Festival boasted over 1500 volunteers who performed a staggering 6000+ volunteer hours. These dedicated individuals are the livelihood of this organization and the oil that keeps the machine running smoothly. Our aim for 2023 and beyond is to build on our volunteer engagement platform through various training, technologies and support systems. Including, but not limited too:

- Specialty training for volunteers in skilled rolls (working at heights, CPR, Security & Crowd Management etc.)
- Creation of a back-end website which is designed to be a community of its own for SOM Volunteers to share stories, request additional assistance, talk to event organizers, and post their pics to share in the day!
- A Burlington business-based volunteer recognition package (discounts, coupons and special perks at local businesses that are reserved exclusively for our SOM volunteers)
- Recognition Events: Special events throughout the year at Burlington based establishments (Gametime Social, Joe Dogg's
 Arcade, The Dicken's, Splitsville, etc.) which are designed to say thanks and keep volunteers engaged as a core member of
 the SOM team.
- Creation of new awards and recognition in memory of long-time volunteers & those that pioneered the festival and are rooted in our history.

"I initially joined Sound of Music as a volunteer because I had just moved to the area and wanted a way to meet people. Looking over the website, the event looked like a lot of fun and there was mention of a family feeling. I wasn't disappointed! I signed up for one shift, but came back every day that weekend, I enjoyed it so much. I have been back every year since and even joined the committee. The main reason I love volunteering with SOM is the people. I do enjoy listening to great music and giving back to the community. But the ultimate driver is the people. Whether a general volunteer or part of the committee, I have always felt completely welcomed, able to be myself and appreciated. There is a feeling of the family members that are there to help one another, provide a smile and have a good time while getting the work done. When the weekend is over, no matter how tired I am, I'm sad to see it all end and can't wait to see the crew again the next year. Is it June yet?"

- Laura Pastrik, Merch Team Co-Chair

2023: Community Consultation Model Pilot

Tried and true revenue streams aren't always so tried and true. The reality going forward is that Government Grants at the <u>pre-pandemic</u> level will cease their functions shortly. Corporate Sponsorship is still in a recovery state and the uncertainty of ticket sales year after year leaves us in a place where we need to start diversifying our revenue generating portfolio and finding new and creative ways to seek income. We are proposing, as a part of this diversification to offer a modest fee-for-service model around live event consulting.

All too often organizations of various capacities in our community attempt to dip their toe in the live entertainment pool only to find that there are a tremendous amount of delicate nuances that are often overlooked when attempting to plan a concert of any level. Enter the experts, the team of professionals at Sound of Music Inc.!

The staff team at SOM Inc. have a combined 30 years experience in the Music Industry and are developing a service whereby we utilize the off-season to act consultants to any and all organizations who are looking to host live music.

Artist booking, contract negotiations, ticketing, hospitality, production and so many more facets of the concert experience can be handled by the SOM team. Building on our 43 years of trusted experience, this fee-for-service aims to help us bring in revenue in the off-season while ensuring that our community partners deliver on a fantastic live music experience.

THANK YOU TO OUR VALUED PARTNERS

Access Storage Solutions*	Advantage Waste Systems*	Burlington Downtown Business Association*	Brand Momentum	Burlington Centre*
Castello	Cruel	Chatters*	Cogeco*	DJB Accounting*
Corus Entertainment	Bell Media	City of Burlington	Government of Ontario	Government of Canada
Fast Signs*	Galer Equipment*	Georgian Bay Spirits	Halton Region*	Hunter Amenities International*
I love Salt	IKEA*	Kono Pizza	Little Electric	Long & McQuade*
Mauser Group*	Mill St Brewing	Miller Group*	NALCO	Outdoor Media
Outdoor Travel	Pat's Party Rentals*	PC Financial	Promotional Elements	Pettinelli Mastroluisi
Regional Tourism Office 3	RESOUND	SOCAN	PV&V Insurance	Ontario Trillium Foundation
Splitsville*	Sylvite Transport	T1 Agency	The Village of Tansley Woods*	Toronto Dominion
Telus Securities	The Terry Fox Foundation of Burlington*	The Beer Store	The Cover Guy*	Thinksound*
Tim Hortons*	Vitality Assurance*	Go Bee Inc*	Unique Restaurant Group*	Joe Dogg's Gas Bar & Grill*
Wendel Clark's*	Canada's Largest Ribfest*	Majestic Wines	Paint Pros*	Burlington Tourism*

^{*}Denotes a Burlington based partner



SUBJECT: Proposed inclusion of downtown properties on the City of

Burlington Heritage Register

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-59-22

Wards Affected: 2

File Numbers: 501-06

Date to Committee: September 13, 2022

Date to Council: September 20, 2022

Recommendation:

Direct the Director of Community Planning to add the following list of properties to the Municipal Heritage Register and provide notice to the owner of the property within 30 days, pursuant to section 27(5) of the Ontario Heritage Act, R.S.O. 1990, c. O.18;

353-355 Brant Street

357 Brant Street

359 Brant Street

372-374 Brant Street

380 Brant Street

422 Burlington Avenue

426 Burlington Avenue

437 Burlington Avenue

437 Elizabeth Street

441 Elizabeth Street

468 Elizabeth Street

404-408 John Street

1415 Lakeshore Road

2003 Lakeshore Road

458 Locust Street

488 Locust Street

492 Locust Street

513 Locust Street

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524 Locust Street 2010 Maria Street 1445 Ontario Street 431 Pearl Street 435 Pearl Street 436 Pearl Street; and

Authorize the City Clerk to take necessary action if there are any objections in accordance with Section 27(7) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 and report back no later than 120 days after notices are sent out presenting all of the objections received; and

Following study completion, direct the Director of Community Planning to re-assess the eligibility of the above listed properties for continued inclusion on the Heritage Register and report back to City Council with a recommendation.

PURPOSE:

This report responds to a motion from the July 12, 2022 City Council meeting directing staff to work with the Heritage Burlington Advisory Committee ("HBAC") to study all properties in the six potential downtown Cultural Heritage Landscapes ("CHLs") identified in report number PL-49-22 to determine which properties should be included on the City of Burlington Municipal Register of Cultural Heritage Resources (the "Heritage Register"). The report recommends that 24 properties be added to the Heritage Register.

Vision to Focus Alignment:

Increase economic prosperity and community responsive city growth

Background and Discussion:

Decision History

On July 5, 2022, the Community Planning, Regulation and Mobility standing committee of Council considered <u>staff report PL-49-22- Proposed Downtown Cultural Heritage Landscapes Study</u>, which requested authorization to retain a consultant to complete a year-long study of eight potential heritage properties and six potential cultural heritage landscapes identified in a 2019 Cultural Heritage Resource Assessment of the downtown. Council passed a motion authorizing the study and included an amendment directing planning staff to engage the Heritage Burlington Advisory Committee (HBAC) and review all properties within each potential Cultural Heritage Landscape for possible inclusion on the Heritage Register. Below is the full text of the motion:

Direct the Director of Community Planning to connect with the Heritage Burlington Advisory Committee to reconvene and review each property in the cultural landscapes to determine which should be added to the Municipal Register; and

Report back to the Community Planning, Regulation & Mobility Committee meeting on September 13, 2022.

The amendment addressed a concern that during the study period, significant buildings in one or more CHLs could be demolished, damaging the integrity of the overall landscape. Including a property on the Heritage Register gives it some protection against immediate demolition, since the owner of a heritage registered property must give City Council 60-days-notice of their intention to demolish the building. During the 60-day notice period, City Council may decide whether to heritage designate the building.

Strategy/process

Assessment Methodology

The review of individual properties began with a comparison between current satellite photos of each CHL and fire insurance maps from 1910 and 1924 to identify possible surviving buildings from those years. Building footprints were compared to assess which current buildings had very similar or identical footprints to buildings in 1924 and 1910 (see Appendix A). In addition to the shape and relative size of buildings, fire insurance maps also recorded land use and primary construction materials used for each building, both of which were noted.

In the second stage of the review, staff examined photographs of each building and completed an architectural evaluation. Exterior building materials were compared with those recorded in the 1924 fire insurance plan. The number of original architectural features was estimated based on historic photographs and known characteristics of 19th and early 20th century architectural styles. Staff also estimated the relative impact and quantity of modern alterations.

Each building was then categorized by architectural style using the style guide in Burlington's "Keeping Place: Heritage-based Urban Design Guidelines for Downtown Burlington document". Significant architectural features were highlighted in the architectural description of each building.

A building was considered eligible for the Heritage Register if it was constructed prior to 1924, retained recognizable original historic features such as original massing, façade design, exterior materials and window openings, and provided it was not altered to the point it was not recognizable as an historic building.

Summary of Potential Heritage Resources in each Cultural Heritage Landscape

SUMMARY TABLE OF EXISTING AND PROPOSED HERITAGE PROPERTIES IN CHLs 1-6			
Potential Cultural Heritage Landscape	Total Number of Properties	Existing Heritage Register Properties	Proposed for Heritage Register
1. Foot of Brant Street	15	3	7
2. Locust Street	18*	8	6
3. Village Square	1	1	N/A
4. Downtown East	20	7	7
5. Lakeshore Road and Burlington Avenue	13	6	4
6. St. Luke's Church & Cemetery	3**	1	N/A
Totals	70	26	24

^{*447} and 449 Locust are a conjoined building, but separate properties

Listing Statements

The following section contains the results of the evaluation and contains statements explaining why each property is believed to be of cultural heritage value or interest. These statements are required by section 27(6) of the *Ontario Heritage Act* and will be provided to the property owners when notices of their property's inclusion on the Heritage Register are sent out.

Potential Cultural Heritage Landscape 1- Foot of Brant Street

The Foot of Brant Street contains 15 properties developed with 2-3 storey retail, commercial and mixed-use buildings. Three properties are already on the register and seven additional properties are recommended for inclusion:

^{**}One property contains the church & cemetery, the other two are undeveloped lands that extend to the lake and were historically part of the overall property

CHL 1- FOOT OF BRANT STREET CANDIDATES

1.



380 Brant Street Built c.1860 (the "Raymond Hotel"). Three storey masonry commercial building believed to have historical value for its age and former hotel use. Architectural merits include its Italianate details like corner quoins, round-arched windows with keystones, segmental arched windows at second storey, masonry chimneys, cubic massing. Contextual value as a landmark.

2.



372-374 Brant Street. Built before 1910. Twostorey masonry clad commercial building. The property is believed to have historical value for its age and former uses as an undertaker and furniture store. The building is believed to have design value for its gable roof massing, masonry sidewalls, prominent demising wall, cornice and decorative brackets.

3.



359 Brant Street- Built before 1910. Three-storey retail and office building believed to have historical value for its age and former use as an Ontario Department of Agriculture Office. The building is believed to have design value for its Italian renaissance elements including round arched windows at third storey. The second storey originally had round arched windows and the arches and keystones of these windows are still visible in brickwork. The cornice with brackets is still intact along with the dentil course below the cornice brackets. The rectangular second storey windows are not original, but still over 100 years old.



357 Brant Street- Built before 1910. Three-storey building believed to have historical potential for its age and former uses as a mixed-use retail and residential building. The building may have architectural value if surface alterations and non-original cladding can be removed. Nominated for inclusion on the Heritage Register by HBAC.

5.



353-355 Brant Street- Built before 1910. Two-storey building believed to have historical value for its age and former use for retail. The building is believed to have architectural value for its original form, scale and massing, segmental arched windows, stone or concrete sills.

6a)



2003 Lakeshore Road a) 1800s or early 1900s two-storey commercial building believed to have historical value for its age and former use as the Bell Telephone Exchange. The building is believed to have architectural value for its original upper storey window arrangement and intact segmental arched windows with stone or concrete sills. The façade was formerly exposed brick and is now painted stucco.

6b)



2003 Lakeshore Road b) Post war onestorey stone clad former bank building
believed to have historical value for its former
use. The building is believed to have
architectural value as a rare example of a
transitional style "modernist" bank with
minimalist classical references including
"fluted" pilasters. The building has a
simplified cornice, sandstone exterior and
original fenestration. The style was
characteristic of banks in the postwar decade
as they sought to portray themselves as
architecturally progressive but cautious in
approach.



404 John Street- Built between 1910-1924. This two-storey masonry mixed-use building is believed to have historical value for its age and former use as an urban dwelling. It is believed to have design value for its symmetrical two-bay façade featuring segmental arched windows and rusticated stone or concrete sills.

408 John Street- Built 1912. This two-storey masonry building with historical value for its former use as the Hannon Flour and Feed store. It is believed to have design value for its masonry exterior, utilitarian detailing and segmental arched windows with rusticated stone or concrete sills at second storey.

Potential Cultural Heritage Landscape 2- Locust Street

Locust Street is a primarily residential streetscape characterized mainly by one-and-a-half and two-storey homes. It features a total of 18 properties, eight of which are already on the Heritage Register. Six additional properties are proposed to be added:

CHL 2- LOCUST STREET CANDIDATES

1.



524 Locust Street. Built before 1910. This 1-storey house form building is believed to have historical value for its age, and design value for its Victorian vernacular details including two-over-two windows, segmental arched windows, prominent sills, fieldstone foundation and entrance with sidelights.

2.



513 Locust Street. Built in 1886. This twostorey vernacular house is believed to have design value for its Victorian/Gothic porch details, hipped roof, segmental arched ground floor windows and stone foundation. It is believed to have historical value for its potential to yield information about Burlington's residential neighbourhoods in the late 1800s.



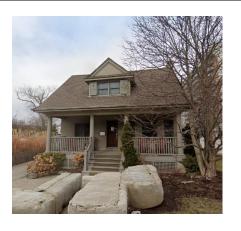
492 Locust Street. North half built before 1910, south half built between 1924 and 1950s. HBAC recommends this property for inclusion on the Heritage Register for its design value, present in original features at the ground and second storey. The original detailing on the north half of the building includes round and segmental arched windows and fish-scale shingled gable with half round window opening. HBAC also believes the property has historical value for its significant age and mixed-use function.

4.



488 Locust Street. Built before 1910. This property is believed to have architectural value for its Victorian Vernacular features including a covered porch, bay window, round arched window in the second-storey gable and two-over-two sash windows. It is believed to have historical value for its significant age and potential to yield information about Burlington's residential neighbourhoods before 1910.

5.



1445 Ontario Street. Built between 1910 and 1924. This property is believed to have historical value for its architectural value as a 1.5-storey vernacular bungalow with covered porch supported with classical (Tuscan) columns. A half bay window on the east side of the front elevation introduces some asymmetry to the facade. Above the porch is a gabled dormer with double-hung one-over-one sash windows. It is believed to have historical value for its potential to yield information about Burlington's residential neighbourhoods in the early 20th century.



458 Locust Street. Built before 1910. This two-storey masonry dwelling is believed to have architectural value for its Queen Anne revival style details including fish scale shingles in gable and segmental arched window at second storey. is believed to have historical value for its potential to yield information about Burlington's residential neighbourhoods before 1910. Alterations include the enclosed the porch at ground storey.

Potential Cultural Heritage Landscape 3- Village Square

Village Square consists of a single property and is already listed on the City's Heritage Register.

Potential Cultural Heritage Landscape 4- Downtown East

CHL 4 is the largest study area and is made up of a mix of building types including a utility service building, former police station, religious buildings and houses. There are 20 properties total in the study area, including seven that are already on the Heritage Register. Seven additional properties in CHL 4 are recommended for inclusion on the Heritage Register:

CHL 4- DOWNTOWN EAST CANDIDATES

1.



2010 Maria Street This two-storey masonry building is believed to have historical value for its former use as a police station. It is believed to have design value for its mid-century modernist details including long horizontal windows at ground level. The façade is a mix of brick and tile. Alterations include a reduction in the width of the upper storey windows.



468 Elizabeth Street. Built before 1910. This two storey masonry building has historical value for its age and potential to yield information about Burlington's residential areas in the pre-war period. It is believed to have design value for its vernacular homestead and craftsman details. The house is two bays wide, with entrance positioned at the side of the ground floor. The full width veranda with craftsman style stone base is original. Two-over-two sash windows feature segmental arches.

3.



441 Elizabeth Street- Built after 1924. The Heritage Burlington Advisory Committee believes this building has potential design value for its vernacular homestead details including the gable roof and segmental arched windows. The front façade has been extensively altered.

4.



437 Elizabeth Street. South portion built before 1910. The Heritage Burlington Advisory Committee believes that the original portions of this two storey masonry house have design value for their vernacular homestead details such as segmental arched windows and projecting sills. The house has been significantly altered with a large addition built onto the north side.

5.



436 Pearl Street. Original portion built before 1910. The Heritage Burlington Advisory Committee believes this building has some potential historical value due to its local reputation and conversion from a two-storey gable roof house to a popular restaurant. Extensively altered with ground storey additions. Second storey has been re-clad and no window openings remain.



