



Community Planning, Regulation and Mobility Committee Meeting Agenda

Date: March 28, 2023
Time: 9:30 a.m. and 6:30 p.m. (if required)
Location: Hybrid meeting- virtual and Council Chambers, City Hall
Contact: Committee Clerk, Suzanne.gillies@burlington.ca, 905-335-7600, x7862

Pages

1. Declarations of Interest:

2. Statutory Public Meetings:

Statutory public meetings are held to present planning applications in a public forum as required by the Planning Act.

3. Delegation(s):

Standing committee and City Council meetings are held using a hybrid model, allowing members of Council, city staff and the public the option of participating remotely or in-person at city hall, 426 Brant St.

Requests to delegate to this hybrid meeting can be made by completing the online delegation registration form at www.burlington.ca/delegate, by submitting a written request by email to the Office of the City Clerk at clerks@burlington.ca or by phoning 905-335-7600, ext. 7481 by noon the business day before the meeting is to be held. It is recommended that virtual delegates include their intended remarks, which will be circulated to all members in advance, as a backup to any disruptions in technology issues that may occur.

If you do not wish to delegate, but would like to submit correspondence, please email your comments to clerks@burlington.ca. Any delegation notes and comments will be circulated to members in advance of the meeting and will be attached to the minutes, forming part of the public record.

4. Consent Items:

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

- | | | |
|-----|--|---------|
| 4.1 | Parks, Recreation and Cultural Assets Master Plan (RCC-03-23) | 1 - 10 |
| | Receive and file recreation, community and culture department report RCC-03-23 providing information on the Parks, Recreation and Cultural Assets Master Plan update. | |
| 4.2 | Emerald Ash Borer Management Plan update (RPF-03-23) | 11 - 16 |
| | Receive and file the roads, parks, and forestry department report RPF-03-23, providing an update to the emerald ash borer management plan. | |
| 4.3 | Automatic Aid Agreement with the City of Hamilton (BFD-04-23) | 17 - 31 |
| | Note: this item has been withdrawn by staff. | |
| | Authorize the City of Burlington to enter into an agreement with the City of Hamilton for the mutual provision of emergency services assistance; and | |
| | Authorize the Mayor and City Clerk to executive all such agreements in a form that is satisfactory to the City Manager and Executive Director of Legal Services and Corporation Counsel. | |
| 4.4 | The Establishing and Regulating By-Law (BFD-02-23) | 32 - 58 |
| | Note: this item has been withdrawn by staff. | |
| | Approve By-law XX-2023 attached as Appendix A to Burlington fire department report BFD-02-23 to establish and regulate the Fire Department for the Corporation of the City of Burlington and repeal By-law 90-2012. | |
| 4.5 | Amendment to 2023 Rates and Fees – Fire (BFD-03-23) | 59 - 61 |
| | Approve By-law XX-2023 attached as Appendix A to Burlington fire department report BFD-03-22, to amend Rates and Fees By-law 83-2022 to update the Fire Prevention and Fire Emergency Response Rates and Fees to reflect the Ministry of Transportation's 2023 apparatus rate. | |
| 4.6 | 2022 annual building permit revenues and expenses (BB-02-23) | 62 - 67 |
| | Receive and file building and by-law department report BB-02-23 providing related information for the 2022 annual building permit revenues and expenses. | |

5. Regular Items:

- 5.1 City of Burlington update to Coyote Response Strategy (BB-03-23) 68 - 86
- Receive and file building and by-law department report BB-03-23 and endorse the actions taken by the Director of Building and By-law to date related to the City's response to the implementation of a Coyote Action and Awareness Program; and
- Direct the Director of By-law Compliance to report back as required with any further updates on the program as well as additional future staffing and other resource requirements to support the City's Coyote Management Strategy.
- 5.2 Appointment of Hearing Officers (TS-10-23) 87 - 89
- Note: Appendix A will be circulated in an addendum the week of March 20.
- Approve By-law No. XX-2023, being the Screening and Hearing Officer By-law, substantially in the form attached as Appendix A to transportation services department report TS-10-23, in the form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and
- Approve Hearing Officer remuneration at the rate of \$500 per diem; and
- Authorize the Director of Transportation Services to execute service agreements/ contracts with each of the appointed Hearing Officers, and any extension thereto, with content satisfactory to the Director of Transportation Services and form satisfactory to the Executive Director of Legal Services and Corporation Counsel.
- 5.3 Park Provisioning Master Plan final report (ES-02-23) 90 - 226
- Receive and file the Park Provisioning Master Plan, listed as Appendix A in engineering services report ES-02-23, as the framework to guide the planning of future parks in the City of Burlington and satisfy Provincial legislative requirements (as amended by Bill 23) to have a park plan in place prior to passing an update to the Parkland Dedication Bylaw; and
- Approve the updated park classification system and authorize the Director of Engineering to report back to Council with an updated inventory of existing parks recategorized within the new classification system; and
- Approve the future parkland target service levels identified in Section 2.5 of the Parks Provisioning Master Plan, listed as Appendix A in engineering services report ES-02-23; and

Approve the parkland criteria, listed as Appendix B in engineering services report ES-02-23, as a support document to help guide the development community and staff in deciding which lands to obtain through parkland dedication; and

Direct the Executive Director of Legal Services and Corporation Counsel or designate to develop a proactive strategy to acquire park lands based on service levels set forth in the Park Provisioning Master Plan; and

Approve monitoring the City's parkland service levels and acquisition priorities as part of Multi-Year Community Investment Plan reporting and updates to the Vision to Focus; and

Direct the Director of Community Planning to conduct an exploration of a Community Planning Permit System as a tool to aid in the acquisition of infrastructure, parkland or monetary contribution, in exchange for offering a more streamline and transparent approval process within the Major Transit Station Area (MTSA) specific planning process; and

Direct the Director of Community Planning to begin work with land owners in the MTSA's or any area of the City subject to an area-specific planning process to guide future development and to identify specific City infrastructure needs.

5.4 Cootes to Escarpment EcoPark System Pilot Ecological Corridor Program update (ES-06-23) 227 - 233

Receive and file engineering services department report ES-06-23, Cootes to Escarpment EcoPark System Pilot Ecological Corridor Program update; and

Authorize the Executive Director of Environment, Infrastructure & Community Services to execute an agreement with Royal Botanical Gardens to recover funds for City projects under the Parks Canada EcoPark System Pilot Ecological Corridor Program, to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

5.5 Motion memo - Options for enhanced windrow clearing (CPRM-04-23) 234 - 235

Direct the Director of Roads, Parks and Forestry to explore costs and options for enhanced city wide windrow removal program, including:

- Revised cost and criteria in the existing Windrow Clearing Program
- Increase the program from the current maximum of 200 homes to minimum 500

- Other relevant options; and

Report to Environment Infrastructure & Community Services Committee with costs, options (including those ruled out) and any recommendations by Q3 2023 in advance of 2024 budget deliberations.

- 5.6 Motion memo - Development and implementation of a city-wide short-term accommodation (STA) compliance/licensing program (CPRM-03-23)

236 - 238

Direct the Executive Director of Community Planning Regulation and Mobility and the Director of By-Law Compliance to work with departmental and legal services staff to undertake a review by Q4 2023 of the framework/policy of zoning, business licensing and resourcing requirements for the development and implementation of a City-wide Short-Term Accommodation (STA) compliance/licensing program; and

Direct the City Manager and Chief Financial Officer to work with departmental and legal services staff to fund additional research on municipal leading practices and other supports as may be identified; and

Direct the Executive Director of Community Planning Regulation and Mobility and the Director of By-Law Compliance in the undertaking of the development of the STA by-law program, include the following elements:

- Research on leading GTHA and other municipal practices related to STA by-laws, regulations, compliance and licensing regimes;
- Establish a Community Task Force to assist in the development of options and recommendations for a ‘Made in Burlington’ STA by-law, compliance and licensing regime;
- Identify potential zoning requirements through Comprehensive Zoning By-law Review; and
- Identify any ongoing resource requirements in the multiyear 2024-2028 budget forecast; and

Direct the City Manager and Chief Financial Officer, in conjunction with the establishment of the governance structure of the new Innovation and Digital Transformation Reserve Fund, to identify as a 2023 workplan priority, the allocation of dedicated project funds towards advancing process change and technology improvement related to the STA regulation, compliance and licensing regime with any additional impacts to AMANDA and the administrative penalty system (APS); and

Subject to Council consideration and approval of the above, direct the Director of the By-law Compliance to integrate the above work into the

2023/24 workplan of the department based on a target date for implementation of Q3 2024 for the STA framework, and report back to Council with a prioritized list of Staff Directions that have been directed toward the department through the 2024 budget process.

- 5.7 Motion memo - Approval of Lakeside a la Carte expansion in 2023 (CPRM-05-23) 239 - 241

Direct the Director of Recreation, Community and Culture to amend the Events Listing for 2023 and approve the expansion to the annual Lakeside a la Carte Festival event.

- 5.8 Motion memo - Relocating of 2023 Food Truck Festival (CPRM-06-23) 242 - 244

Note: this item requires a 2/3 vote to waive rule 36.2 of the Procedure By-law to allow discussion of this item as it was not received by the required agenda deadline.

Direct the Director of Recreation, Community and Culture to work with the Food Truck Festival event organizer to find an alternative location to Spencer Smith Park for the 2023 Festival.

- 5.9 Motion memo - Kennel/pet boarding compliance & licensing regime (CPRM-02-23) 245 - 248

Note: this item requires a 2/3 vote to waive rule 36.2 of the Procedure By-law to allow discussion of this item as it was not received by the required agenda deadline.

Direct the Director of By-law Compliance to create a regulatory and licensing regime for kennel/pet-boarding facilities, and integrate the work into the 2023/24 workplan of the department to present necessary by-law amendments or a new by-law to Council in Q1 2024.

6. Confidential Items and Closed Session:

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

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

7. Rise and Report from Closed Session:

8. Procedural Motions:

9. Information Items:

10. Staff Remarks:

11. Committee Remarks:

12. Adjournment:



SUBJECT: Parks, Recreation and Cultural Assets Master Plan

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Recreation, Community and Culture

Report Number: RCC-03-23

Wards Affected: all

File Numbers: 901-02

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Recommendation:

Receive and file recreation, community and culture department report RCC-03-23 providing information on the Parks, Recreation and Cultural Assets Master Plan update.

PURPOSE:

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
- Support sustainable infrastructure and a resilient environment
- Building more citizen engagement, community health and culture

Background and Discussion:

2009 Parks, Recreation and Cultural Assets Master Plan

In December 2009, Council approved the Parks, Recreation and Cultural Assets Master Plan (PRCAMP), a document providing a 20-year strategic framework for the development and enhancement of parks, recreation and cultural facilities and services. The Plan has been used to guide city capital budgets, development charge studies, and overall, to enhance our services and meet the needs of our growing and changing community.