435 Pearl Street. Built in the mid-late 1800s. This two-storey house is believed to have design value for its gothic vernacular detailing including gingerbread trim accenting a peaked dormer in the roof. The dormer features a round arched window centred over the main entry. Front box bay windows are likely not original.

7.



431 Pearl Street. Built before 1910. This twostorey wood frame house is believed to have design value for its vernacular homestead details including an asymmetrical façade and square headed, one-over-one sash windows.

Potential Cultural Heritage Landscape 5- Burlington Avenue & Lakeshore Road

CHL 5 is made up of one-and-a-half and two-storey houses. Burlington Avenue is recognized as a significant component of downtown Burlington, taking its name from Burlington village. The tree-lined avenue was developed under three subdivision plans, the first of which was William Bunton's survey registered in 1881. There are 13 properties in the study area, including six that are already on the Heritage Register. Four additional properties in CHL 5 are recommended for inclusion on the Heritage Register:

CHL 5- BURLINGTON AVENUE & LAKESHORE ROAD CANDIDATES

1.



437 Burlington Avenue. This two-and-a-half storey masonry dwelling is believed to have design value for its rich Italianate details including red brick with buff brick accents around the window arches resembling a hood mould with a keystone. Full arched windows at second storey with segmental arched windows at the ground-storey. The house features carved Victorian style trim in the main gable and decorative brackets

accenting the eaves of the half bay window and porch at the ground storey.

2.



426 Burlington Avenue. Built before 1924. This 1.5 storey house is believed to have design value for its craftsman style details including its broad verandah with grouped square columns and masonry pedestals. To the left of the doorway are three six-over-one sash windows. The house also has a distinctive jerkinhead roof with knee brackets.

3.



422 Burlington Avenue. Built after 1924, but likely during the 1920s. This one-and-a-half storey bungalow is believed to have design value for its distinctive craftsman details including a full width verandah with Tuscan columns, an asymmetrical façade with doorway to one side of a set of four six-overone windows. The house also has a distinctive jerkinhead roof.

4.



1415 Lakeshore Road. Built before 1924. This one-and-a-half storey house is believed to have design value for its craftsman features including a full width porch featuring simplified square posts. The main entry is accentuated by a gable with knee brackets. Horizontal wood cladding is a typical craftsman style feature. All windows on front façade have been replaced.

Potential Cultural Heritage Landscape 6- St. Luke's Church & Cemetery

CHL 6 is St. Luke's Church and Cemetery at 1371 Elgin Street. The property is already on the Heritage Register.

Possible Objections

Under the *Ontario Heritage Act*, the owner of a property included on the heritage register can object to the listing by serving a notice of objection on the clerk of the municipality setting out the reasons for the objection and all relevant facts. There is no deadline for an objection. If a notice is served, City Council must consider the notice and decide if the property should continue to be included in the register or whether it should be removed.

There is a strong possibility that with Council adding 24 properties to the Heritage Register at once, the City will receive multiple objections. Staff are recommending that Council direct staff to report back no later than 120 days after sending out notices to give staff enough time to gather most or all objections to the register listings before reporting back. This will enable Council to consider multiple objections together as a more efficient process and use of resources rather than consider each objection individually.

Options Considered

Option 1- Add all properties recommended by staff and the Heritage Burlington Advisory Committee to the Heritage Register, re-assess at the end of the study

This option is recommended because it best responds to Council's direction to deliver a list of Heritage Register candidates that includes both staff and HBAC's recommendations. HBAC had recommended five more properties than staff, including 357 Brant Street, 492 Locust Street, 437 Elizabeth Street, 436 Pearl Street and 441 Elizabeth Street. Both Staff and HBAC recommend that at the end of the study, all properties be re-assessed for continued inclusion on the Heritage Register because the study is likely to reveal more in-depth historical information about individual properties and areas that could alter the City's opinion of their importance.

Option 2- Add only properties recommended by staff

This option is not recommended because it does not include the advice of HBAC, who gave important input to this review.

Option 3- Decline to add any properties to the Heritage Register

The review of individual properties uncovered many buildings with significant design value, as well as properties that have the potential to yield important information about Burlington's history of urban development and land use patterns. This option is not recommended because it would leave important properties in each potential cultural heritage landscape with no protection.

Financial Matters:

Total Financial Impact

Funding to undertake this study was approved as part of report PL-49-22.

Other Resource Impacts

The addition of these properties to the Heritage Register will require staff to create 20 notices to send to each property owner. After owners receive the notice they may contact staff for clarification, and they may file an objection, which will require staff to write a report(s) to Council with a recommendation(s).

Climate Implications

Not applicable.

Engagement Matters:

Heritage Burlington Advisory Committee

Staff prepared the initial assessments of individual properties and gave them to the HBAC Committee Evaluations Subcommittee for review. After the Evaluations Subcommittee reviewed, they prepared recommendations for the larger Committee (See Appendix C- Heritage Burlington Advisory Committee- Evaluations Subcommittee Summary Chart). HBAC met on July 27 at 7PM (See Appendix B-Heritage Burlington Advisory Committee Minutes- July 27, 2022) to discuss the nominations. HBAC recommended five properties in addition to the ones staff recommended. The full wording of the HBAC motion is as follows:

Heritage Burlington recommends that City Council add the following staff recommended properties to the Municipal Heritage Register:

- 380 Brant Street
- 372-374 Brant Street
- 359 Brant Street
- 353-355 Brant Street
- 2003 Lakeshore Road (Buildings A & B)
- 404-408 John Street
- 524 Locust Street
- 513 Locust Street
- 488 Locust Street
- 1445 Ontario Street
- 458 Locust Street
- 2010 Maria Street
- 468 Elizabeth Street

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- 435 Pearl Street
- 431 Pearl Street
- 437 Burlington Avenue
- 426 Burlington Avenue
- 422 Burlington Avenue
- 1415 Lakeshore Road; and

That the following additional properties be added to the Municipal Heritage Register, as recommended by Heritage Burlington:

- 357 Brant Street
- 492 Locust Street
- 437 Elizabeth Street
- 441 Elizabeth Street
- 436 Pearl Street; and

That following study completion, staff re-assess the eligibility of the above listed properties for continued inclusion on the Heritage Register and report back to City Council with a recommendation.

Conclusion:

A review of all properties in potential CHLs 1-6 has revealed 24 properties that are believed to have heritage value or interest. Adding the properties to the Heritage Register has limited regulatory impacts on owners but provides some protection against demolition while the Downtown Cultural Heritage Landscapes study is underway. At the end of the study, staff will re-assess the properties and report back to Council with a recommendation on the eligibility of the properties for continued inclusion on the Heritage Register.

Respectfully submitted,

John O'Reilly, MCIP, RPP Planner II - Heritage (905) 335-7777 ext. 7427

Appendices:

- A. Heritage Property Evaluations, CHLs 1,2,4 & 5 (PL-59-22)
- B. Heritage Burlington Advisory Committee Minutes- July 26, 2022 (PL-59-22)

C. Heritage Burlington Advisory Committee- Evaluations Subcommittee Summary Chart (PL-59-22)

Notifications:

Owners of: 353-355 Brant Street, 357 Brant Street, 359 Brant Street, 372-374 Brant Street, 380 Brant Street, 422 Burlington Avenue, 426 Burlington Avenue, 437 Burlington Avenue, 437 Elizabeth Street, 441 Elizabeth Street, 468 Elizabeth Street, 404-408 John Street, 1415 Lakeshore Road, 2003 Lakeshore Road (both buildings), 458 Locust Street, 488 Locust Street, 492 Locust Street, 513 Locust Street, 524 Locust Street, 2010 Maria Street, 436 Pearl Street, 1445 Ontario Street, 431 Pearl Street, 435 Pearl Street

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.

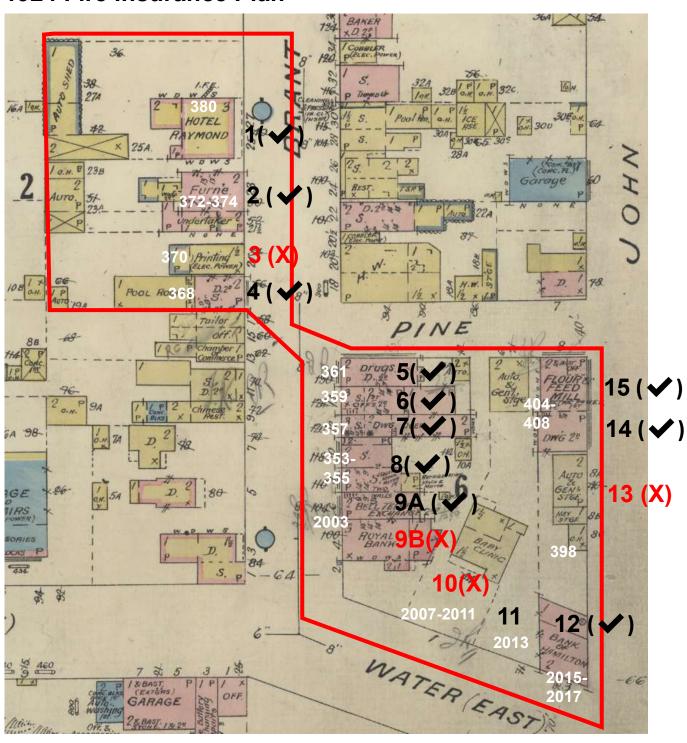
Cultural Heritage Landscape #1- Foot of Brant Street

Buildings pre-dating 1924

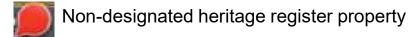
2021 Aerial Photo



1924 Fire Insurance Plan



Legend





(✓) −Still Exists

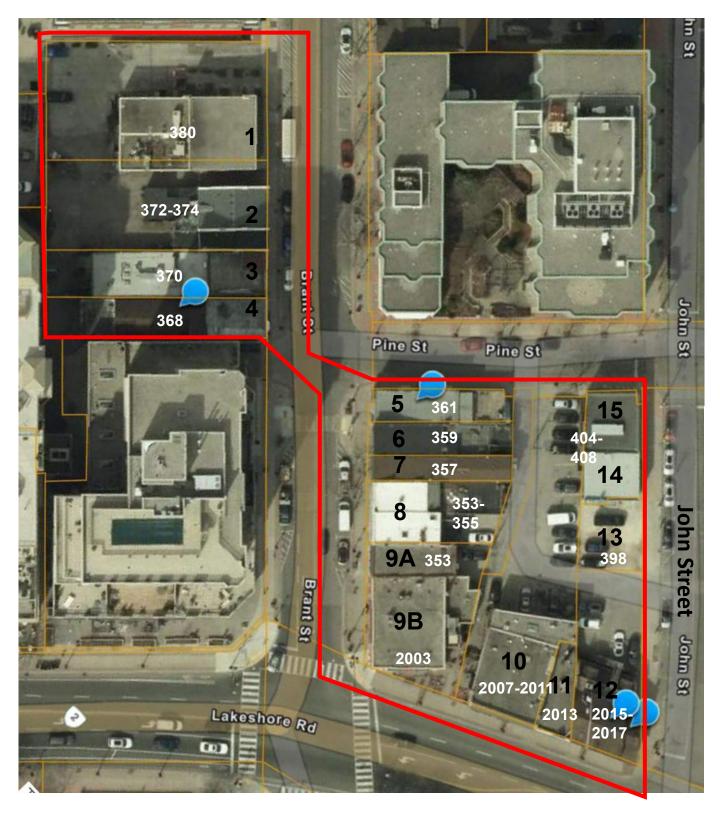


Heritage Designated

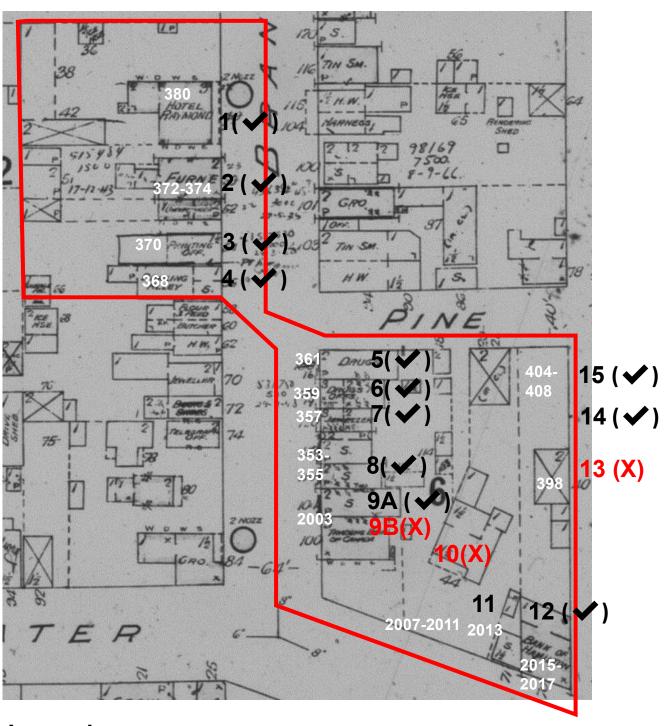
Cultural Heritage Landscape #1- Foot of Brant Street

Buildings pre-dating 1910

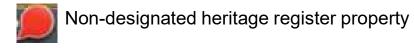
2021 Aerial Photo



1910 Fire Insurance Plan



Legend







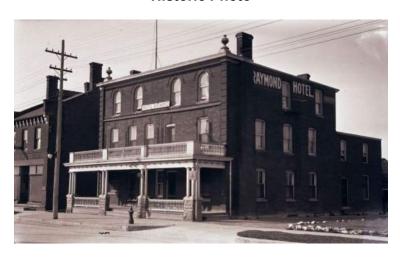
Cultural Heritage Landscape #1- Foot of Brant Street

1.380 Brant Street

Current Photo



380 Brant Street



Legal Description	PLAN 92 BLK Y LOT 7 PT LOT 6
Historic Land Use	Hotel ("Raymond Hotel")
Date of Construction	1860
Heritage Value or	The property is believed to have historical value for its age and former hotel use, which has the potential to
Interest	yield information about the Burlington community in the mid 19th century. Architectural merits include its Italianate details like corner quoins, round-arched windows with keystones, segmental arched windows at second storey, masonry chimneys and cubic massing. Contextual value as a landmark on the street. Alterations include removal and replacement of ground floor porch, new windows throughout.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

2.372-374 Brant Street

Current Photo





Undated photo of 370- 380 Brant Street with the Queens Hotel visible at top right. Photograph from The Prints of Burlington

Legal Description	PLAN 92 BLK Y PT LOTS 5,6
Historic Land Use	372- Undertaker, 374- Furniture Store
Date of Construction	Pre 1910
Heritage Value or Interest	Two-storey masonry clad commercial building. The property is believed to have historical value for its age and former uses as an undertaker and furniture store, which have the potential to yield information about the Burlington community pre 1910. The building is believed to have design value for its gable roof massing, masonry sidewalls, prominent demising wall, cornice and decorative brackets. Alterations include stucco covering the original masonry. The formerly symmetrical storefront has been reconfigured with the entrance relocated to one side.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

3.370 Brant Street

Current Photo





Undated photo of 370- 380 Brant Street with the Queens Hotel visible at top right. Photograph from The Prints of Burlington

Legal Description	PLAN 92 BLK Y PT LOT 4
Historic Land Use	Printing Office
Date of Construction	Post 1924
Heritage Value or	Undetermined. 1-storey brick commercial building with no distinguishing historic architectural features
Interest	
Heritage Status	None
Assessment	(X) Not recommended for Heritage Register

4.368 Brant Street

Current Photo



Legal Description	PLAN 92 BLK Y PT LOTS 3,4
Historic Land Use	The Bell - Wiggins Boot and Shoe Store, The Parkin Barber Shop and Pool Hall
Date of Construction	1867
Heritage Value or Interest	Design and Historical Value. Two-storey commercial building, dentilated cornice, segmental arched
	window and bay window at second storey, voussoirs above ground floor doorway, corbelled ground
	floor pilasters. Originally 1-storey, second storey added in 1902.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

5.361 Brant Street

Current Photo





Early 1920s photo of lower Brant from 2019 Burlington Heritage Calendar

Legal Description	PLAN 92 PT BLK M
Historic Land Use	The LePatourel Drug Store First Location
Date of Construction	1881
Heritage Value or Interest	Design and historical value. Two-storey commercial building with oriel windows at the second storey
	and segmental arches over windows and entries at first and second storey. Ground floor reconfigured, upper storey oriel window details and wood construction now covered with stucco.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

6.359 Brant Street

Current Photo





Legal Description	PLAN 92 PT BLK M
Historic Land Use	Drugstore and Offices
Date of Construction	Pre 1910
Heritage Value or Interest	Three-storey commercial building believed to have historical value for its age and former use as an Ontario Department of Agriculture Office. The building is believed to have design value for its Italian renaissance elements including round arched windows at third storey. The second storey originally had round arched windows and the arches and keystones of these windows are still visible in brickwork. The cornice with brackets is still intact along with the dentil course below the cornice brackets. Alterations include rectangular second storey window openings, replaced windows, painted brick and reconfigured storefront.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

7.357 Brant Street

Current Photo





1914 post card of Brant Street looking north from what was then Water Street. From "The Prints of Burlington."