Excellent progress has been made in the implementation of the 2009 PRCAMP across all service areas including parks, sport, recreation, and culture. Some projects may have been slightly adjusted along the way in terms of scope, budget and timing as circumstances dictated, but by-and-large, most recommended projects were completed, and others are in progress. Notable projects completed over the last twelve years include:

Recreation Facilities

- ✓ Haber Community Centre
- ✓ Mountainside Recreation Centre Revitalization
- ✓ Angela Coughlan, Centennial and Aldershot Major Pool Renewals
- ✓ Nelson Outdoor Pool and Splash Park Re-Build
- ✓ Central Arena Renovations and Accessibility Upgrades
- ✓ Skyway Community Centre and Arena Re-Build (in progress)
- ✓ Mountainside Outdoor Pool Re-Build (in progress)
- ✓ New Community Centre (former Bateman H.S. – in progress)

Parks


- ✓ City View Park Development Phase 1
- ✓ Sherwood Forest Park Renewal Phase 1
- ✓ Norton Park and Alton Neighbourhood Park Developments
- ✓ Burloak Park Re-development (ongoing)
- ✓ Lowville Park Enhancements
- ✓ New Splash Pads, Skateparks, Leash Free Parks and Community Gardens
- ✓ Community Trails Strategy and Implementation
- ✓ Beachway Park Master Plan
- ✓ LaSalle Park Marina Wavebreak

Cultural Facilities

- ✓ New Haber Branch Library
- ✓ Appleby Branch Library Relocation to new Community Centre (former Bateman H.S. - in progress)
- ✓ Joseph Brant Museum Expansion
- ✓ Cultural Action Plan
- ✓ Public Art Initiatives

Strategy/process

Over the past year, staff have worked on the Parks Provisioning Master Plan which is now complete and tabled for Council’s consideration. The next important piece of work is the update of the 2009 PRCAMP. Both initiatives are critical in shaping the future of parks, recreation and cultural services. The table below explains the difference between the two master plans at a high level.



Initiative	Focus	Timeline
Parks Provisioning Master Plan (PPMP)	Parkland service level (land base needs). Goal to ensure adequate public greenspace for future generations.	Completed March 2023
PRCAMP Update	Determine long term needs for new recreational facilities as well as revitalization and enhancement of existing assets.	Q2 2023 to Q2 2024

The following sections of this report provide information about the scope and approach for the PRCAMP Update. Staff will ensure that the PRCAMP and PPMP are strategically aligned. Overall, the goal of the PRCAMP update is:

To provide a 20-30 year strategic framework for the development and enhancement of city parks, recreation and leisure services that will contribute to the health, well-being and quality of life for all citizens of Burlington. The plan will be driven by existing and forecasted data, influenced by community needs, and informed by industry leading best practices.

Strategic Context for the PRCAMP Update

The 2009 PRCAMP has guided the city well over the years, however, with the changing landscape of the city, it is timely to re-evaluate community needs and priorities for parks, recreation and cultural services for the next 20-30 years. The biggest change is the projected growth of the City through the intensification policies of the City and Regional Official Plans. Under these plans, the city will grow to over 260,000 by 2051. In comparison, the 2009 PRCAMP was based on a build out population of under 200,000 by 2031 as per the Region’s “Best Planning Estimates” at the time. This projected growth will have a significant impact on parks, recreation and cultural services.

Other strategic factors that will be considered as part of the PRCAMP Update include:

- Shifting demographics and a desire for an age friendly and inclusive community
- New trends and needs for recreation and leisure services
- Impacts of new provincial legislation on funding for recreation services
- Land availability for more facilities and services
- Optimizing the capacity and functionality of existing assets and resources
- Striving for accessible and affordable services
- Achieving a balanced array of recreational opportunities and services
- Financial pressure of maintaining existing assets while planning for new facilities
- Changing attitudes on recreation participation due to pandemic and economic factors
- Exploring partnerships and available community resources to meet community recreational needs
- Establishing appropriate and achievable service levels to meet community needs and expectations
- Assessing the involvement of the private sector in recreation service delivery
- Alignment to other corporate policies and plans including the Framework for Community Recreation, Parks Provisioning Master Plan, Urban Forest Master Plan, Integrated Mobility Plan, Climate Action Plan, Asset Management Plan, Cycling Master Plan, Community Trails Strategy, Vision to Focus.
- Provision of services in the Aldershot, Burlington and Appleby Major Transit Station Areas (MTSA's). These new compact urban communities will account for a large portion of the city's overall growth and will require creative new ways of integrating meaningful and accessible recreational services for residents and employees. Convenient access to high quality local parks and diverse recreational opportunities is a key attribute of the "complete and healthy community" concept which is our vision for the MTSA's. This will be a significant focus for the PRCAMP Update.

PRCAMP Scope

The PRCAMP Update will determine the need for new city recreation and leisure facilities as well as revitalization of existing assets for a 20-30 year period. The facility types that will be reviewed as part of the master plan study are listed in the table below, however other needs may be identified.

Indoor Facilities	Outdoor Facilities
<p>Recreation:</p> <ul style="list-style-type: none"> ▪ Arenas/Ice Pads ▪ Indoor Pools ▪ Multi-Use Community Centres (gymnasiums and multi-purpose rooms) ▪ Age-Specific Program Centres (Seniors and Youth Centres) <p>Culture:</p> <ul style="list-style-type: none"> ▪ Smaller Cultural Program Centres (Music Centre, Student Theatre) ▪ Integrated cultural components & uses within multi-use community centres 	<p>Parks:</p> <ul style="list-style-type: none"> ▪ Sports Fields ▪ Playgrounds ▪ Tennis Courts ▪ Pickleball Courts ▪ Basketball/Multi-Purpose Courts ▪ Skate Parks (major and minor) ▪ Splash Pads (major and minor) ▪ Outdoor Pools ▪ Outdoor Skating ▪ Leash Free Dog Parks ▪ Community Gardens ▪ Bocce ▪ Disc/Frisbee Sports ▪ Fitness Equipment ▪ Park Amenities (water fountains, shade, seating, washrooms, and park lighting) ▪ Event/Festival spaces ▪ Casual open spaces ▪ Other emerging needs (Cricket)
Types of Recommendations	
<ul style="list-style-type: none"> ▪ Service Level Targets (e.g., 1 ice pad per x thousand residents) ▪ New Facility Needs (location, timing, cost, prioritization) ▪ Major Renewal/Revitalization/Expansion (timing, cost, prioritization) ▪ Facility Re-Purposing (timing, cost, prioritization) ▪ Partnership Initiatives ▪ Facility Consolidations (e.g., arena twinning, library/community centre mergers) ▪ Facility Leases ▪ Leveraging available community resources and assets ▪ Strategic Acquisitions (land and facilities) ▪ New policies, strategies, and standards 	

While the PRCAMP Update will be a comprehensive study, there are a number of items that will be out of scope since these items have their own focused planning and business processes.

Out of Scope:

- × Routine life cycle renewal (e.g., flooring, roof, mechanical components).
- × Trails – Community Trails Strategy will be refreshed in 2025.
- × Cycling – Cycling Master Plan recently approved.
- × Major Cultural Venues – The city is well served in this area through significant investments over the past 10-15 years.
- × Municipal Golf Course – Subject to specific business reviews
- × Heritage Buildings – E.g., LaSalle Pavilion, Paletta Mansion. Require focused business reviews.
- × Joint Ventures – These community driven initiatives accommodate specialized recreational interests and programming, over and above the City's typical service provisions. Joint Venture initiatives are evaluated on a case-by-case basis. The City will be undertaking a broad governance accountability review of city-affiliated service organizations including Joint Ventures (JV) and Agencies, Boards and Commissions (ABC).

PRCAMP Work Plan

The following table provides a high level workplan for the PRCAMP Update.

Phase	Work Activities
Project Planning Q1 2023	<ul style="list-style-type: none"> ○ Data collection ○ Project Structure – Steering Committee, Project Team ○ RFP – Hire Planning Consultant
Situation Analysis Q2 2023	<ul style="list-style-type: none"> ○ Review relevant policies and plans ○ Review current levels of service and benchmark with other municipalities ○ Assess non-municipal recreation services in the city ○ Assess functionality, capacity and utilization of existing city facilities ○ Review current demographic profile ○ Review development and population growth forecasts ○ Review trends in recreation and leisure participation and facility development ○ Understand partnership models that support service delivery

Phase	Work Activities
Community Engagement Q3 to Q4 2023	<ul style="list-style-type: none"> ○ Community and user group surveys ○ Stakeholder focus groups ○ Public Information Centres ○ Council interviews, workshop ○ Identification of key findings and strategic themes
Plan Development Q4 2023 to Q2 2024	<ul style="list-style-type: none"> ○ Develop recommendations and strategies ○ Internal review and consultation ○ Prepare reports ○ Opportunity for public review and comment ○ Seek Council approval

As a head start to this project, work has already started on various tasks in the Situation Analysis Phase including data collection and an analysis of current service levels, capacity, utilization, and distribution of existing recreational assets.

Next Steps

Staff are in the process of retaining a multi-disciplinary consulting team to lead this project. The award of the contract is anticipated in early April. All data and background research work completed to date will be handed over to the new consultant.

Options Considered

N/A

Financial Matters:

Total Financial Impact

The PRCAMP Update will determine the need for new city recreation and leisure facilities and revitalization of existing facilities to continue to reflect the community programming needs over a long-term horizon of 20-30 years. The PRCAMP will come forward in 2024 with a prioritization of capital needs, associated costing, and timing. Staff will be reporting back on the City's multi-year community investment plan (MCIP) in Q4 2023 to include completed master plans to date (PPMP, Integrated Mobility Plan, Fire Master Plan, Transit Master Plan), and overview of funding options resulting from BMA Health report, Bill 23 Impact Analysis, new park dedication by-law, CBC and DC updates, etc. The MCIP will provide a preliminary financing strategy to assist in meeting

the objectives of the master plans completed to date and will set the stage for financing future master plans, such as the PRCAMP which is scheduled for completion in 2024. The MCIP will continue to be refined to encompass changes to investment opportunities subject to completion of master plans, funding opportunities and city priorities.

Source of Funding

The PRCAMP Update has an approved budget of \$200,000 in capital account PR0205 (Parks and Open Space). Most of the budget will be used for consultant fees. Other minor expenses include advertising, mail-outs, printing, and meeting expenses.

Other Resource Impacts

The master plan will involve staff from many Departments on various committees and teams including:

- Recreation, Community and Culture (*Lead Department)
- Engineering Services (Parks Design and Construction, Asset Planning, Geomatics)
- Finance
- Roads, Parks and Forestry
- Corporate Communications and Engagement
- Community Planning

Climate Implications

The impacts of climate change will be considered carefully as part of the PRCAMP Update. New weather patterns are certainly affecting recreational services including more rain and extreme storms, heat waves, higher UV index, and milder winters. The need for more shade and shelters, water fountains, water play features to cool off, better field drainage, more reliable playing surfaces like artificial turf, and refrigerated outdoor skating surfaces are potential responses to climate change.

Of course, the PRCAMP will align with the Council approved Climate Action Plan and our commitment to reducing our carbon footprint by building more efficient - low carbon buildings, using renewable energy, accommodating electric powered vehicles and equipment, improving recycling practices, reducing the use of paper for promotional material and other strategies and practices.

Finally, the protection and enhancement of green spaces and vegetation is also critical in reducing the urban heat island effect, slowing stormwater runoff and erosion, improving air quality, supporting local biodiversity and urban wildlife. All of these

important environmental considerations will be taken into account as part of the PRCAMP Update.

Engagement Matters:

A robust community engagement program will be implemented to get the broadest community perspectives on sport, recreation and cultural service needs. The engagement program will be finalized once the successful consultant is selected. A communication plan will be developed to support the engagement program and ensure a high level of community awareness of the master plan initiative and opportunities for getting involved. The consultant and staff will work closely together to ensure that the engagement program is convenient and accessible, provides fair and balanced representation of community needs and interests and carefully manages community expectations. Council will be made aware of all community engagement opportunities before the public is notified. The PRCAMP community engagement will also help to inform the programmatic direction, use and functional design of the former Bateman H.S. Community Centre, and ensure that it aligns with broader community needs for recreation, arts and cultural programs and services.