Legal Description	PLAN 92 PT BLK M
Historic Land Use	Jeweler (see 1910 Fire Insurance Map)
Date of Construction	Pre 1910,
Heritage Value or Interest	Three-storey building believed to have historical potential for its age and former use as a mixed-use retail and residential building. The building may have architectural value if surface alterations and non-original cladding can be removed. Original form, scale and massing intact, but all façade details obscured. Ground floor remodeled, stone veneer placed over brick at 2 nd storey, wood shingle roof built over 3 rd storey.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register (Heritage Burlington Advisory Committee recommendation)

8. 353-355 Brant Street

Current Photo





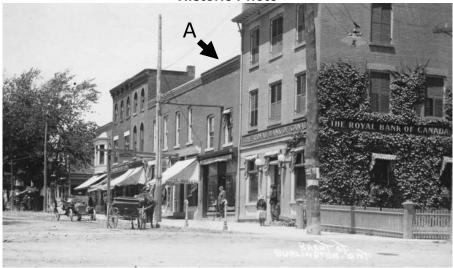
1914 post card of Brant Street looking north from what was then Water Street. From "The Prints of Burlington."

Legal Description	PLAN 92 PT BLK M RP 20R8210 PARTS 1,3,4
Historic Land Use	Retail
Date of Construction	Pre 1910
Heritage Value or Interest	Two-storey building believed to have historical value for its age and former retail use. The building is believed to have architectural value for its original form, scale and massing and its arrangement of upper storey segmental arched windows with stone or concrete sills. Alterations include aluminum windows, painted stucco covering the original masonry and cornice. Ground floor storefronts have been replaced. Original masonry side walls and structure may be intact.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

9. A) 2003 Lakeshore Road

Current Photo



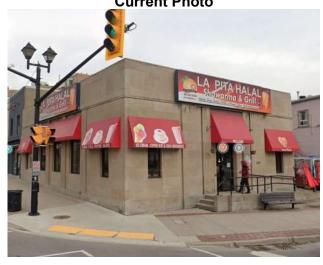


1914 post card of Brant Street looking north from what was then Water Street. From "The Prints of Burlington".

Legal Description	PLAN 92 PT BLK M RP 20R10139 PARTS 1,4	
Historic Land Use	Bell Telephone Exchange	
Date of Construction	Pre 1910	
Heritage Value or Interest	1800s or early 1900s two-storey commercial building believed to have historical value for its age and former use as the Bell Telephone Exchange. The building is believed to have architectural value for its original upper storey window arrangement and intact segmental arched windows with stone or concrete sills. Alterations include painted stucco over original masonry and a reconfigured storefront.	
Heritage Status	None	
Assessment	(✔) Qualifies for Heritage Register	

9. B) 2003 Lakeshore Road





Historic Photo



From "The Prints of Burlington"



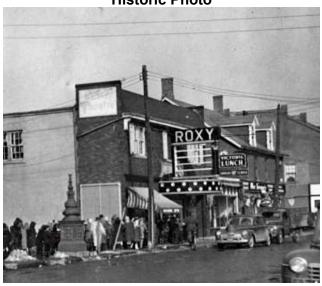
From 1966 Aerial Photograph

Legal Description	PLAN 92 PT BLK M RP 20R10139 PARTS 1,4
Historic Land Use	Bank (RBC)
Date of Construction	Post 1940, likely 1950s
Heritage Value or Interest	Rare example of a transitional style "modernist" bank with minimalist classical references including "fluted" pilasters. The building has a simplified cornice, sandstone exterior and original fenestration. Signage and awnings obscure some details, but are removable. Style was characteristic of banks in the postwar decade as they sought to portray themselves as architecturally progressive but cautious in approach.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

10. 2007-2011 Lakeshore Road

Current Photo



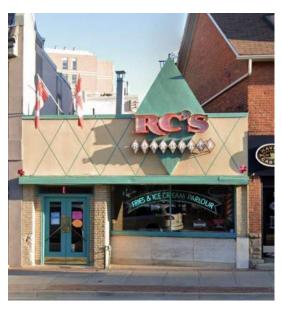


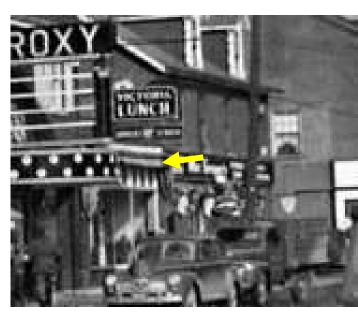
From "The Prints of Burlington"

Legal description	PLAN 92 PT BLK M
Historic Land Use	Movie Theatre, Previously the property was occupied by a "Baby Clinic", which was demolished after 1924
Date of Construction	Post 1924
Heritage Value or Interest	Undetermined. Two-storey former movie theatre building. Original windows replaced with bay windows, marquee removed, masonry covered with stucco and painted
Heritage Status	None
Assessment	(X) Further study recommended

11. 2013 Lakeshore Road

Current Photo

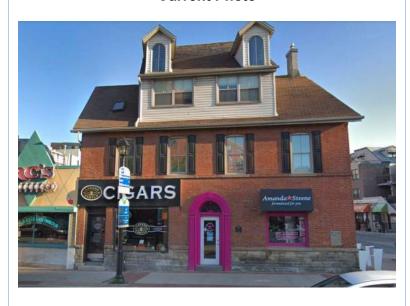




Legal Description	PLAN 92 PT BLK M
Historic Land Use	N/A
Date of Construction	Post 1924
Heritage Value or Interest	Undetermined. Undistinguished one-storey commercial building.
Heritage Status	None
Assessment	(X) Not recommended for Heritage Register

12. 2015-2017 Lakeshore Road

Current Photo





1950s(?) photograph from "Memories of Burlington"

Legal Description	PLAN 92 PT BLK M
Historic Land Use	Bank (Bank of Hamilton)
Date of Construction	1881
Heritage Value or Interest	Historical and Architectural. The "Shaver Building". Original two-and-a-half storey brick structure with Victorian gingerbread accents and arched windows.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non-Designated Heritage Register Property

13. 398 John Street

2019 Photo (Now demolished)



Legal Description	PLAN 92 PT BLK M
Historic Land Use	Auto mechanic, general storage
Date of Construction	N/A (demolished)
Heritage Value or Interest	None. Empty lot.
Heritage Status	N/A
Assessment	(X) Not recommended for Heritage Register

14. 404-408 John Street

Current Photo





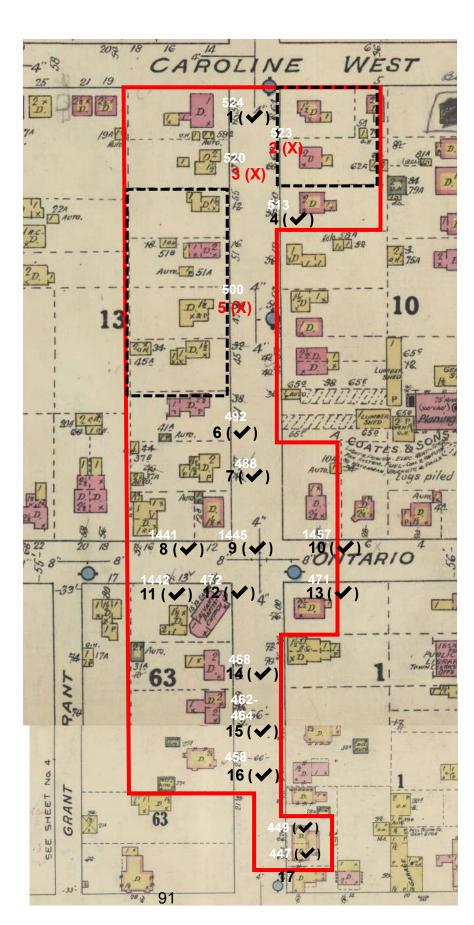
William Isaac Hannon standing in front of his store, Hannon Flour and Feed, at the southwest corner of Pine and John Streets, ca 1912 (Source: Burlington Historical Society)

Legal Description	PLAN 92 PT BLK M
Historic Land Use	404- Dwelling "2d"
	408-Flour and Feed warehouse
Date of Construction	404- Between 1910 and 1924
	408- 1912
Heritage Value or Interest	404- This two-storey masonry mixed-use building is believed to have historical value for its age and former use as an urban dwelling. It is believed to have design value for its symmetrical two-bay façade featuring segmental arched windows and rusticated stone or concrete sills. 408- Two-storey masonry building. Historical value for its former use as the Hannon Flour and Feed store. It is believed to have design value for its masonry exterior, utilitarian detailing and segmental arched windows with rusticated stone or concrete sills at second storey
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

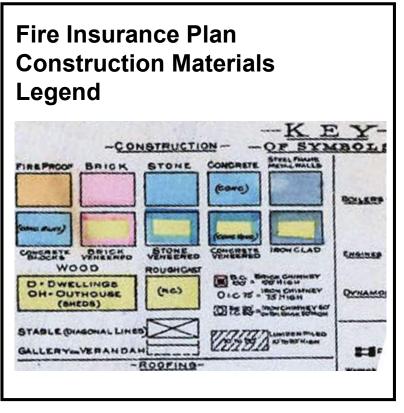
Cultural Heritage Landscape #2- Locust Street



2021 Aerial Photo





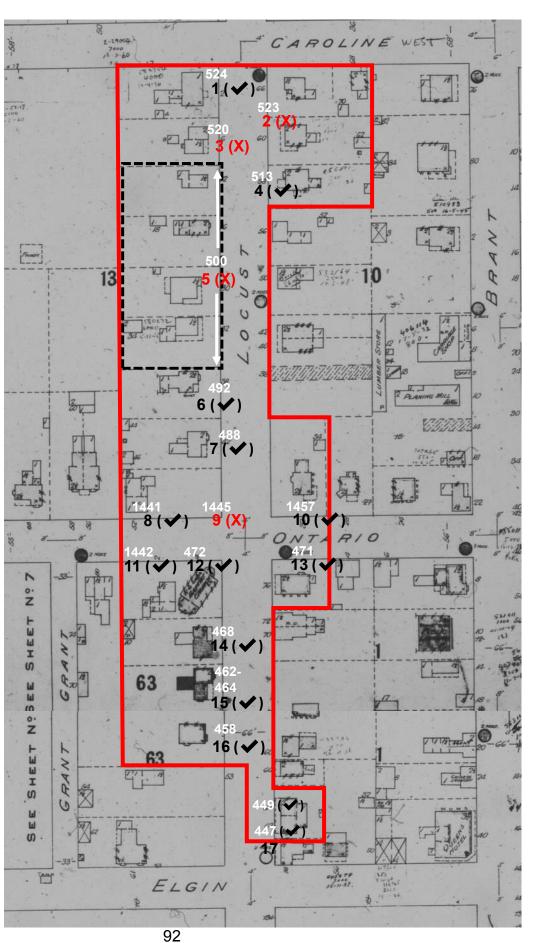


1924 Fire Insurance Plan

Cultural Heritage Landscape #2- Locust Street



2021 **Aerial Photo**



Legend

Non-designated heritage register



Heritage Designated



(X) Demolished



(

Still Exists

1910 Fire Insurance Plan

Cultural Heritage Landscape #2- Locust Street

1.524 Locust Street



Legal Description	PLAN 70 PT LOT 4
Historic Land Use	Residential (Dwelling)
Date of Construction	Pre 1910
Heritage Value or	1-storey house form building believed to have historical value for its age and potential to yield information
Interest	about Burlington's residential neighbourhoods before 1910. It is believed to have design value for its
	Victorian vernacular details including two-over-two windows, segmental arched windows, prominent sills,
	fieldstone foundation and entrance with sidelights.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

2. 523 Locust Street



Legal Description	PLAN 92 BLK V PT LOT 4
Historic Land Use	Residential (x2 Dwellings)
Date of Construction	N/A
Heritage Value or	None. Vacant lot with no historical features.
Interest	
Heritage Status	None
Assessment	(X) Not recommended for Heritage Register

3.520 Locust Street



Legal Description	PLAN 70 LOT 3
Historic Land Use	Residential
Date of Construction	Post 1924, relatively new building
Heritage Value or	None. Relatively new two-storey commercial building.
Interest	
Heritage Status	None
Assessment	(X) Not recommended for Heritage Register

4. 513 Locust Street

Current Photo





1974 Image of rear of building

Legal Description	PLAN 92 BLK V PT LOT 2LOCUST
Historic Land Use	Residential
Date of Construction	1886
Heritage Value or Interest	This two-storey vernacular house is believed to have historical value for its potential to yield information about Burlington's residential neighbourhoods in the late 1800s. It is believed to have design value for its victorian/gothic porch details, hipped roof, segmental arched ground floor windows and stone foundation. Alterations include the modern box window at the front and the restoration of a Victorian style porch to the rear elevation.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

5. 500 Locust Street



Legal Description	PLAN 70 LOT 1 PLAN 74 PT LOT 50
Historic Land Use	Residential
Date of Construction	N/A
Heritage Value or Interest	None, no historical features on the property.
Heritage Status	None
Assessment	(X) Not recommended for Heritage Register

6. 492 Locust Street

Current Photo





1950s image of Locust Street- Vintage Burlington

Legal Description	PLAN 74 PT LOT 50	
Historic Land Use	Residential (Dwelling)	
Date of Construction	Pre 1910 (north half), 1924-195? (south half)	
Heritage Value or Interest	North half built before 1910, south half built between 1924 and 1950s. HBAC recommends this property for inclusion on the Heritage Register for its design value, present in original features at the ground and second storey. The original detailing on the north half of the building includes round and segmental arched windows and fish-scale shingled gable with half round window opening. HBAC also believes the property has historical value for its significant age and mixed-use function. Alterations to the building include the south half of the building, which is a later addition and uses a slightly different colour brick and different window proportions.	
Heritage Status	None	
Assessment	(✔) Recommended by Heritage Burlington Advisory Committee for Heritage Register	

7.488 Locust Street

Current Photo





1950s image of Locust Street- Vintage Burlington

Legal Description	PLAN 74 PT LOT 50	
Historic Land Use	Residential (Dwelling)	
Date of Construction	Pre 1910	
Heritage Value or Interest	This property is believed to have historical value for its significant age and potential to yield information about Burlington's residential neighbourhoods before 1910. It is also believed to have architectural value for its Victorian vernacular features including a covered porch, bay window, round arched window in the second-storey gable and two-over-two sash windows.	
Heritage Status	None	
Assessment	(✔) Qualifies for Heritage Register	

8. 1441 Ontario Street



Legal Description	PLAN 74 PT LOT 51
Historic Land Use	Residential (Dwelling)
Date of Construction	1830 (estimated)
Heritage Value or Interest	The William Hodgson - Sarah Oakley House. Vernacular loyalist cottage with 1-storey gable roof form and distinctive arched six-over-six sash windows on south and west elevations. The house has a rear 1-storey "kitchen tail". The exterior cladding does not appear original but may be possible to remove. "First constructed on the Brant Street site of the old town hall and library (which was built in 1906) and was moved to this lot in 1874 for William Hodgson. According to Stanley Blair, it was rebuilt by George Blair."- Building Stories
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

9. 1445 Ontario Street



Legal Description	PLAN 74 PT LOT 51
Historic Land Use	Residential (Dwelling)
Date of Construction	Between 1910-1924
Heritage Value or Interest	This property is believed to have historical value for its potential to yield information about Burlington's residential neighbourhoods in the early 20 th century. It is believed to have architectural value as a 1.5-storey vernacular bungalow with covered porch supported with classical (Tuscan) columns. A half bay window on the east side of the front elevation introduces some asymmetry to the facade. Above the porch is a gabled dormer with double-hung one-over-one sash windows.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

10. 1457 Ontario Street



Legal Description	PLAN 92 BLK W PTS 1,2 LOCUST
Historic Land Use	Residential (Dwelling)
Date of Construction	1875
Heritage Value or Interest	Historical and architectural. The Miller Bush House. 2-storey Victorian Vernacular building with masonry exterior, segmental arched windows, west facing hexagonal bay window
Heritage Status	Heritage Designated Property
Assessment	(✔) Heritage Designated