Conclusion:

A comprehensive review and update of the 2009 Parks, Recreation and Cultural Assets Master Plan is getting underway. The master plan will provide a 20-30 year strategic framework for the development and enhancement of parks, recreation and cultural facilities. An RFP is being conducted to select a qualified consultant. This report provides general information on the scope and methodology for the PRCAMP Update. Once completed, the updated master plan will inform our multi-year community investment plan, future capital budgets and development charge reviews. Ultimately, the master plan is a document that aspires towards a healthy, active and vibrant community for the future.

Respectfully submitted,

Jim Seferiades

Recreation Planner

(905) 335-7600 ext. 7785

Report Approval:

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



SUBJECT: Emerald Ash Borer Management Plan update

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Roads, Parks and Forestry Department

Report Number: **RPF-03-23**

Wards Affected: All

File Numbers: 820-01

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Recommendation:

Receive and file the roads, parks, and forestry department report RPF-03-23, providing and update to the emerald ash borer management plan.

PURPOSE:

The purpose of this report is to provide an update as to the status of the council approved 10-year management program for emerald ash borer (EAB) infested trees and to provide a high-level overview of how the program will be administered to 2024.

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
- Support sustainable infrastructure and a resilient environment
- Building more citizen engagement, community health and culture

Background and Discussion:

City staff have been actively engaged in planning and management of Emerald Ash Borer (EAB) since 2009, as the invasive pest continues to create devastating forestry losses of hundreds of millions of trees to date throughout Ontario, Quebec, and the United States.

Ash trees play a significant role in the hydrological mitigation in lowland swamp environments and their dieback has already affected water retention, storm water

management, and erosion. Furthermore, woodlot areas that have lost the majority of their canopy due to EAB, are now facing a follow up invasive threat – European buckthorn, a thick growing shrub introduced from Europe that outcompetes native understory vegetation (such as the endangered flowering dogwood) and creates a dense thicket that prevents the growth of native tree species. The additional impact comes in the loss of biodiversity in the face of new invasive species threats. With the removal of 5 different species from the urban forest, planting options are decreased, and the cost of similar invasive species catastrophes in the future is that much greater.

The city's management program is currently in its thirteenth (13th) year (year 9 of the council approved EAB management plan). As part of the Council approved program, an annual operating budget of \$861,000 (funded from the tax base), has been committed to manage the removal, treatment, stumping, and replacement tree planting along roadways and manicured parks within the urban boundary. This program is expected to conclude at the end of 2024. Management of ash trees within the rural right of way, naturalized areas and woodlots were not within the scope of the original management plan. However, hazard trees that have been identified along the rural right of way, and in naturalized areas that are adjacent to managed trails and property boundaries have been removed to mitigate risk as they have been identified.

Forestry staff identified peak infestation of the pest and subsequent tree decline within 2019 and continuing into 2020. Consequently, and in the interest of risk mitigation, the majority of funds have been prioritized to tree removal over replacement planting up to 2023. The program focus for 2023 and 2024 will be on stump removal and replacement tree planting.

The Forestry section has a commitment to replace each removed tree on a one-to-one basis and will achieve this goal by the conclusion of the program in 2024.

Key program successes to date include:

- At year-end 2022, approximately 10,500 ash trees have been removed from urban streets and parks. Another 2,300 have been removed in woodlots which was unplanned and unbudgeted. The remaining street side and park ash tree removals will be completed by end of 2023 (less than 150).
- At year-end 2022, approximately 8,600 trees have been replanted as part of the EAB program. Their survival and complete replacement will not be considered a success until 5 years after planting. Ongoing maintenance to support their establishment is therefore required.
- All stumps from trees removed between 2014 – 2021 have been removed.
- The removal of EAB infested ash trees within the rural north road allowances on an as-needed basis (not budgeted for and outside of the original project scope).

Infested ash trees are sometimes brought to the attention of staff through Service Requests and are addressed on a case-by-case basis.

- Removal of 118 hazardous ash trees in Duncaster woodlot and 42 trees in Shoreacres woodlot were completed in 2021 and 2022 (not budgeted for and outside of original project scope).
- Annual injection of 85 ash trees with trunk injected pesticide Treeazin. Trees are inspected annually to ensure they remain viable for treatment. This injection program is proposed to be maintained beyond 2024 with an associated operating budget. The average size of treated trees is 67cm DBH – these are large specimens well worth maintaining as long as possible, due to the ecological and aesthetic value they provide residents and the role they play in the urban forest.

EAB Program at a Glance:

	<u>2014-2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>Total Quantity</u>
Injections¹	5668	230	225	214	87	87	83	6593
Removals (Urban Street & Park)²	7918	727	926	833	208	235	0	10847
Removals (Woodlots)	1731	0	173	417	151	0	0	2472
Stumping (# of Trees)	4570	914	1020	600	927	311	96	8438
Planting (EAB)	2888	1247	0	550	756	1354	1801	8596
Planting (Non-EAB Budget)				563	563	563	563	2252

1) Quantities from 2014-2018 are approximate

2) Quantities do not include rural removals

Key program plans to 2024:

- Major stumping backlog for both EAB and non-EAB stumps have been eliminated to year end 2021. Stumps of removed trees from 2022 and 2023 to be removed by Q1 2024.
- 3,100 replacement trees are scheduled to be planted by 2024 under the EAB program budget.
- 1,100 replacement trees are scheduled to be planted by 2024 with costs re-allocated from the annual operating forestry budget for annual tree planting operations.