11. 1442 Ontario Street



Legal Description	PLAN 74 PT LOT 52	
Historic Land Use	Residential (Dwelling) The James Cushie Bent House.	
Date of Construction	1888	
Heritage Value or Interest	Architectural value. Carpenter gothic style house of wood frame construction, with covered, curved and enclosed glassed-in porch, handmade and carved ornamentation for the windows, mouldings, soffits, gables and cornices. Decorative roof braces.	
Heritage Status	Heritage Designated Property	
Assessment	(✔) Heritage Designated	

12. 472 Locust Street

Current Photo





1900 Print from Vintage Burlington North Shore Publishing

Legal Description	PLAN 74 PT LOT 52
Historic Land Use	Church ("L'Eglise St Philippe")
Date of Construction	N/A
Heritage Value or Interest	Architectural and historical/associative value. Originally Calvary Baptist Church. Church structure with a combination of Gothic Revival and Italianate styles.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

13. 471 Locust Street

Current Photo





1900 Print from Vintage Burlington North Shore Publishing

Legal Description	PLAN 92 BLK X PT LOT 1 RP 20R7438 PART 5
Historic Land Use	Dwelling ("The Atkinson - Peart House")
Date of Construction	1900
Heritage Value or Interest	Architectural and Historical/Associative value. Two-and-a-half storey brick structure dating back to 1900.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

14. 468 Locust Street



Legal Description	PLAN 74 LOT 53
Historic Land Use	Dwelling ("The Robert Kentner House")
Date of Construction	1900
Heritage Value or Interest	Architectural value. Two storey brick structure in Gothic Revival style.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

15. 462-464 Locust Street



Legal Description	PLAN 92 PT LOT 54
Historic Land Use	Dwelling (The "Richard Cole House")
Date of Construction	1896
Heritage Value or Interest	Architectural and historical/associative. Early Victorian brick dwelling with later renovations from 1943.
Heritage Status	Heritage Designated Property
Assessment	(✔) Heritage Designated

16. 458 Locust Street



Legal Description	PLAN 74 PT LOT 54 SAVE AND EXCEPT RP 20R7438 PART10
Historic Land Use	Dwelling
Date of Construction	Pre 1910
Heritage Value or Interest	This two-storey masonry dwelling is believed to have architectural value for its Queen Anne revival style details including fish scale shingles in gable and segmental arched window at second storey. is believed to have historical value for its potential to yield information about Burlington's residential neighbourhoods before 1910. Alterations include the enclosed the porch at ground storey.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

17. 447-449 Locust Street (Separate Properties)

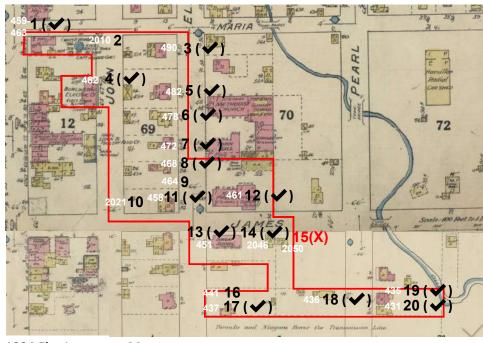


Address	447- PLAN 92 BLK X PT LOT 8 RP 20R12790 PART 2 449- PLAN 92 BLK X PT LOT 8 RP 20R12790 PART 1
Historic Land Use	Semi-detached dwelling
Date of Construction	1867
Heritage Value or Interest	Built in 1867 for Norman Hamburgh, a labourer, and his wife Sarah, and their family, this is a rare example of an historic semi-detached residence, and one of the few extant pre-Confederation structures in downtown Burlington. It is a "modest, but well-constructed house" "unspoiled by modern alterations and retains its original windows, doors, wood trim, storm door and the original gallery verandah supported by square columns with decorative relief details"
Heritage Status	Heritage Designated
Assessment	(✔) Heritage Designated

Cultural Heritage Landscape #4- Downtown East

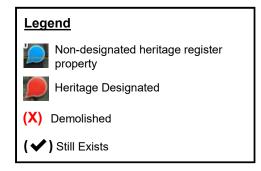
Buildings pre-dating 1924

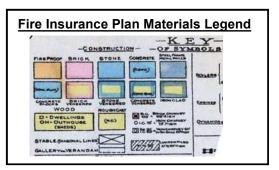




2021 Aerial Photo

1924 Fire Insurance Map



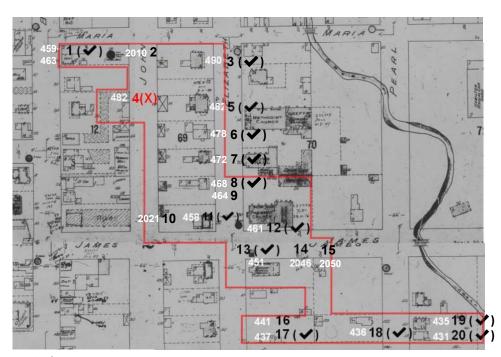


Cultural Heritage Landscape #4- Downtown East

Buildings pre-dating 1910

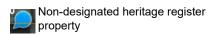


2021 Aerial Photo



1910 Fire Insurance Map

Legend









Cultural Heritage Landscape #4- Downtown East

1.459-463 Brant Street

Current Photo



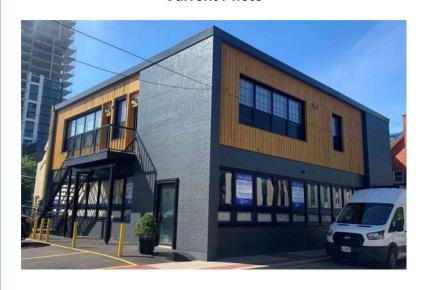


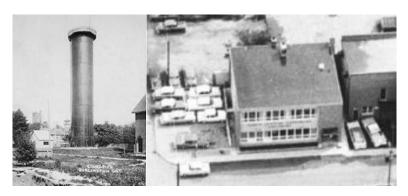
1973 Photograph (North Shore Publishing)

Legal Description	PLAN 92 BLK E PT LOT 1
Historic Land Use	Offices and Masonic Lodge
Date of Construction	Corner portion- Pre 1910, South portion- Post 1924
Heritage Value or	Architectural and historical value. Two storey masonry commercial building with gable roof. The building
Interest	features segmental arched windows at the first and second storey. The south portion of the building facing
	Brant Street is a much later addition with newer brick and mortar in better condition.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

2. 2010 Maria Street

Current Photo





1924 Photo of water tower

1960 Aerial Photo

Legal Description	PLAN 92 BLK E PT LOT 1
Historic Land Use	Water tower (85' tall), former Police stat ion
Date of Construction	1950s
Heritage Value or Interest	This two-storey masonry building is believed to have historical value for its former use as a police station. It is believed to have design value for its mid-century modernist details including long horizontal windows at ground level. The façade is a mix of brick and tile. Alterations include a reduction in the width of the upper storey windows.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

3.490 Elizabeth Street / 2042 Maria Street





Undated Historic Photo of 490 Elizabeth/ 2042 Maria Street from Vintage Burlington

Legal Description	PLAN 92 BLK F PT LOTS 1,2
Historic Land Use	Residential (Dwelling) The Laing - Fisher House Shanston Hall (aka 490 Elizabeth St).
Date of Construction	1855
Heritage Value or	Mid-Victorian Neo-Classic solid brick structure with Edwardian rear additions and second and third storey
Interest	
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

4.482 John Street

Current Photo





1960 Aerial

Legal Description	PLAN 92 BLK E PT LOTS 2 TO 4
Historic Land Use	Electric Power & Light (the "The Burlington Electric Company")
Date of Construction	1910-1924
Heritage Value or	Two storey masonry industrial building with segmental arched windows and brick sills at second storey.
Interest	The roofline features a dentilated cornice and pediment, however the pediment may be a later addition. The ground floor configuration and storefronts is likely not original. Masonry exterior of the building is
	largely intact.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

5. 482 Elizabeth Street







1960 Aerial

Legal Description	PLAN 92 BLK F LOT 3 PT LOT 2
Historic Land Use	Residential (dwelling) The Laing - Speers House and former Burlington Public Library.
Date of Construction	1873
Heritage Value or Interest	Two-storey three-bay brick structure in Neo-Classical style.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non-Designated Heritage Register Property

6.478 Elizabeth Street



Legal Description	PLAN 92 BLK F LOT 4
Historic Land Use	Residential (dwelling)
Date of Construction	Pre 1910
Heritage Value or Interest	Potential heritage value compromised by extensive alterations. Two storey gable roof dwelling with multiple additions and alterations obscuring original character. Second storey window openings in gable may be original.
Heritage Status	None
Assessment	(X) Not recommended for Heritage Register

7.472 Elizabeth Street

Current Photo





Cropped 1915 Photo of Elizabeth Street looking North towards Caroline

Legal Description	PLAN 92 BLK F LOT 5
Historic Land Use	Residential (dwelling)
Date of Construction	1862(?) (According to Plaque)
Heritage Value or Interest	Some potential historical and design value, however extent of alterations means it requires further study. Two storey masonry house with peaked dormer centred over the main entrance. The house is designed in the Gothic vernacular style, popular between 1850 and 1880. Alterations to the house include painted brick, replaced windows, south addition. The ground floor window openings may not be original. In 1915, the house featured a full width covered porch with a sheet metal roof
Heritage Status	None
Assessment	(X) Further Study Recommended

8.468 Elizabeth Street





1915 Photo of Elizabeth Street looking North towards Caroline

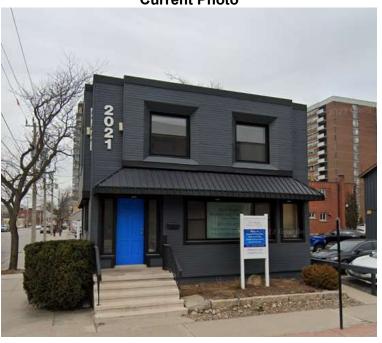
Legal Description	PLAN 92 BLK F PT LOT 6
Historic Land Use	Residential (dwelling)
Date of Construction	Pre 1910
Heritage Value or Interest	This two storey masonry building has historical value for its age and potential to yield information about Burlington residential areas before 1910. It is believed to have design value for its vernacular homestead and craftsman details. The house is two bays wide, with entrance positioned at the side of the ground floor. The full width veranda with craftsman style stone base is original. Two-over-two sash windows feature segmental arches.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

9.464 Elizabeth Street



Legal Description	PLAN 92 BLK F PT LOTS 6,7
Historic Land Use	Residential (dwelling)
Date of Construction	Post 1924
Heritage Value or Interest	The Heritage Burlington Advisory Committee believes this building has potential design value as a transitional style building blending elements of architectural modernism such as long horizontal windows and traditional elements like protruding window sills.
Heritage Status	None
Assessment	(X) Further Study Recommended

10. 2021 James Street



Legal Description	PLAN 92 BLK F PT LOT 7
Historic Land Use	1924- Empty Lot
Date of Construction	?
Heritage Value or Interest	Two storey commercial building with contemporary exterior cladding and details. Original masonry likely survives underneath.
Heritage Status	None
Assessment	(X) Further Study Recommended

11. 458 Elizabeth Street





Legal Description	PLAN 92 BLK F PT LOT 7
Historic Land Use	Residential (dwelling) "The John Taylor House"
Date of Construction	1876
Heritage Value or Interest	Historical and design value. This two-storey gothic vernacular house is clad in polychromatic brick. The peaked dormer in the roof features a round arched window. Other windows and entrance feature segmental arches with voussoirs. The front façade is accented with brick corner quoins at the edges.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non-Designated Heritage Register Property

12. 461 Elizabeth Street

Current Photo





Knox Presbyterian Church, Oct 27 1930 The Evening Review. F.H. Leslie

Legal Description	PLAN 92 BLK G PT LOTS 6,7
Historic Land Use	Place of Worship (Church) Knox Presbyterian Church
Date of Construction	1877
Heritage Value or Interest	Historical, design and contextual value. Gothic revival style church constructed of red and buff brick on land donated to the church in 1845. The main gable and entry gable feature buff corbelled brick and buttresses at the corners. The rich detailing with arched windows and doors and a steeple at the front of the building make this a neighbourhood landmark.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non-Designated Heritage Register Property

13. 451 Elizabeth Street



Legal Description	PLAN 92 BLK K PT LOT 1
Historic Land Use	Institutional (Sunday School) The Former Methodist Episcopal Church, later the Iron Duke.
Date of Construction	1868
Heritage Value or Interest	Historical, design and contextual value. First Methodist Church in the Village of Burlington.
	Gothic Revival vernacular brick structure
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

14. 2046 James Street

Current Photo





Crop from 1960 Aerial Photo & 2012 Photo

Legal Description	PLAN 92 BLK K PT LOT 1
Historic Land Use	Residential (dwelling)
Date of Construction	Between 1910-1924
Heritage Value or Interest	Undetermined heritage value. Basic vernacular homestead with square headed windows and distinctive shed dormers with three-part windows. Full width front verandah with simple square columns. The top of the gable and the sides of the dormers have been re-clad in aluminum or plastic siding.
Heritage Status	None
Assessment	(X) Further Study Recommended

15. 2050 James Street



Legal Description	PLAN 92 BLK K PT LOTS 15,16
Historic Land Use	Empty lot
Date of Construction	Unknown, post 1924
Heritage Value or Interest	None. Modern neo traditional, hipped roof office building. Mix of imitation historic building
	features with no unifying style.
Heritage Status	None
Assessment	(X) Not recommended for Heritage Register

16. 441 Elizabeth Street



Legal Description	PLAN 92 BLK K PT LOT 3
Historic Land Use	Empty lot
Date of Construction	Unknown, post 1924
Heritage Value or Interest	Believed to have some historical and design value. Basic vernacular homestead with heavily altered façade with minimal distinguishing historic features. Segmental arched window visible on side elevation
Heritage Status	None
Assessment	(✔) Heritage Burlington Advisory Committee recommends for inclusion on Register

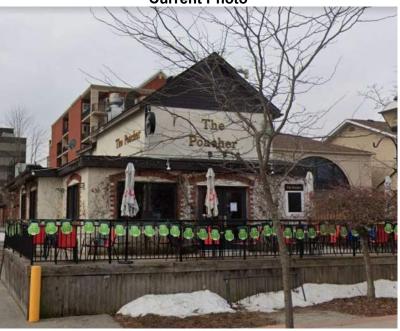
17. 437 Elizabeth Street



Legal Description	PLAN 92 BLK K PT LOT 3
Historic Land Use	Residential (Dwelling)
Date of Construction	Pre 1910 (south portion)
Heritage Value or Interest	The original portions of this two storey masonry house are believed to have design value for their vernacular homestead details such as segmental arched windows and projecting sills. The house has been significantly altered with a large addition built onto the north side. The main entrance has been altered and enlarged. All windows replaced.
Heritage Status	None
Assessment	(✔) Heritage Burlington Advisory Committee recommends for inclusion on Register

18. 436 Pearl Street

Current Photo



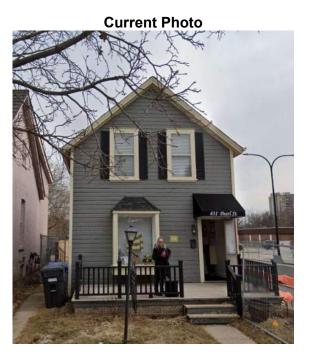
Legal Description	PLAN 92 BLK K LOT 14
Historic Land Use	Residential (Dwelling)
Date of Construction	Pre 1910 (Middle gable roof portion)
Heritage Value or Interest	This building is believed to have some potential historical value due to its local reputation and conversion from a two-storey gable roof house to a popular restaurant. Extensively altered with ground storey additions. Second storey has been re-clad and no window openings remain.
Heritage Status	None
Assessment	(✔) Heritage Burlington Advisory Committee recommends for inclusion on Register

19. 435 Pearl Street



Legal Description	PLAN 92 BLK L PT LOT 3
Historic Land Use	Residential (Dwelling)
Date of Construction	Mid-late 1800s
Heritage Value or Interest	This two-storey house is believed to have design value for its gothic vernacular detailing including gingerbread trim accenting a peaked dormer in the roof. The dormer features a round arched window centred over the main entry. Front box bay windows are likely not original.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

20. 431 Pearl Street



Legal Description	PLAN 92 BLK L PT LOTS 3,4 ,13 AND 14 AND RP 20R12443 PART 1 RP 20R21723 PARTS 1 TO 4, 17 TO 22
Historic Land Use	Residential (Dwelling)
Date of Construction	Pre 1910
Heritage Value or Interest	This two-storey wood frame house is believed to have design value for its vernacular homestead details including an asymmetrical façade and square headed, one-over-one sash windows.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

Cultural Heritage Landscape #5- Lakeshore Road & Burlington Avenue

Buildings pre-dating 1924



2021 Aerial Photo

Legend



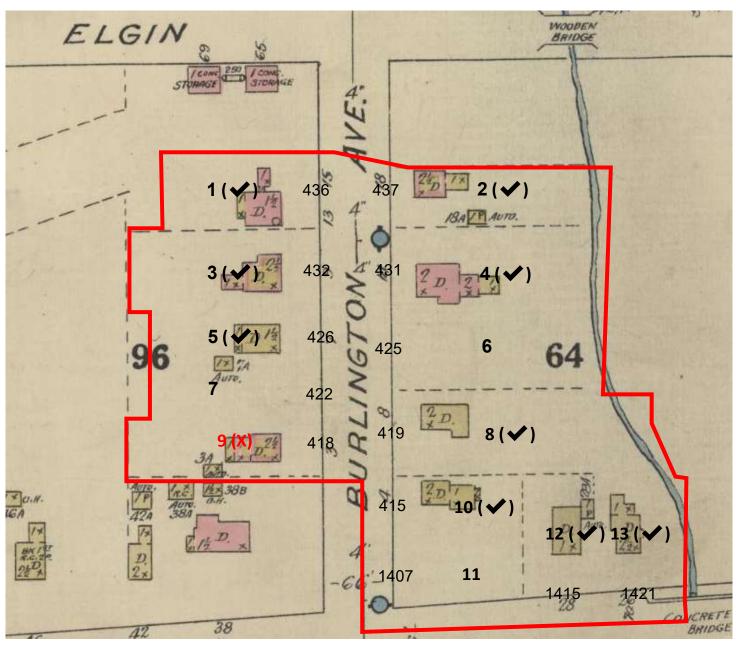
Non-designated heritage register property



Heritage Designated







1924 Fire Insurance Map

Cultural Heritage Landscape #5- Burlington Avenue & Lakeshore Road

1.436 Burlington Avenue



Legal Description	PLAN 74 PT LOT 20 RP 20R5459 PART 1
Historic Land Use	Residential
Date of Construction	1914
Architectural	The Toronto and Niagara Power Company Office and House. Craftsman-inspired building. The building is
Description	a one and a half storey bungalow with a red brick main floor and a low-sloped end gable roof with wooden fish scale shingles and full front verandah. The front elevation's prominent dormer window has a pedimented roof, double hung windows and wooden fish-scale shingles. The front verandah is supported by slim "Tuscan style columns". The front façade has two grouped windows flanking the front entrance (one wide and two narrow).
Heritage Status	Heritage designated
Assessment	(✔) Designated Heritage Property

2.437 Burlington Avenue





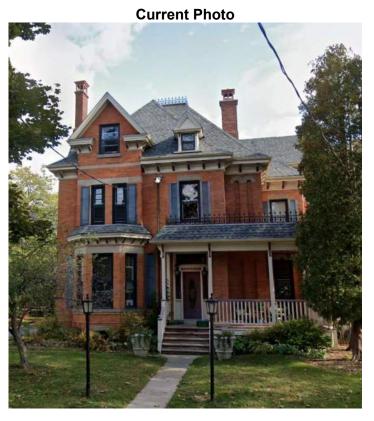
Legal Description	PLAN 74 PT LOT 21
Historic Land Use	Residential
Date of Construction	Pre 1924, likely 1850-1870
Architectural	Two-and-a-half storey Italianate style masonry dwelling. Red brick with buff brick accents around the
Description	window arches resembling a hood mould with a keystone. Full arched windows at second storey with segmental arched windows at the ground-storey. The house features carved Victorian style trim in the main gable and decorative brackets accenting the eaves of the half bay window and porch at the ground storey.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

3.432 Burlington Avenue



Legal Description	PLAN 74 LOT 17
Historic Land Use	Residential
Date of Construction	1885
Architectural	The Stuart Greer House. Itanianate style two-storey masonry house with a symmetrical facade featuring
Description	paired segmental arched windows and paired brackets along the eaves. The façade has been painted.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

4.431 Burlington Avenue



Legal Description	PLAN 74 LOT 16
Historic Land Use	Residential
Date of Construction	1887
Architectural	The Stuart Greer House. Two-and-a-half storey brick structure in Queen Anne Revival style. Three original
Description	standing gas lamps
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

5. 426 Burlington Avenue



Legal Description	PLAN 74 PT LOT 14
Historic Land Use	Residential
Date of Construction	Pre 1924
Architectural	1.5 storey craftsman bungalow characterized by a broad verandah with grouped square columns and
Description	masonry pedestals. To the left of the doorway are three six-over-one sash windows. The house also has a
	distinctive jerkinhead roof with knee brackets.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

6. 425 Burlington Avenue



Legal Description	PLAN 74 LOT 15
Historic Land Use	Empty Lot
Date of Construction	Post 1924
Architectural	1.5 storey multi-unit residential building. Symmetrical façade, no distinguishing historic features.
Description	
Heritage Status	None
Assessment	(X) Not recommended for Heritage Register

7. 422 Burlington Avenue

Current Photo



Legal Description	PLAN 74 PT LOTS 13,14
Historic Land Use	Empty Lot
Date of Construction	Post 1924, but likely constructed during the 1920s
Architectural	1.5 storey craftsman bungalow characterized by a full width verandah with Tuscan columns. Asymmetrical
Description	façade with doorway to one side of a set of four six-over-one windows. The house also has a distinctive
	jerkinhead roof.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

8.419 Burlington Avenue

Current Photo



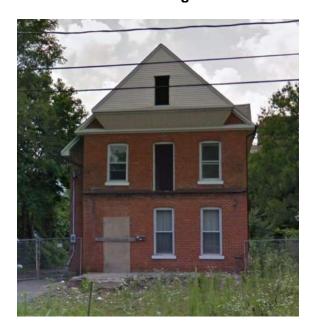
Legal Description	PLAN 74 LOT 12 PT LOT 9
Historic Land Use	Empty Lot
Date of Construction	Pre 1924
Architectural	The Buntion - Knife - Flock House. Oldest house on Burlington Avenue. Two-storey front-gabled frame
Description	structure clad with vertical board-and-batten siding.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property

9.418 Burlington Avenue

Current Photo



2020 Image



Legal Description	PLAN 74 PT LOT 13
Historic Land Use	Residential
Date of Construction	Pre 1924
Architectural	N/A
Description	
Heritage Status	None
Assessment	(X) Not eligible for Heritage Register

10. 415 Burlington Avenue



Legal Description	PLAN 74 PT LOTS 6,7
Historic Land Use	Residential
Date of Construction	1895
Architectural	The George and Josephine Noyes House.
Description	
Heritage Status	Heritage Register, Designated
Assessment	(✔) Designated Heritage Property

11. 1407 Lakeshore Road



Legal Description	PLAN 74 PT LOTS 6,7
Historic Land Use	Empty lot
Date of Construction	Unknown
Architectural	Unexceptional two-storey residential building.
Description	
Heritage Status	None
Assessment	(X) Not recommended for Heritage Register

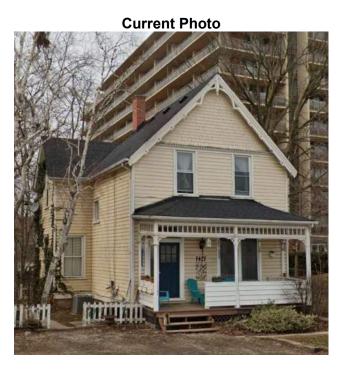
1415 Lakeshore Road .





Legal Description	PLAN 74 PT LOT 8
Historic Land Use	Residential
Date of Construction	Pre 1924
Architectural	Simple one-and-a-half storey craftsman bungalow with full width porch featuring simplified square posts.
Description	The main entry is accentuated by a gable with knee brackets. Horizontal wood cladding is a typical
	craftsman style feature. All windows on front façade have been replaced.
Heritage Status	None
Assessment	(✔) Qualifies for Heritage Register

13. 1421 Lakeshore Road



Legal Description	PLAN 74 PT LOTS 9,10
Historic Land Use	Residential
Date of Construction	1894
Architectural Description	Two-storey front-gable frame structure with front verandah and gingerbread bargeboard.
Heritage Status	Heritage Register, Non-designated
Assessment	(✔) Non Designated Heritage Register Property



Heritage Burlington Advisory Committee Meeting Minutes

Date: July 26, 2022

Time: 7:00 pm Location: Virtual

1. Members Present:

Michele Camacho (Chair), Don Thorpe, Marsha Paley, Angela Richardson, Marwa Refaat, Len Collins, Jim Miles, Rob Korporaal and Alan Harrington

2. Regrets:

Barry Duffey, Sille Nygaard Mikkelsen and Jenna Dobson

3. Others Present:

Councillor Rory Nisan, John O'Reilly (Heritage Planner) and Jo-Anne Rudy (Clerk)

4. Land Acknowledgement:

The Chair read the land acknowledgement.

5. Declarations of Interest:

None

6. Approval of Minutes:

6.1 Approve minutes from meeting held June 8, 2022

On motion, the minutes from the meeting held June 8, 2022, were approved as presented.

7. Delegation(s):

None

8. Regular Items:

8.1 Heritage Planner update

- a. Downtown Cultural Heritage Landscapes Study Evaluation of individual properties for Heritage Register status
 - John advised that the Downtown Cultural Heritage Landscapes Study was approved at the July 5, 2022, Community Planning, Regulation & Mobility Committee meeting and further ratified at the July 12, 2022, Council meeting. In addition, Council directed staff to convene a special meeting of Heritage Burlington to review all properties in the study area to determine if any could be added to the Municipal Register. John noted that staff evaluated 66 properties, and 19 additional properties were found to be eligible for inclusion on the Heritage Register. He sent this information to the committee and requested that the Evaluations Subcommittee review the list and provide their findings at tonight's special meeting.
 - John briefly reviewed the evaluations and noted that CHL 3 and 6 are already on the heritage register so he did not look at these. He advised that staff will be recommending that the following properties be added to the Heritage Register, and added that staff will reassess when the study is completed:

CHL 1- Foot of Brant Street

- 1. 380 Brant Street
- 2. 372-374 Brant Street
- 3. 359 Brant Street
- 4. 353-355 Brant Street
- 5. 2003 Lakeshore Road (Buildings A & B)
- 6. 404-408 John Street

CHL 2- Locust Street

- 1. 524 Locust Street
- 2. 513 Locust Street
- 3. 488 Locust Street
- 4. 1445 Ontario Street
- 5. 458 Locust Street

CHL 4- Downtown East

- 1. 2010 Maria Street
- 2. 468 Elizabeth Street
- 3. 435 Pearl Street
- 4. 431 Pearl Street

CHL 5- Burlington Ave & Lakeshore Road

- 1. 437 Burlington Avenue
- 2. 426 Burlington Avenue
- 3. 422 Burlington Avenue
- 4. 1415 Lakeshore Road
- Marwa spoke on behalf of the Evaluations Subcommittee and advised that they were in agreement with the above properties recommended by staff but would also like to add the following five properties to the heritage register:
 - o 357 Brant Street
 - 492 Locust Street
 - 437 Elizabeth Street
 - 441 Elizabeth Street
 - 436 Pearl Street
- Committee members discussed and were in agreement with the above and passed the following motion.

Motion: Heritage Burlington recommends that City Council add the following staff recommended properties to the Municipal Heritage Register:

- o 380 Brant Street
- o 372-374 Brant Street
- o 359 Brant Street
- 353-355 Brant Street
- 2003 Lakeshore Road (Buildings A & B)
- 404-408 John Street
- 524 Locust Street

- 513 Locust Street
- 488 Locust Street
- 1445 Ontario Street
- 458 Locust Street
- o 2010 Maria Street
- 468 Elizabeth Street
- 435 Pearl Street
- 431 Pearl Street
- 437 Burlington Avenue
- 426 Burlington Avenue
- 422 Burlington Avenue
- o 1415 Lakeshore Road; and

That the following additional properties be added to the Municipal Heritage Register, as recommended by Heritage Burlington:

- o 357 Brant Street
- 492 Locust Street
- 437 Elizabeth Street
- 441 Elizabeth Street
- 436 Pearl Street; and

That following study completion, staff re-assess the eligibility of the above listed properties for continued inclusion on the Heritage Register and report back to City Council with a recommendation.

CARRIED

9. Other Business:

- Marsha asked about a potential development at 3007/3015 Dundas Street.
- Don reminded members of Heritage Week beginning on Aug 1 and encouraged all members to participate in as many events as possible.
 Motion - Authorize the spending of up to \$2,000 for expenses related to Heritage Week. CARRIED

- Alan advised of the Open House at Freeman Station on August 6th and noted that they will be accepting food donations for the Burlington Food Bank.
- John provided a brief update on 795 Brant Street and noted that the property owner's intentions have not changed and that staff will be meeting with him this week. John confirmed that the heritage assessment would be carried out by an impartial consultant commissioned by the City, not the developer/applicant.

10. Adjournment:

Chair adjourned the meeting at 8:11 p.m.

22 July, 2022

	Address	Historic use	Status	Add to the Register	Comments
CHL1				_	
CHLI			T	T	
	380 Brant Street	Reymond Hotel		YES	
	372-374 Brant Street 370 Brant Street	undertaker/furniture store Printing office		YES NO	
	368 Brant street	The Bell - Wiggins Boot and Shoe Store, The Parkin Barber Shop		NO	
	Soo Brane ser eee	and Pool Hall	Registered		
	361 Brant Street	The LePatourel Drug Store First Location	Registered		
	359 Brant Street	Drugstore and Offices		YES	
	357 Brant Street	Jeweler (see 1910 Fire Insurance Map)		YES	
	353-355 Brant Street	Retail		YES	
	2003 Lakeshore Road	Bell Telephone Exchange		YES	
	2003 Lakeshore Road 2007-2011 Lakeshore Road	The Royal Bank Movie Theatre, Previously the property was occupied by a "Baby		Yes	
	2007-2011 Lakeshore Road	Clinic",			Recommend further study
	2013 Lakeshore Road	N/A		NO	necommend rurther study
	2015-17 Lakeshore Road	Bank (Bank of Hamilton)			
	(The "Shaver Building")		Registered		
	398 John Street	Auto mechanic, general storage	Demolished		Recommend to note "demolished" on the evaluation
			Demonstied		sheet to document the loss
	404-408 John Street	Hannon Flour and Feed Mill		Yes	
CHL2					
	524 Locust Street	Residential (Dwelling)		Yes	
	523 Locust Street	Residential	D		Recommend to note "demolished" on the evaluation
			Demolished		sheet to document the loss
	520 Locust Street	Relatively new two-storey commercial building.			Recommend further study
	513 Locust Street	Residential		Yes	
	500 Locust Street	Residential	Demolished		Recommend to note "demolished" on the evaluation
			Demonstrea		sheet to document the loss
	492 Locust Street	Residential		Yes	
	488 Locust Street	Residential		Yes	
	1441 Ontario Street	Residential	Registered		Further study recommended for potential designation
	1445 Ontario Street	Residential		Yes	
	1457 Ontario Street	Residential	Registered		
	1442 Ontario street	Residential	Designated		Further study recommended for notential designation
	472 Locust Street 471 Locust Street	Church Dwelling	Registered/Church Registered		Further study recommended for potential designation
	468 Locust Street	Dwelling	Registered		Further study recommended for potential designation
	462-464 Locust street	Dwelling	Designated		Turther study recommended for potential designation
	458 Locust Street	Dwelling		Yes	
	447-449 Locust Street	Dwelling	Designated		
CHL4					
	459-463 Brant Street	Offices and Masonic Lodge	Registered		
	2010 Maria Street	Water tower (85' tall)	g.ova. va	Yes	
		Electric Power & Light (the "The Burlington Electric Company")	Registered		Further study recommended for potential designation
	Maria Street		, and the second		,
	482 John Street		Registered		Further study recommended for potential designation
	482 Elizabeth Street		Registered		Recommend to add to the description; second floor
			Registered		was the original home for Teen Tour Band
	478 Elizabeth Street				Recommend further study
	472 Elizabeth Street				Recommend further study
	468 Elizabeth Street			Yes	
	464 Elizabeth Street			Al-	Recommend further study
	2021 James Street		Dogista : : -	No	
	458 Elizabeth Street	Place of Worship (Church)	Registered		Further study recommended for potential designation
	461 Elizabeth Street 451 Elizabeth Street	Place of Worship (Church) Institutional (Sunday School)	Registered Registered		Further study recommended for potential designation Further study recommended for potential designation
	2046 James Street	mananuman (sumay sumum)	negistered		Recommend further study
	2050 James Street				Recommend further study
	441 Elizabeth Street			Yes	necommend rather study
	437 Elizabeth Street			Yes	Recommend further study
	436 Pearl Street			Yes	Recommend further study
	435 Pearl Street			Yes	Further study recommended for potential designation
	431 Pearl Street			Yes	
CHL5					
	Trans.	Residential	Docignated		
		IRESHEIHAL	Designated	Voc	
	436 Burlington Avenue			Yes	Englished Annual Control of Contr
	437 Burlington Avenue	Residential	Registered		
	437 Burlington Avenue 432 Burlington Avenue	Residential Residential	Registered Registered		
	437 Burlington Avenue 432 Burlington Avenue 431 Burlington Avenue	Residential Residential Residential	Registered Registered	Yes	
	437 Burlington Avenue 432 Burlington Avenue 431 Burlington Avenue 426 Burlington Avenue	Residential Residential		Yes No	
	437 Burlington Avenue 432 Burlington Avenue 431 Burlington Avenue	Residential Residential Residential			
	437 Burlington Avenue 432 Burlington Avenue 431 Burlington Avenue 426 Burlington Avenue 425 Burlington Avenue	Residential Residential Residential		No	
	437 Burlington Avenue 432 Burlington Avenue 431 Burlington Avenue 426 Burlington Avenue 425 Burlington Avenue 422 Burlington Avenue	Residential Residential Residential	Registered Registered	No	
	437 Burlington Avenue 432 Burlington Avenue 431 Burlington Avenue 426 Burlington Avenue 425 Burlington Avenue 425 Burlington Avenue 429 Burlington Avenue 429 Burlington Avenue	Residential Residential Residential Residential	Registered	No	Further study recommended for potential designation Further study recommended for potential designation Recommend to note "demolished" on the evaluation sheet to document the loss
	437 Burlington Avenue 432 Burlington Avenue 431 Burlington Avenue 426 Burlington Avenue 425 Burlington Avenue 422 Burlington Avenue 419 Burlington Avenue 418 Burlington Avenue	Residential Residential Residential Residential	Registered Registered	No	Further study recommended for potential designation
	437 Burlington Avenue 432 Burlington Avenue 431 Burlington Avenue 426 Burlington Avenue 425 Burlington Avenue 428 Burlington Avenue 429 Burlington Avenue 419 Burlington Avenue 418 Burlington Avenue 418 Burlington Avenue	Residential Residential Residential Residential Residential Residential Residential	Registered Registered Demolished	No Yes	Further study recommended for potential designation
	437 Burlington Avenue 432 Burlington Avenue 431 Burlington Avenue 426 Burlington Avenue 425 Burlington Avenue 422 Burlington Avenue 419 Burlington Avenue 418 Burlington Avenue	Residential Residential Residential Residential Residential	Registered Registered Demolished	No	Further study recommended for potential designation Recommend to note "demolished" on the evaluation sheet to document the loss