Key Program Liabilities:

- Total program costs have significantly increased as a result of market and inflationary pressures. To compare 2019 rates to 2023 rates, costs for tree removal have increased on average from \$8/cm to \$13/cm (63% increase). Stumping costs have increased from \$2.50/cm to \$4.30/cm (72% increase). This has impacted the ability to maintain program goals, specifically replacement tree planting on a 1:1 ratio.
- Increased program costs have resulted in a shortfall of approximately 2,200 replacement trees (\$880,000). In order to maintain the 1:1 removal to replacement ratio per the original EAB management plan, and to ensure program timeframes remain on track, it is proposed that the budget shortfall be reallocated from Forestry's annual tree planting budget (approximately 550 trees per year from 2021 to 2024).
- In 2022, consulting arborists were contracted to support the administration of the EAB program because of staffing shortages. These were one time temporary staffing/consultant costs related to the 2022 fiscal year and partially offset through savings from vacant positions.
- Management of ash trees in naturalized areas and woodlots have been completed on a case-by-case basis as they are brought to the attention of Forestry staff. This work was out of scope of the original management plan but are addressed due to safety and risks to property. Initial field assessments from the Woodlot Management Strategy have identified approximately 750+ moderate to large sized ash in woodlots along property lines, however detailed risk assessments will be undertaken in 2024/2025 to confirm the extent of removals necessary. It should be noted that reforestation of disturbed areas is not part of the original program scope.
- Private encroachment onto public property has further complicated property line woodlot ash removals. This has led to two additional challenges:
 - 1) In some instances, trees that would have normally been able to fall into a naturalized environment need to be removed as they're adjacent to a private asset;
 - 2) Access to hazard trees is blocked, requiring more technical removals, such as the use of cranes, subsequently increasing removal costs.Either of these instances delays the removal process, increases program costs, and increases the risk of ash failures into private rear yards.

Future Considerations:

- Several significant invasive species pose a threat to the City's Urban Forest: Sudden Oak Wilt (fungal; Detroit); Asian Long Horned Beetle (wood boring

insect; New York); Spotted Lanternfly (defoliating insect; Pennsylvania); and Hemlock wooly adelgid (insect; confirmed in Ontario). These pests and pathogens present significant risks to the long-term health of the urban forest. Without adequate monitoring to prevent and provide warning, these pests could impact the municipality in much the same way as EAB. Estimates of their canopy impact could exceed 5 million dollars for each pest.

- Following the completion of the EAB management program in 2024 it is recommended that the existing funding be permanently reallocated to support the administration of other Forestry programs within both Forestry Operations and Forest Planning & Health. Additional information to support this recommendation will be forthcoming through the completion of the 20-year Urban Forest Master Plan update in Q4 2023.

Strategy/process

The administration of the EAB Management Plan is part of a ten-year council approved program. Staff conduct annual inspections of ash trees in the interest of risk mitigation.

Options Considered

Not applicable

Financial Matters:

Total Financial Impact

The remaining EAB management plan program costs from 2023 to 2024 (2 years) are \$1,722,000, with \$861,000 budgeted annually within the current Forestry operating budget.

Source of Funding

The source of funding for this program is through the general tax base.

Other Resource Impacts

Not applicable.

Climate Implications

The climate implications of invasive species are long-lasting and far-reaching. One of the greatest challenges posed by EAB is the long-term effect on the urban tree canopy,

native biodiversity, and the extirpation of 5 species of trees and one entire genus. This is an ecological calamity and a contributing factor to the current climate emergency.

Given that trees play a significant role in mitigating climate change, and the ecological importance of managing the loss of mature ash in woodlots, the efficient replacement of trees through replanting and establishment programs is the single most effective way to address the climate impact of this invasive species catastrophe.

Engagement Matters:

Typically, public engagement around emerald ash borer has been based in communication around treatment of EAB infected trees, removal of street-side trees based on health and dieback, and at community planting events such as Burlington Green spring plantings.

The loss of mature ash canopies has provided an opportunity to engage residents and educate them firsthand on the effects of invasive species, and the importance of biodiversity. Forestry staff continue to engage with residents to teach them about our canopy enhancement programs, forest health risks, and common challenges when managing an urban forest.

Conclusion:

EAB is a devastating invasive species that affects not only the environment, but also adds to risk management concerns throughout the municipality. The Forestry section continues to mitigate the risk of dead and dying ash trees by prioritizing their removal, as well as planning for replacement trees over the ten-year council approved management plan.

Respectfully submitted,

Kyle McLoughlin, BA BCMA
Supervisor of Forest Planning and Health
905-335-7777 x6145

Steve Robinson, BCMA OALA
Manager, Urban Forestry / City Arborist
905-335-7777 x6167

Report Approval:

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



SUBJECT: Automatic Aid Agreement with the City of Hamilton with the City of Hamilton

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Karen Roche, Fire Chief

Report Number: BFD-04-23

Wards Affected: All

File Numbers:

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Recommendation:

Authorize the City of Burlington to enter into an agreement with the City of Hamilton for the mutual provision of emergency services assistance; and

Authorize the Mayor and City Clerk to executive all such agreements in a form that is satisfactory to the City Manager and Executive Director of Legal Services and Corporation Counsel.

Background and Discussion:

The proposed agreement permits the municipalities to call on the aid of others where and when required. Emergency Assistance Agreements (previously known as Mutual Aid Agreements) generally are agreements where, at the request of the municipality requesting assistance, the adjacent municipality will respond to assist. The benefits to this are self-evident and are reciprocal in nature.

Routine Assistance Agreements (previously known as Automatic Aid Agreements) are recommended in certain specific circumstances where due to geographic location or access to roadways, the Fire Department of an adjacent municipality (or our own) is in a position to respond more rapidly than the Fire Department of the jurisdiction from which the emergency call has originated.

In these cases, both departments will respond to the call. The first arriving Fire Department will immediately render assistance until the Fire Department having jurisdiction arrives and takes over the operations.

Council should be aware that there exist long-term examples of such agreements between communities i.e. the Burlington Skyway Bridge has been utilizing resources from both Hamilton and Burlington for decades.

The Municipal Act, SO 2001, c.25 Section 20 (1) provides that a municipality may enter into an agreement with one or more municipalities or local bodies, as defined in section 19, or a combination of both to jointly provide, for their joint benefit, any matter which all of them have power to provide within their own boundaries.

The Fire Protection and Prevention Act, S.O. 1997, Chapter 4 (hereinafter called the “FPPA”) authorizes a municipality to enter into an automatic aid agreement with other municipalities as defined under Section 1 (4) of the Act to provide or receive the initial or supplemental response to fires, rescues and emergencies.

Budget Implications:

There are no budget implications as this is a continuation of services provided through the existing agreement.

Vision to Focus Alignment:

- Support sustainable infrastructure and a resilient environment.
- Deliver customer centric services with a focus on efficiency and technology transformation.

Financial Matters:

Total Financial Impact

N/A

Source of Funding

N/A

Other Resource Impacts

N/A

Climate Implications:

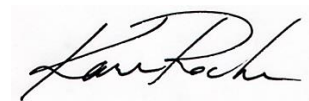
Climate change has resulted in hotter summers, increased risk from flooding and increased risk to wind and ice storms. Part of the city's adaptation strategy is emergency preparedness and response within the urban and rural areas. This agreement with the City of Hamilton Fire Department further supports the ability to receive additional emergency assistance when it is needed.

Engagement Matters: N/A

Conclusion:

The proposed agreement makes efficient use of Fire Department resources for the protection of the public in and around the City of Burlington.

Respectfully submitted,



Karen Roche

Fire Chief

905-333-0772 ext. 6205

Appendices:

Appendix A: Automatic Aid Agreement with the City of Hamilton.

Report Approval:

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

FIRE SERVICES AUTOMATIC AID AGREEMENT

THIS AGREEMENT made this _____ day of _____ 2023,

BETWEEN:

THE CORPORATION OF THE CITY OF BURLINGTON
(the "Corporation") hereinafter called "The Burlington Fire
Department" or "BFD".

AND:

THE CITY OF HAMILTON (the "City")
hereinafter called "The Hamilton Fire Department" or "HFD".

WHEREAS this agreement shall rescind "The Automatic Aid / Reciprocal / Mutual Aid Agreement" dated March 17, 2003, between the City of Burlington Fire Department and the City of Hamilton Fire Department.

WHEREAS Section 20(1) of the *Municipal Act*, SO 2001, c.25 (hereinafter called the "**Municipal Act**") provides that a municipality may enter into an agreement with one or more municipalities or local bodies, as defined in section 19, or a combination of both to jointly provide, for their joint benefit, any matter which all of them have power to provide within their own boundaries;

AND WHEREAS Section 2 (6) of the *Fire Protection and Prevention Act*, S.O. 1997, Chapter 4 (hereinafter called the "**FPPA**") authorizes a municipality to enter into an automatic aid agreement with other municipalities as defined under Section 1 (4) of the Act to provide or receive the initial or supplemental response to fire, rescues and emergencies;

AND WHEREAS The City of Burlington through its Fire Department Establishing, and Regulating By-law has delegated the authority to the Fire Chief to enter into agreements that have the potential to benefit the community;

NOW THEREFORE, in consideration of the mutual covenants, conditions and considerations herein contained, the Council of the City of Burlington through its designate and the Council of the City of Hamilton mutually agree as follows:

INTRODUCTION

This Fire Services Automatic Aid Agreement (hereinafter called the “Agreement”) is intended to provide limited fire protection services effectively, efficiently, and safely through a cooperative and flexible approach to the residents of both municipalities. Ultimately, the purpose of this agreement is to improve the level of public safety to both municipalities.

DEFINITIONS – In this Agreement;

“Agreement” means this Agreement and the attached Schedules, as amended from time to time;

“Assisting Municipality” means the city or region providing aid or Routine or Emergency Assistance under this Agreement;

“Automatic Aid” – means a program designed to provide/receive assistance from the closest available fire department on a day-to- day basis.

Council – means the duly elected members of the council of each municipality that is a party to this Agreement.

Defined Services - means the agreed emergency response from either agency to confirmed or unconfirmed structure fires, or any emergency incident that requires additional support and response.

“Emergency” means situation or an impending situation,

- (i) caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life, health, property or the environment; or
- (ii) a demand for Fire Services that,
 - (I) exceeds the existing capacity of a party; or
 - (II) arises were the Fire service resources of a party have been exhausted or depleted;

“Fire” includes a blaze, spontaneous combustion, natural or manmade conflagration, gas or chemical leakage or an explosion, and any other incident or situation to which a fire department would normally respond;

“Fire Chief” – means the one person appointed as fire chief by by-law for each respective municipality.

“Fire Department” – means the fire department of each municipality participating in this Agreement.

“Fire Protection Services” – means the entire range of services provided by a fire department and includes emergency response, training, fire prevention, and administrative support services.

“Incident Command” – means a common system employed by the fire service in Ontario to manage fires or other emergencies in order to safely, efficiently and effectively mitigate an incident.

“Initial Arriving Officer” – means the individual in charge of the initially arriving fire department apparatus who serves as a supervisor within the meaning of the Occupational Health and Safety Act.

“Major Fire or Emergency” – means a situation that constitutes a danger of major proportions to life or property and that may cause the Declaration of an Emergency under the Emergency Management and Civil Protection Act, or any fire services Mutual Aid Plan.

AGREEMENT PROVISIONS

1. The City of Burlington (Burlington Fire Department) may assist in providing fire suppression services to geographic portions of the City of Hamilton as described in Appendix “A” (Service Areas) attached hereto under the provisions of this Agreement.
2. Similarly, the City of Hamilton (Hamilton Fire Department) may assist in providing fire suppression services to geographic portions of the City of Burlington as described in Appendix “A” (Service Areas) attached hereto under the provisions of this Agreement.
3. This Agreement is for the provision of Defined Services and does not provide for the response to any other type of emergency.
4. Upon receipt of an incident which constitutes a Defined Service within the meaning of this Agreement, and immediately following the dispatch of the fire apparatus, the Fire Department having jurisdiction over the property, will - through its communications service provider - immediately notify the communications service provider of the other Fire Department to request an Automatic Aid response to the service area (**see Appendix A**). Each Fire Department will respond to the incident in accordance with the provisions of their joint operational procedures which may be updated as necessary from time to time as mutually agreed to by the Fire Chiefs of each respective municipality.