SUBJECT: By-law Fine Review and Updates for Coyote Response

Strategy

TO: Mayor and Members of Council

FROM: Building and By-law Department

Report Number: BB-14-2022

Wards Affected: All

File Numbers: 110-04-1

Date to Committee: NA

Date to Council: September 20, 2022

Recommendation:

Approve the recommended changes to By-law 49-2022 being "A By-law to Repeal and Replace Lot Maintenance By-law 59-2018", and By-law 60-2005 being "A by-law to regulate the licensing and keeping of dogs and other animals", as amended, intended to clarify definitions, regulations related to powers of entry for Animal Control Officers and increase the limits for fines issued in accordance with the *Municipal Act* and enable collection of defaulted fines through tax roll, detailed in the proposed amending by-laws attached as 'Appendix A' and 'B' to report BB-14-2022;

Enact the By-law to amend By-law No. 49-2022 and By-law to amend By-law 60-2005, substantially as attached in 'Appendix A' and 'B' to report BB-14-2022, in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

PURPOSE:

To clarify powers of entry for Animal Control Officers and increase fine amounts related to feeding of wildlife as part of the Coyote Response Strategy.

Vision to Focus Alignment:

• Building more citizen engagement, community health and culture

Background and Discussion:

As a result of discussion at the September 14, 2022 Corporate Services, Strategy, Risk and Accountability Committee (CSSRA) regarding the City's Coyote Response Strategy (Staff Report CM-26-22), the Committee requested a review of fine amounts related to feeding of wildlife in order to deter this main cause of coyote aggression. Concerns were also raised about the ability of officers to legally enter onto private property which is required to ensure appropriate and swift action by Animal Control Officers.

FINE AMOUNTS AND ENFORCEMENT OPTIONS

The *Provincial Offences Act* provides two options for enforcement:

'Ticket Option' (based on Part I of the *Provincial Offences Act*)
 — Officers may issue a 'ticket' which has a predetermined or 'set' fine amount. Fine amounts can be requested by municipalities but are ultimately set by the Regional Senior Justice on behalf of Ministry of Attorney General. This option is typically applied to first time offenders or in minor matters.

The current set fine amount for feeding wildlife in Burlington is \$150.

A municipal scan confirmed that feeding wildlife typically carries with it a set fine amount in the range of \$150-\$300. Staff will attempt to seek approval of a higher amount, but expect the approval is not likely to exceed \$300.

2. 'Summons Option' (based on Part III of Provincial Offences Act) – Officers have the option to issue a 'summons' which does not include a set fine. Fines are determined by the judiciary at the time conviction based on an approved fine range. This option is typically reserved for more serious matters or repeat offenders as the fine range is higher.

The current fine range in Burlington is up to \$5,000. Staff recommend increasing the range to a minimum of \$500 and maximum of \$100,000, which is the maximum range allowed by the *Municipal Act*.

Officers do have discretion in terms of what enforcement option to apply. Discretion will be applied commensurate to the level of emergency related to aggressive coyotes and the fact that wildlife professionals have indicated that illegal feeding has been determined as a main contributor.

POWERS OF ENTRY

As per the attached Appendix A, additional wording has been added to By-law 60-2005 to clarify the powers of entry for officers. As per Section 435 and 437 of the *Municipal Act*, By-law Officers do have the legal authority to enter onto private property at any

Page 3 of Report Number: BB-14-2022

reasonable time for the purposes of carrying out inspections in relation to a by-law investigation provided they comply with the requirements of the *Municipal Act* and the By-law establishing power of entry. Officers are always encouraged to engage property owners prior to entry as a courtesy but anyone trying to hinder access could potentially face fines related to obstruction.

Financial Matters:

Not Applicable

Climate Implications

Not Applicable.

Engagement Matters:

The Office of the Senior Regional Justice was consulted in the review of fine amounts.

Conclusion:

The proposed changes to By-law 60-2005 and By-law 49-2022 will provide ability to seek higher fines for lot conditions leading to denning and feeding of wildlife in order to deter the behaviour which has been flagged as the main cause of recent coyote aggression towards the public.

Respectfully submitted, Kerry Davren Manager of By-law 905-335-7600 Ext. 7800

Appendices:

Appendix A – Amendment to By-law 60-2005

Appendix B – Amendment to By-law 49-2022

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.

The Corporation of the City of Burlington

City of Burlington By-law 72-2022

A by-law to amend By-Law 60-2005 being a by-law to regulate the licensing and keeping of dogs and the keeping of all other animals

File: 715-01 CM-26-22 and BB-14-22

WHEREAS sections 8, 9, and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (the "*Municipal Act, 2001*") authorize The Corporation of the City of Burlington (the "City") to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5, 6, and 8 of subsection 11 (2) authorize by-laws respecting the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons; and the protection of persons and property; and

WHEREAS Section 11(3)9 of the *Municipal Act*, S.O. 2001, Chapter 25, authorizes the City to pass by-laws respecting animals; and

WHEREAS section 425 of the *Municipal Act, 2001* authorizes a municipality to pass bylaws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence; and

WHEREAS section 429 of the *Municipal Act, 2001* authorizes a municipality to establish a system of fines for offences under a by-law of the municipality passed under this Act.

WHEREAS section 441.1 of the *Municipal Act, 2001* authorizes a municipality to add any part of a fine for a commission of a provincial offence that is in default under section 69 of the POA, to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the fine and collect it in the same manner as municipal taxes.

WHEREAS section 446 of the *Municipal Act, 2001* permits a municipality that has authority to pass by-laws directing or requiring that a matter or thing be done to also provide that in default of it being done by the person directed or required to do it, such matter or thing shall be done at the person's expense and that a municipality may enter upon land and into structures at any reasonable time for the above purpose and further that a municipality may recover the cost of doing a thing or matter required above and may recover the costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes; and

WHEREAS Council deems it appropriate to amend the Animal Control By-law to, among other things, update definitions, update the fines for contravening the by-law, provide powers of entry, and confirm defaulted fines may be added to the tax roll for any property for which all of the owners are responsible for paying the fine and collected in the same manner as municipal taxes; and

Now therefore the Council of The Corporation of the City of Burlington hereby enacts as follows:

1. By-law 60-2005, "Definitions" section is amended by adding the following definitions in alphabetical order, with the other subsections renamed/renumbered accordingly:

"feed", in all of its forms, includes the regular or intermittent supply of food, but does not include baiting during lawful activities;

"food" means anything that can be consumed by an animal for sustenance, but does not include:

- (i) vegetation or animals that are part of natural environment such as grasses or insects; or
- (ii) compost kept in accordance with all applicable by-laws, statutes or regulations;

"person" means an individual, firm, proprietorship, partnership, association, syndicate, trust, corporation, department, bureau or agency; and,

"premises" means a building or a part of a building and any land appurtenant to the building or part of the building and does not include a vacant lot or any premises owned or occupied by the governments of Canada, Ontario, a municipality or by an agency, board or commission of these governments;

"Wildlife" means an animal that belongs to a species that is wild by nature, but does not include an animal:

- (i) being kept in accordance with this By-law;
- (ii) being fed in accordance with any by-law, statute or regulation;
- (iii) being fed by the licensed members of the Trumpeter Swan Coalition for the purpose of banding and tagging trumpeter swans for research; or,
- (ii) being fed in accordance with research undertaken by a university, college or similar provincially or federally recognized research institution.
- 2 By-law No. 60-2005 is amended to add the following section 19(1):
 - 19.(1) No person shall feed or permit the feeding of wildlife.
 - (2) Despite subsection 19(1), a person may feed or permit the feeding of a bird if:
 - (a) the bird is fed on premises owned or occupied by the person;

- (b) there is no accumulation of bird feces; and,
- (c) there is no interference with the normal use or enjoyment of any other premises.
- 3. By-law No. 60-2005 is amended with section 35 "Penalty" deleted in its entirety including the heading and replaced with the following new sections 35-40, with the sections that follow renumbered accordingly:

Offences and Penalties

- No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law.
- 36. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine and such other penalties as provided in the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.
- 37. Every person who contravenes any provision of this By-law, and every director or officer of a corporation who knowingly concurs in the contravention of this By-law by the corporation, is guilty of an offence under the provisions of the *Municipal Act, 2001, S.O. 2001, c. 25* as amended.
- 38. Every person who contravenes any provision of this By-law or who obstructs a By-law Enforcement Officer in carrying out their duties under this By-law is guilty of an offence under Part III of the *Provincial Offences Act*, is liable to a fine pursuant to the *Municipal Act*, 2001, as follows:
 - (a) a minimum fine of \$500 and a maximum fine of \$100,000.00;
 - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, a minimum of \$500 and a maximum fine of \$100,000.00, and the total of all daily fines for the offence is not limited to \$100,000.00; and
 - (c) in the case of a multiple offence, for each offence included in the multiple offence, a minimum fine of \$500, and a maximum fine of \$10,000.00, and the total of all fines for each included offence is not limited to \$100,000.00.
- 39. Where a person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this By- law, make an order:
 - (a) prohibiting the continuation or repetition of the offence by the person convicted; and,
 - (b) requiring the person convicted to correct the contravention in

the manner and within the period that the court considers appropriate.

- 40. Where any person contravenes any provision of this By-law, such person shall be responsible for all costs incurred by the City related to the contravention.
- 4. By-law No. 60-2005 is amended by adding the following new sections 41-43 "Entry and Inspections" immediately following section 40, with the balance of the sections renumbered:

Entry and Inspections

- 41. An Officer may enter on land at any reasonable time and in accordance with the conditions set out in sections 435 and 437 of the *Municipal Act,* 2001 for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - (a) this By-law;
 - (b) a direction or order issued under this By-law;
 - (c) a condition of a licence issued under this By-law; or
 - (d) an order made under section 431 of the *Municipal Act*, 2001.
- 42. An Officer, for the purposes of the inspection under section 41 and in accordance with the conditions set out in section 436 of the *Municipal Act*, 2001, may:
 - (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information in writing or otherwise as required by an Officer from any person concerning a matter related to the inspection; and
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 43. An Officer may require a person to pay any costs incurred by the City in exercising its authority to inspect under section 42, including but not limited to the cost of any examination, test, sample or photograph necessary for the purposes of the inspection.
- 44. An Officer may undertake an inspection pursuant to an order issued by a provincial judge or justice of the peace under section 438 of the

Municipal Act, 2001, in accordance with the conditions set out in that section, where they have been prevented or is likely to be prevented from carrying out an inspection under section 42 of this By-law.

5. By-law No. 60-2005 is amended by adding the following new sections 45-46 "Collection of Fines" immediately following section 44, with the balance of the sections renumbered:

Collection of Fines

- 45. The City may recover the costs of doing a matter or thing under this bylaw by means that may include, but are not limited to, any one or more of:
 - (a) bringing an action;
 - (b) adding the costs to the tax roll and collecting them in the same manner as property taxes and such costs shall include an annual interest rate of 15 per cent commencing on the day the City incurs the costs and ending on the day the costs, including the interest, are paid in full; or
 - (c) charging a fee as set out in the City's By-law to Impose Rates and Fees or as otherwise set and approved by Council from time to time.
- 46. (1) Where a Person fails to pay any part of a fine for a contravention of this By-law and the fine is due and payable under section 66 of the *Provincial Offences Act*, including any extension of time to pay the fine provided under that section, the City Treasurer, or the Treasurer's delegate may give the Person a written notice specifying the amount of the fine payable and the final date on which it is payable, which date shall not be less than 21 days after the date of the notice.
 - (2) If any part of a fine or a contravention of this By-law remains unpaid after the final date specified in the notice provided under this section, the outstanding fine is deemed to be unpaid taxes pursuant to section 351 of the *Municipal Act*, 2001 and can be collected in the same manner as taxes in accordance with section 444.1 of the *Municipal Act*, 2001.
- 6. Despite amendments being made to By-law No. 60-2005, By-law No. 60-2005 as it read before the amendments in sections 1-5 above, shall continue to apply to proceedings in respect of offences that occurred before its amendment.
- 7. Subject to the amendments made in this By-law, in all other respects, in all other respects By-Law No. 60-2005 be and is hereby confirmed.
- 8. This By-law comes into force on the date of its passing.

PASSED this 20 th day of September, 2022.	
Mayor Marianne Meed Ward	
City Clerk Kevin Arjoon	

The Corporation of the City of Burlington

City of Burlington By-law 72-2022

A by-law to amend 49-2022, being a By-law to Regulate Exterior Property Maintenance including Vegetation, Refuse and Graffiti File:110-01-1 CM-26-22 and BB-14-22

WHEREAS sections 8, 9, and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (the "Municipal Act, 2001") authorize The Corporation of the City of Burlington (the "City") to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5, 6, and 8 of subsection 11 (2) authorize by-laws respecting the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons; and the protection of persons and property; and

WHEREAS section 127 of the *Municipal Act, 2001* authorizes the City to require the owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from the land, not including buildings and to regulate when and how such matters shall be done, and for prohibiting the disposal of refuse or debris on land without the consent of the owner or occupant of land; and

WHEREAS section 425 of the *Municipal Act, 2001* permits a municipality to pass bylaws providing that any person who contravenes any by-law of the municipality is guilty of an offence; and

WHEREAS section 429 of the *Municipal Act, 2001* authorizes a municipality to establish a system of fines for offences under a by-law of the municipality passed under this Act.

WHEREAS section 441.1 of the *Municipal Act, 2001* authorizes a municipality to add any part of a fine for a commission of a provincial offence that is in default under section 69 of the POA, to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the fine and collect it in the same manner as municipal taxes; and

WHEREAS Council deems it appropriate to amend the Lot Maintenance By-law to, among other things, update the fines for contravening the by-law, and confirm defaulted fines may be added to the tax roll for any property for which all of the owners are responsible for paying the fine and collected in the same manner as municipal taxes;

NOW THEREFORE the Council of The Corporation of the City of Burlington hereby enacts as follows:

1. Heading of Part 9 of By-law No. 49-2022 is amended by adding "OFFENCES and" immediately preceding the word PENALTIES.

- 2. By-law No. 49-2022 is amended by adding new section 9.0 under the heading "General" immediately preceding section 9.1:
 - 9.0 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Bylaw.
- 3. By-law No. 49-2022 is amended by deleting sections 9.4 and 9.5 in their entirety and replacing them with the following new sections 9.4 and 9.5:
 - 9.4 Every person who contravenes any provision of this By-law, and every director or officer of a corporation who knowingly concurs in the contravention of this By-law by the corporation, is guilty of an offence under the provisions of the *Municipal Act, 2001, S.O. 2001, c. 25* as amended
 - 9.5 Every person who contravenes any provision of this By-law or who obstructs a By-law Enforcement Officer in carrying out their duties under this By-law is guilty of an offence under the *Provincial Offences Act*, is liable to a fine pursuant to the *Municipal Act*, 2001, as follows:
 - (a) a minimum fine of \$500 and a maximum fine of \$100,000.00;
 - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, a minimum of \$500 and a maximum fine of \$100,000.00, and the total of all daily fines for the offence is not limited to \$100,000.00; and
 - (c) in the case of a multiple offence, for each offence included in the multiple offence, a minimum fine of \$500, and a maximum fine of \$10,000.00, and the total of all fines for each included offence is not limited to \$100,000.00.
- 4. By-law No. 49-2022 is amended by adding the following new section 8.15.1 immediately following section 8.15:
 - 8.15.1 (1) Where a Person fails to pay any part of a fine for a contravention of this By-law and the fine is due and payable under section 66 of the *Provincial Offences Act*, including any extension of time to pay the fine provided under that section, the City Treasurer, or the Treasurer's delegate may give the Person a written notice specifying the amount of the fine payable and the final date on which it is payable, which date shall not be less than 21 days after the date of the notice.
 - (2) If any part of a fine or a contravention of this By-law remains unpaid after the final date specified in the notice provided under this section, the outstanding fine is deemed to be unpaid taxes pursuant to section 351 of the *Municipal Act*, 2001 and can be collected in the same manner as

taxes in accordance with section 444.1 of the Municipal Act, 2001.

- 5. Despite amendments being made in this Amending By-law to By-law No. 49-2022, By-law No. 49-2022 as it read before the amendments in sections 1-4 above, shall continue to apply to proceedings in respect of offences that occurred before its amendment.
- 6. That in all other respects By-Law No. 49-2022 be and is hereby confirmed.
- 7. This By-law comes into force on the day of its passing.

PASSED this 20 th day of September, 2022.
Mayor Marianne Meed Ward
City Clerk Kevin Arjoon



895 Brant Street, Suite #7 Burlington, ON L7R 2J6

Friday, September 16, 2022

Via E-mail

Tel: (905) 639-9006

Fax: (905) 632-3337

City of Burlington 426 Brant Street Burlington, ON L7R 2G2

Attention: Mayor Mead-Ward, and Members of Council

Dear Mayor Mead-Ward and Members of Council,

Subject: Objection to 372-374 Brant St. & 380 Brant St inclusion on Heritage Register

(PL-59-22 Proposed inclusion of downtown properties on the City of

Burlington Heritage Register)

On behalf of Emshih Developments Inc. (Emshih), we are writing to Council as the owner representative of the two above-noted properties regarding their proposed inclusion on the City of Burlington's Heritage Register. As long-time property owners in Burlington, the heritage value of both these downtown properties has been reviewed and studied numerous times over the past 20+ years.

Staff's recommendation, supported by the Community Planning, Regulation and Mobility Committee, to direct the Direct of Community Planning to add the 24 listed properties to the Municipal Heritage Register and provide notice to the property owner has left us with much concern.

1. Prior Inclusion on the Municipal Heritage Register:

In 2004, Emshih applied for a demolition permit for 380 Brant Street. At the time, it was included on the Heritage Register. Following review by the LACAC (now the Burlington Heritage Advisory Committee), LACAC determined that there were no concerns with issuing a demolition permit for the property as, over the years, many renovations and alterations to the building had left little of the heritage characteristics intact. (See letter from the Building Department, attached as Appendix A). The demolition permit was issued, but the property was never demolished and currently occupied by Wendel Clark's restaurant.

Both 372-374 Brant Street and 380 Brant Street continued to be included on the Heritage Register. In 2009, Emshih requested for both properties to be removed from the Register. Both properties were subject to further review by the Burlington Heritage Advisory Committee and Heritage Workshop. The removal for both was granted on July

15, 2010, by Council decision. (See letter from Council approving the removal of 372-374 Brant Street, attached as Appendix B).

2. Lack of Notice and Consultation with Property Owners:

Unfortunately, Emshih was not notified of the proposed inclusion of its properties until the day of the CPRM Committee meeting, held on September 13, 2022. The proposed inclusion to the Heritage Register came as a shock, considering both properties were removed over 10 years ago. It is also rather confusing and disappointing as to why property owners would not be notified and consulted in advance of a matter than has implications to their property and property rights.

3. Unnecessary Workload for Staff:

It is unclear who initiated the study of heritage properties in the downtown and why it was initiated at a time when the Planning Department is under-staffed and inundated with workloads related to development applications, OLT hearings and ongoing matters related to the new Official Plan appeals.

Even though downtown Burlington's heritage properties have been extensively studied numerous times over the past 20+ years, this latest proposal for inclusion appears to add yet another hurdle in bringing appropriate development to the downtown and bringing much needed housing, and affordable housing to the City. In addition, it was noted in PL-59-22 that, if approved, planning staff anticipate many property owners to object to notices received, adding yet more unnecessary workload to staff. Precious staff time should be used more efficiently and re-directed towards rebuilding the city as a recovery from the Covid-19 pandemic.

In conclusion, Emshih Developments Inc. is not in support of staff's direction to add the 24 listed properties in PL-59-22 to the Municipal Heritage Register. Burlington's heritage properties have been studied extensively numerous times, and it is unclear why they are being studied again at a time when the City needs to focus on more complex development-related matters and Covid-19 recovery.

Should Council choose to reject staff's recommendation, Emshih welcomes consultation and engagement with city staff regarding Burlington's downtown heritage. On the other hand, should Council choose to support staff's recommendation to add the 24 properties to the Heritage Register, Emshih will be filing an objection to the inclusion of 372-374 Brant Street and 380 Brant Street.

Sincerely,

Emshih Developments Inc.

rei.

Kristina Didiano, Planner

Cc: Clerks Department

John Thomas Lawson

From:

<Schmidt-ShoukriJ@burlington.ca>

To:

<john.emshih@bellnet.ca>

Cc:

<CheesemanP@burlington.ca>; <KotsifasG@burlington.ca>

Sent:

September 10, 2004 3:06 PM

Subject:

380 Brant street

John:

This is to confirm that your permit for demolition of the above property will be issued upon receiving the General Review and Commitment form signed by a professional engineer.

Your application shows that in addition to all pre-demolition clearances, we have received clearance from LACAC as well.

Regards,

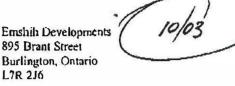
Jason Schmidt-Shoukri, B.Sc. Arch. Eng., OAA, MRAIC, OBOA Manager - Permit and Zoning Administration Deputy Chief Building Official Building Department City of Burlington

This message, including any attachments, is privileged and intended only for the addressee(s) named above. If you are not the intended recipient, you must not read, use or disseminate the information contained in this email/fax. If you have received this email/fax transmission in error, please notify the sender immediately by telephone, fax or email and permanently delete this email from your computer/shred this fax, including any attachments, without making a copy. Access to this email/fax by anyone else is unauthorized. Thank you,

905) 335-7600 (ext. 7746)

September 15, 2004

895 Brant Street Burlington, Ontario L7R 2J6



Attention: Dr. Michael Shih

In response to your recent inquiry, I am able to provide the following information.

A Building Permit has been applied for under file #04/470347 to demolish the building on the subject property located at 380 Brant Street.

We have received all the required demolition pre-permit clearances in connection with the demolition of the subject building.

We have received a response from L.A.C.A.C. which states the following:

The Coronation Hotel pre-dates the Queens Hotel by a few years, and as such is the oldest hotel in Burlington. It was first opened about 1863. It was known at that time as the Burlington Hotel. It has gone through many name changes and alterations in the past 140 odd years. The original wooden structure was moved back from the street and a three-storey addition was built on the front of the original wooden structure in 1903. Over the years there have been additions and alterations to the structure to the extent that there is little recognizable from the original historic building.

L.A.C.A.C. see no reason to oppose this request for permit.

Midal S. Arelas

The only outstanding item to be satisfied prior to the issuance of a demolition permit is the provision of a General Review and Commitment form from a Professional Engineer as per the Ontario Building Code under 2.3.2. General Review, 2.3.2.3 Demolition of Building.

Upon receipt of the General Review and Commitment Form from the Professional Engineer we will be in a position to issue the Demolition Permit.

Note: Under the Building Code Act, Section (10) Revocation of Permits. Subject to section 25, the Chief Building Official may revoke a permit issued under this Act. (b) if, after six months after its issuance, the construction or demolition in respect of which it was issued has not, in the opinion of the Chief Building Official, has been seriously commenced.

I trust this information satisfies your inquiry, should you have any questions please contact me at (905) 335-7600 ext. 7746.

Yours truly,

Michael D. Ireland Zoning Examiner

MDI



(905) 335-7600, ext. 7413 (905) 335-7881 shawi@burlington.ca

July 26, 2010

Emshih Developments Inc. 895 Brant Street, Suite 7 Burlington, ON L7R 2J6

Dear Emshih Developments Inc.:

SUBJECT: . Removal of the non-designated property at 372/374 Brant Street from the

Municipal Register

File: 501-06.6

The Council of the Corporation of the City of Burlington, at its meeting held on Thursday July 15, 2010 approved the following recommendation, being Item PB-04-10:

Approve the owner's request to remove 372/374 Brant Street from the Municipal Register.

If you have any questions with reference to the above, please do not hesitate to contact Mariana Iglesias, Planner – Heritage & Development at (905) 335-7600 x7555.

Yours truly,

Jennifer Shaw

COMMITTEE CLERK

c. Mariana Iglesias, Planner – Heritage & Development

City of Burlington By-law 69-2022

A by-law to authorize a request for the issuing of debentures by the Regional Municipality of Halton for the Skyway Community Centre File: 175-07 (EICS-15-22)

Whereas pursuant to subsections 401(1) and (2) and 404(1) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to debt and in the case of a lower-tier municipality within a regional municipality a request must be made to the regional municipality to issue debentures on its behalf for the purposes of incurring debt;

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

- 1. The City of Burlington requests that, for the purpose of the Tender Award for the Skyway Community Centre, the total cost of which is Thirty Nine Million, Four Hundred Thirty-Three Thousand, One Hundred Dollars (\$39,433,100), that the Regional Municipality of Halton be requested to raise by the sale of debentures the sum of One Million, Eight Hundred and Fifty Thousand Dollars (\$1,850,000) in Special Circumstance Debt, repayable over a period of ten (10) years at such a rate as the Council of the Regional Municipality of Halton may determine.
- 2. The City of Burlington requests that, for the purpose of the Tender Award for the Skyway Community Centre, the total cost of which is Thirty Nine Million, Four Hundred Thirty-Three Thousand, One Hundred Dollars (\$39,433,100), that the Regional Municipality of Halton be requested to raise by the sale of debentures the sum of Eighteen Million, Four Hundred and Seventy Thousand Dollars (\$18,470,000) in Tax Supported Debt, repayable over a period of ten (15) years at such a rate as the Council of the Regional Municipality of Halton may determine.

Enacted and passed this 20 th o	day of September, 2022.
Mayor Marianne Meed Ward _	
City Clerk Kevin Arjoon	/

City of Burlington By-law 70-2022

A by-law to appoint Municipal Law Enforcement Officers for the City of Burlington and to repeal By-law 64-2022 File: 745-06 (CL-34-22, DA-85-22)

Whereas Section 15 of the *Police Services Act*, R.S.O. 1990, c. P.15, as amended, authorizes municipal councils to appoint one or more Municipal Law Enforcement Officers for the purpose of enforcing the by-laws of the municipality;

The Council of the Corporation of the City of Burlington hereby enacts as follows:

- 1. That those persons so named on Schedule "A" attached hereto and forming part of this by-law be appointed as Municipal Law Enforcement Officers.
- 2. By-law 64-2022 be hereby repealed.

Enacted and passed this 20 th o	day of September 2022.
Mayor Marianne Meed Ward	
City Clerk Kevin Arjoon	

FIRE DEPARTMENT

- 1. Platoon Chief
- 2. Fire Prevention Inspector
- 3. Acting Platoon Chief
- 4. Chief Fire Prevention Officer
- 5. Fire Prevention Officer
- 6. Deputy Fire Chief
- 7. Fire Chief

BUILDING & BY-LAW

- 1. Animal Care and Licensing Attendant
- 2. Animal Control Officer
- Building Architect/Engineer
- 4. Building Inspector
- 5. Building Technologist
- 6. By-law Officer
- 7. CBO/Director of Building and By-law
- Deputy CBO/Manager of Policy and Regulatory Services
- Deputy CBO/Manager of Building Inspection
- 10. Deputy CBO/Manager of Building Permits
- 11. Manager of By-law Enforcement
- 12. Permit Technologist
- 13. Supervisor of Animal Services
- 14. Supervisor of By-law Enforcement
- 15. Supervisor of
 Licensing and Permit
 Administration

ROADS, PARKS & FORESTRY

- Director of Roads, Parks and Forestry
- 2. Manager of Parks Operations
- 3. Manager of Roads Operations
- 4. Manager of Urban Forestry
- 5. Manager of Fleet Services
- 6. Supervisor of Parks North & Turf
- 7. Supervisor of Parks East & Sanitation
- 8. Supervisor of Parks South & Events
- 9. Supervisor of Horticulture
- 10. Supervisor of Technical Services
- 11. Supervisor of Road Operations
- 12. Supervisor of Drainage& Road Patrol
- 13. Supervisor of Cemetery Operations
- 14. Supervisor of Forestry Operations
- 15. Supervisor of Forest & Planning Health
- 16. Supervisor of Forestry Protection
- 17. Coordinator of Urban Forestry
- 18. Technician of Forestry Operations
- 19. Technician of Forest & Planning Health
- 20. Technician of Road Operations
- 21. Technician of Park Operations
- 22. Officers of Forest Protection
- 23. Coordinator of Vehicle & Equipment Training

OTHER ENFORCEMENT AGENCIES

- 1. Ontario Provincial Police (OPP)
- 2. Halton Regional Police Services (HRPS)
- 3. Halton Region
- 4. Alcohol and Gaming Commission of Ontario (AGCO)

Ministry of Transportation of Ontario (MTO)

ENGINEERING SERVICES

- Manager of Development
 Stormwater Engineering
- Senior Project Manager Stormwater Engineering
- 3. Stormwater Management Project Engineer
- 4. Stormwater Management Technologist
- 5. Intermediate Technologist Development Inspection
- 6. Coordinator of Site Engineering
- 7. Project Manager Site Engineering
- 8. Senior Engineering Technologist
- 9. Intermediate Technician Site Development
- Intermediate Technician Landscaping
- 11. Manager of Parks & Open Space
- 12. Senior Landscape Architect
- 13. Director of Engineering Services
- 14. Manager of Design & Construction
- 15. Field Services Technician
- 16. Project Manager
- 17. Quality Control Coordinator
- 18. Utility Coordinator
- 19. Development Technician
- 20. Manager of Asset Planning
- 21. Corridor Management Technologist

FINANCE

Tax Collector

RECREATION, COMMUNITY & CULTURE

- Director of Recreation, Community and Culture
- 2. Manager of Arts & Culture
- 3. Manager of Business Services
- 4. Manager of Community Development
- 5. Manager of Facility Operations
- 6. Manager of Recreation Services
- 7. Supervisor of Aquatics
- 8. Supervisor of Festivals & Events
- Supervisor of Recreation – Adult, Older Adult
- 10. Supervisor of Recreation – Child, Youth, Family
- 11. Supervisor of Sport & Neighbourhood Development
- 12. Supervisor of Tyandaga Golf Course
- 13. Supervisor of Operations
- 14. Operations
 Coordinator
- 15. Park Ambassador (seasonal

TRANSIT

- Senior Supervisor of Operations
- 2. Transit Operations Supervisor
- 3. Acting Operations Supervisor

TRANSPORTATION

- Manager of Traffic Operations & Signals
- 2. Supervisor of Parking Services
- 3. Manager, Integrated Mobility
- 4. Traffic Technologist
- Traffic Operations Supervisor
- 6. Supervisor of Traffic Signals

PARKING SERVICES

- 1. City Officers
- 2. Parking Technologist
- 3. Parking Maintenance Technician
- 4. Downtown Parking Coordinator
- 5. Parking Ambassadors

PRIVATE PROPERTY PARKING AGENCIES

- 1. Condominium Parking Control
- 2. The Sign Department
- 3. Canadian Corps of Commissionaires
- Ontario Parking Control Bureau Corp.

The Corporation of the City of Burlington By-law 71-2022

City of Burlington By-law 71-2022

A by-law to assume parcels of land in the City of Burlington as Public Highway
File: 575-01 (ES-35-22, DA-64-22)

Whereas pursuant to Section 31(2) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a municipality may by by-law establish a highway;

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

- 1. That the parcels of land listed below, and situated in the City of Burlington in the Regional Municipality of Halton be and the same are hereby assumed as part of the public highway; and
- 2. That this by-law shall take effect on the date of its registration in the Land Registry Office for the Land Titles Division of Halton (No. 20); and
- 3. That the City Solicitor, or his/her designate, is hereby authorized to amend the parcel designation noted in this by-law, if necessary, upon registration of this by-law.

DESCRIPTION	STREET	PIN
PT LT 4, PL 293, PART 5, 20R1971	Maplehill Drive	07049-0178 (LT)
Block 273 of PLAN 20M-824	Georgina Court	07184-2501 (LT)

Enacted and passed this 20 th day of September, 2022.	
Mayor Meed Ward	
City Clerk Kevin Arjoon	

City of Burlington By-law 72-2022

A by-law to amend By-Law 60-2005 being a by-law to regulate the licensing and keeping of dogs and the keeping of all other animals

File: 715-01 CM-26-22 and BB-14-22

WHEREAS sections 8, 9, and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (the "*Municipal Act, 2001*") authorize The Corporation of the City of Burlington (the "City") to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5, 6, and 8 of subsection 11 (2) authorize by-laws respecting the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons; and the protection of persons and property; and

WHEREAS Section 11(3)9 of the *Municipal Act*, S.O. 2001, Chapter 25, authorizes the City to pass by-laws respecting animals; and

WHEREAS section 425 of the *Municipal Act, 2001* authorizes a municipality to pass bylaws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence; and

WHEREAS section 429 of the *Municipal Act, 2001* authorizes a municipality to establish a system of fines for offences under a by-law of the municipality passed under this Act.

WHEREAS section 441.1 of the *Municipal Act, 2001* authorizes a municipality to add any part of a fine for a commission of a provincial offence that is in default under section 69 of the POA, to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the fine and collect it in the same manner as municipal taxes.

WHEREAS section 446 of the *Municipal Act, 2001* permits a municipality that has authority to pass by-laws directing or requiring that a matter or thing be done to also provide that in default of it being done by the person directed or required to do it, such matter or thing shall be done at the person's expense and that a municipality may enter upon land and into structures at any reasonable time for the above purpose and further that a municipality may recover the cost of doing a thing or matter required above and may recover the costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes; and

WHEREAS Council deems it appropriate to amend the Animal Control By-law to, among other things, update definitions, update the fines for contravening the by-law, provide powers of entry, and confirm defaulted fines may be added to the tax roll for any property for which all of the owners are responsible for paying the fine and collected in the same manner as municipal taxes; and

Now therefore the Council of The Corporation of the City of Burlington hereby enacts as follows:

1. By-law 60-2005, "Definitions" section is amended by adding the following definitions in alphabetical order, with the other subsections renamed/renumbered accordingly:

"feed", in all of its forms, includes the regular or intermittent supply of food, but does not include baiting during lawful activities;

"food" means anything that can be consumed by an animal for sustenance, but does not include:

- (i) vegetation or animals that are part of natural environment such as grasses or insects; or
- (ii) compost kept in accordance with all applicable by-laws, statutes or regulations;

"person" means an individual, firm, proprietorship, partnership, association, syndicate, trust, corporation, department, bureau or agency; and,

"premises" means a building or a part of a building and any land appurtenant to the building or part of the building and does not include a vacant lot or any premises owned or occupied by the governments of Canada, Ontario, a municipality or by an agency, board or commission of these governments;

"Wildlife" means an animal that belongs to a species that is wild by nature, but does not include an animal:

- (i) being kept in accordance with this By-law;
- (ii) being fed in accordance with any by-law, statute or regulation;
- (iii) being fed by the licensed members of the Trumpeter Swan Coalition for the purpose of banding and tagging trumpeter swans for research; or,
- (ii) being fed in accordance with research undertaken by a university, college or similar provincially or federally recognized research institution.
- 2 By-law No. 60-2005 is amended to add the following section 19(1):
 - 19.(1) No person shall feed or permit the feeding of wildlife.
 - (2) Despite subsection 19(1), a person may feed or permit the feeding of a bird if:
 - (a) the bird is fed on premises owned or occupied by the person;

- (b) there is no accumulation of bird feces; and,
- (c) there is no interference with the normal use or enjoyment of any other premises.
- 3. By-law No. 60-2005 is amended with section 35 "Penalty" deleted in its entirety including the heading and replaced with the following new sections 35-40, with the sections that follow renumbered accordingly:

Offences and Penalties

- No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law.
- 36. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine and such other penalties as provided in the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.
- 37. Every person who contravenes any provision of this By-law, and every director or officer of a corporation who knowingly concurs in the contravention of this By-law by the corporation, is guilty of an offence under the provisions of the *Municipal Act, 2001, S.O. 2001, c. 25* as amended.
- 38. Every person who contravenes any provision of this By-law or who obstructs a By-law Enforcement Officer in carrying out their duties under this By-law is guilty of an offence under Part III of the *Provincial Offences Act*, is liable to a fine pursuant to the *Municipal Act*, 2001, as follows:
 - (a) a minimum fine of \$500 and a maximum fine of \$100,000.00;
 - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, a minimum of \$500 and a maximum fine of \$100,000.00, and the total of all daily fines for the offence is not limited to \$100,000.00; and
 - (c) in the case of a multiple offence, for each offence included in the multiple offence, a minimum fine of \$500, and a maximum fine of \$10,000.00, and the total of all fines for each included offence is not limited to \$100,000.00.
- Where a person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this By- law, make an order:
 - (a) prohibiting the continuation or repetition of the offence by the person convicted; and,
 - (b) requiring the person convicted to correct the contravention in

the manner and within the period that the court considers appropriate.

- 40. Where any person contravenes any provision of this By-law, such person shall be responsible for all costs incurred by the City related to the contravention.
- 4. By-law No. 60-2005 is amended by adding the following new sections 41-43 "Entry and Inspections" immediately following section 40, with the balance of the sections renumbered:

Entry and Inspections

- 41. An Officer may enter on land at any reasonable time and in accordance with the conditions set out in sections 435 and 437 of the *Municipal Act,* 2001 for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - (a) this By-law;
 - (b) a direction or order issued under this By-law;
 - (c) a condition of a licence issued under this By-law; or
 - (d) an order made under section 431 of the *Municipal Act*, 2001.
- 42. An Officer, for the purposes of the inspection under section 41 and in accordance with the conditions set out in section 436 of the *Municipal Act*, 2001, may:
 - (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information in writing or otherwise as required by an Officer from any person concerning a matter related to the inspection; and
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 43. An Officer may require a person to pay any costs incurred by the City in exercising its authority to inspect under section 42, including but not limited to the cost of any examination, test, sample or photograph necessary for the purposes of the inspection.
- 44. An Officer may undertake an inspection pursuant to an order issued by a provincial judge or justice of the peace under section 438 of the

Municipal Act, 2001, in accordance with the conditions set out in that section, where they have been prevented or is likely to be prevented from carrying out an inspection under section 42 of this By-law.

5. By-law No. 60-2005 is amended by adding the following new sections 45-46 "Collection of Fines" immediately following section 44, with the balance of the sections renumbered:

Collection of Fines

- 45. The City may recover the costs of doing a matter or thing under this bylaw by means that may include, but are not limited to, any one or more of:
 - (a) bringing an action;
 - (b) adding the costs to the tax roll and collecting them in the same manner as property taxes and such costs shall include an annual interest rate of 15 per cent commencing on the day the City incurs the costs and ending on the day the costs, including the interest, are paid in full; or
 - (c) charging a fee as set out in the City's By-law to Impose Rates and Fees or as otherwise set and approved by Council from time to time.
- 46. (1) Where a Person fails to pay any part of a fine for a contravention of this By-law and the fine is due and payable under section 66 of the *Provincial Offences Act*, including any extension of time to pay the fine provided under that section, the City Treasurer, or the Treasurer's delegate may give the Person a written notice specifying the amount of the fine payable and the final date on which it is payable, which date shall not be less than 21 days after the date of the notice.
 - (2) If any part of a fine or a contravention of this By-law remains unpaid after the final date specified in the notice provided under this section, the outstanding fine is deemed to be unpaid taxes pursuant to section 351 of the *Municipal Act*, 2001 and can be collected in the same manner as taxes in accordance with section 444.1 of the Municipal Act, 2001.
- 6. Despite amendments being made to By-law No. 60-2005, By-law No. 60-2005 as it read before the amendments in sections 1-5 above, shall continue to apply to proceedings in respect of offences that occurred before its amendment.
- 7. Subject to the amendments made in this By-law, in all other respects, in all other respects By-Law No. 60-2005 be and is hereby confirmed.
- 8. This By-law comes into force on the date of its passing.

Enacted and Passed thiss 20 th day of September, 2022.	
Mayor Marianne Meed Ward	
City Clerk Kevin Arjoon	

City of Burlington By-law 73-2022

A by-law to amend 49-2022, being a By-law to Regulate Exterior Property Maintenance including Vegetation, Refuse and Graffiti File:110-01-1 CM-26-22 and BB-14-22

WHEREAS sections 8, 9, and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (the "Municipal Act, 2001") authorize The Corporation of the City of Burlington (the "City") to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5, 6, and 8 of subsection 11 (2) authorize by-laws respecting the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons; and the protection of persons and property; and

WHEREAS section 127 of the *Municipal Act, 2001* authorizes the City to require the owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from the land, not including buildings and to regulate when and how such matters shall be done, and for prohibiting the disposal of refuse or debris on land without the consent of the owner or occupant of land; and

WHEREAS section 425 of the *Municipal Act, 2001* permits a municipality to pass bylaws providing that any person who contravenes any by-law of the municipality is guilty of an offence; and

WHEREAS section 429 of the *Municipal Act, 2001* authorizes a municipality to establish a system of fines for offences under a by-law of the municipality passed under this Act.

WHEREAS section 441.1 of the *Municipal Act, 2001* authorizes a municipality to add any part of a fine for a commission of a provincial offence that is in default under section 69 of the POA, to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the fine and collect it in the same manner as municipal taxes; and

WHEREAS Council deems it appropriate to amend the Lot Maintenance By-law to, among other things, update the fines for contravening the by-law, and confirm defaulted fines may be added to the tax roll for any property for which all of the owners are responsible for paying the fine and collected in the same manner as municipal taxes;

NOW THEREFORE the Council of The Corporation of the City of Burlington hereby enacts as follows:

1. Heading of Part 9 of By-law No. 49-2022 is amended by adding "OFFENCES and" immediately preceding the word PENALTIES.

- 2. By-law No. 49-2022 is amended by adding new section 9.0 under the heading "General" immediately preceding section 9.1:
 - 9.0 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Bylaw.
- 3. By-law No. 49-2022 is amended by deleting sections 9.4 and 9.5 in their entirety and replacing them with the following new sections 9.4 and 9.5:
 - 9.4 Every person who contravenes any provision of this By-law, and every director or officer of a corporation who knowingly concurs in the contravention of this By-law by the corporation, is guilty of an offence under the provisions of the *Municipal Act, 2001, S.O. 2001, c. 25* as amended
 - 9.5 Every person who contravenes any provision of this By-law or who obstructs a By-law Enforcement Officer in carrying out their duties under this By-law is guilty of an offence under the *Provincial Offences Act*, is liable to a fine pursuant to the *Municipal Act*, 2001, as follows:
 - (a) a minimum fine of \$500 and a maximum fine of \$100,000.00;
 - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, a minimum of \$500 and a maximum fine of \$100,000.00, and the total of all daily fines for the offence is not limited to \$100,000.00; and
 - (c) in the case of a multiple offence, for each offence included in the multiple offence, a minimum fine of \$500, and a maximum fine of \$10,000.00, and the total of all fines for each included offence is not limited to \$100,000.00.
- 4. By-law No. 49-2022 is amended by adding the following new section 8.15.1 immediately following section 8.15:
 - 8.15.1 (1) Where a Person fails to pay any part of a fine for a contravention of this By-law and the fine is due and payable under section 66 of the *Provincial Offences Act*, including any extension of time to pay the fine provided under that section, the City Treasurer, or the Treasurer's delegate may give the Person a written notice specifying the amount of the fine payable and the final date on which it is payable, which date shall not be less than 21 days after the date of the notice.
 - (2) If any part of a fine or a contravention of this By-law remains unpaid after the final date specified in the notice provided under this section, the outstanding fine is deemed to be unpaid taxes pursuant to section 351 of the *Municipal Act*, 2001 and can be collected in the same manner as

taxes in accordance with section 444.1 of the Municipal Act, 2001.

- 5. Despite amendments being made in this Amending By-law to By-law No. 49-2022, By-law No. 49-2022 as it read before the amendments in sections 1-4 above, shall continue to apply to proceedings in respect of offences that occurred before its amendment.
- 6. That in all other respects By-Law No. 49-2022 be and is hereby confirmed.
- 7. This By-law comes into force on the day of its passing.

Enacted and passed this 20 th day of September, 2022.	
Mayor Marianne Meed Ward	
City Clerk Kevin Arioon	

City of Burlington By-law number 2020.445

A By-law to amend By-law 2020, as amended; 2154 Walker's Line File No.: 520-02/22 (PL-63-22)

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

Whereas the Council of the Corporation of the City of Burlington approved the recommendation in community planning department report PL-63-22 on September 20, 2022, to amend the City's existing Zoning By-law 2020, as amended, to permit nine (9) townhouse units of 2-storeys in height to be developed on a private road;

The Council of the Corporation of the City of Burlington hereby enacts as follows:

- 1. Zoning Map Number 20-E of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
- 2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from R3.2 to RM2-517.
- 3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception RM2-517 as follows:

Exception	Zone	Мар	Amendment	Enacted
517	RM2	20-E	2020.445	Sept 20/22

- 1. Regulations for the entire site:
 - i) Lot Width: 40.5 m
 - ii) Lot Area: 0.37 ha
 - iii) Front Yard Setback: 5.3 m
 - iv) Rear Yard Setback: 7.5 m
 - v) Yard abutting R1, R2, R3 zone:
 - a. West: 7.5 m
 - b. North: 8.9 m
 - vi) Minimum density: 23 units per net hectare
 - vii) Landscape Buffer abutting R1, R2, R3 zone:
 - a. South: 5.2 m, driveway within 11m of Walker's Line and hammer head may encroach
 - b. Rear: 5.9 m
 - c. North: noise wall may encroach
 - viii) Landscape Area abutting Walker's Line: 5.3 m, transformer and noise wall may encroach
 - ix) Maximum fence height: 2.2 m, 1.2 m within 3 m of a street line
 - x) Visitor Parking: none required

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

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

Enacted and	passed	this 20th	day,	of Se	ptember,	2022
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Mayor Marianne Meed War	[.] d	
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City Clerk Kevin Arjoon		

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.445

By-law 2020.445 rezones lands on 2154 Walker's Line, to permit nine (9) townhouse units of 2-storeys in height to be developed on a private road.

For further information regarding By-law 2020.445, please contact Mariana Da Silva of the Burlington Community Planning Department at (905) 335-7600, extension 7536.

City of Burlington By-law 74-2022

A by-law to confirm the proceedings of the meeting of the Council of the Corporation of the City of Burlington held on Tuesday, September 20, 2022

Whereas according to Section 5 of the *Municipal Act*, 2001, c. 25 as it may be amended from time to time, the powers of The Corporation of the City of Burlington are to be exercised by the Council of The Corporation of the City of Burlington and municipal powers are to be exercised by by-law; and

Whereas it is deemed expedient that the actions of the Council of The Corporation of the City of Burlington be confirmed and adopted by by-law;

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

- The actions of the Council of The Corporation of the City of Burlington in respect
 of:
 - (a) each recommendation in the report of the Committees;
 - (b) Each motion, resolution and other action passed and taken by the Council of The Corporation of the City of Burlington at this meeting are hereby adopted and confirmed as if same were expressly included in this by-law.
- 2. The Mayor and the proper officials of The Corporation of the City of Burlington are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Burlington referred to in Section 1.

- The Mayor, or in the absence of the Mayor, the Deputy Mayor, and the Clerk, or in the absence of the Clerk, the Deputy Clerk,
 - a) are authorized and directed to execute all documents necessary to the
 action taken by Council as described in Section 1, and
 - b) Are authorized and directed to affix the seal of The Corporation of the City of Burlington to all such documents referred to in Section 1.
- This by-law comes into force on the day upon which is enacted by the Council of the Corporation of the City of Burlington.

Enacted and passed this 20 th day of September, 2022.	
Mayor Marianne Meed Ward	
City Clerk Kevin Arjoon	