5. Both Fire Departments will respond to incidents (Defined Service) within the service area in a simultaneous manner and upon the arrival of the first apparatus, the initial arriving officer will establish "Incident Command" in accordance with established practices.
6. Each Fire Department is responsible for providing all other fire protection services to the areas of their respective municipalities (i.e. – inspection services, responses to medical incidents, automobile collisions etc.).
7. Each municipality recognizes that its Fire Department obligations are to its own ratepayers firstly, the Regional Mutual Aid Plan secondly, and this Agreement thirdly, and that this Agreement is subject to these overriding obligations.
8. Each municipality will indemnify and save harmless the other, including its officers and staff from any claim suffered or costs incurred as a result of fulfilling or attempting to fulfil its obligations under this Agreement except for those which are as a result of deliberate acts or negligence for which it/they are responsible for at law.
9. This Agreement shall continue from year to year until terminated or amended.
10. Either party may amend this Agreement by giving to the other 90 days written notice at any time to a duly authorized representative of either party to this agreement.
11. In this Agreement nothing gives rise to an employment relationship between the parties in respect of either party's participation or contribution to this Agreement. The parties hereto expressly acknowledge that they are independent, and any agency, partnership or employer – employee relationship is not intended or created by this Agreement.

INSURANCE

1. During the term of this Agreement, each Party shall obtain and maintain in full force and effect, **Commercial General Liability Insurance** issued by an insurance company authorized by law to carry on business in the Province of Ontario, providing for, without limitation, coverage for personal injury, public liability and property damage. Such policy shall:
 - i. Have inclusive limits of not less than Ten Million Dollars (\$10,000,000) for injury, loss or damage resulting from any one occurrence;
 - ii. Contain a cross-liability clause endorsement and severability of interests clause endorsement of standard wording;
 - iii. Name the other Party as an additional insured with respect to any claim

- arising out of the assisted municipality's obligations under this Agreement or the assisting municipality's provision of personnel, services, equipment or material pursuant to this Agreement; and
- iv. Include a Non-Owned Automobile endorsement of not less than Ten Million Dollars (\$10,000,000).
2. During the term of this Agreement, each Party shall obtain and maintain in full force and effect, **automobile liability insurance** of not less than Ten Million Dollars (\$10,000,000.00) for injury, loss or damage resulting from any one occurrence and **pollution liability insurance** of not less than Five Million Dollars (\$5,000,000).
 3. Upon request of the other Party, provide proof of insurance if so required in a form satisfactory to the other Party.

INDEMNIFICATION AND LIABILITY

Except as otherwise provided herein, each Party shall indemnify, save and hold harmless the other Party, the directors, officers, employees and agents of the other Party from all liabilities, damages, losses, claims, suits, judgments, costs, and expenses, including reasonable attorneys' fees and expenses, directly or indirectly, incurred by the other Party as the result of any third party claims that arise out of or in connection with the performance or failure of performance of the indemnifying Party's obligations hereunder, or any personnel, equipment, tools, materials or supplies received from or given, supplied or provided by the indemnifying Party pursuant to this Agreement.

Each Party waives and hereby releases all claims against the other Party for compensation for any loss or damage to persons or property, including personal injury, or death, occurring as a consequence of the performance of this Agreement by the other Party, or the provision of any personnel, equipment, tools, materials or supplies given, supplied or provided by the other Party in response to a request for assistance.

Notwithstanding anything herein contained, no liability shall attach or accrue to either Party for failing to supply each other on any occasion, or occasions, any of the Fire Protection Services provided for in the Agreement.

WSIB

This Agreement does not constitute the assisted fire department as the employer of any firefighter of a responding fire department. Any workers compensation claims by any firefighters of a supplying department arising out of or related to an Automatic Aid Response, shall be the responsibility of the supplying department and the Party who controls such supplying department, and made under that supplying department's policies and relevant provincial legislation.

NOTICE

Any notice or written consent required to be given by either party to the other shall be mailed, delivered or sent by facsimile and or email transmission to:

The City of Burlington Fire Department

1255 Fairview Street
Burlington, Ontario L7S 1Y3
c/o Fire Chief

The City of Hamilton Fire Department

1227 Stone Church Road East,
Hamilton, Ontario L8W 2C6
c/o Fire Chief

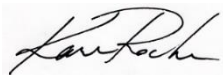
TERMS

In the event that any covenant, provision or term of this Agreement should at any time be held by any competent tribunal void or unenforceable, then the Agreement shall not fail but the covenant, provision or term shall be deemed to be severable from the remainder of the Agreement which shall remain in full force and effect mutates mutandis.

In the event that a dispute arises between the parties as to their respective rights and obligations under this agreement, the representative Fire Chiefs shall use their best efforts to resolve the dispute within fourteen (14) business days of the dispute arising. If the representatives of the disputing parties are unable to resolve the dispute through good faith negotiations within fourteen (14) business days, the matter shall be determined by alternate dispute resolution which may include mediation.

IN WITNESS WHEREOF the Corporation of the City of Burlington and the City of Hamilton have hereunto affixed the signatures of their respective representatives.

for the City of Burlington



Karen Roche
Fire Chief

for the City of Hamilton

Dave Cunliffe
Fire Chief

APPENDIX “A”

A response by either Fire Department into the jurisdiction of the other as provided in this agreement will include standard structural fire response as defined by the Fire Department providing the Automatic Aid Response subject to normal service exigencies including the potential limitation of services owing to simultaneous emergencies, staffing limitations, inclement/severe weather conditions, roadway obstructions, or other unforeseen circumstances. Each jurisdiction will commit applicable resources based on their respective incident-type response plan(s), unless otherwise specified will include the following:

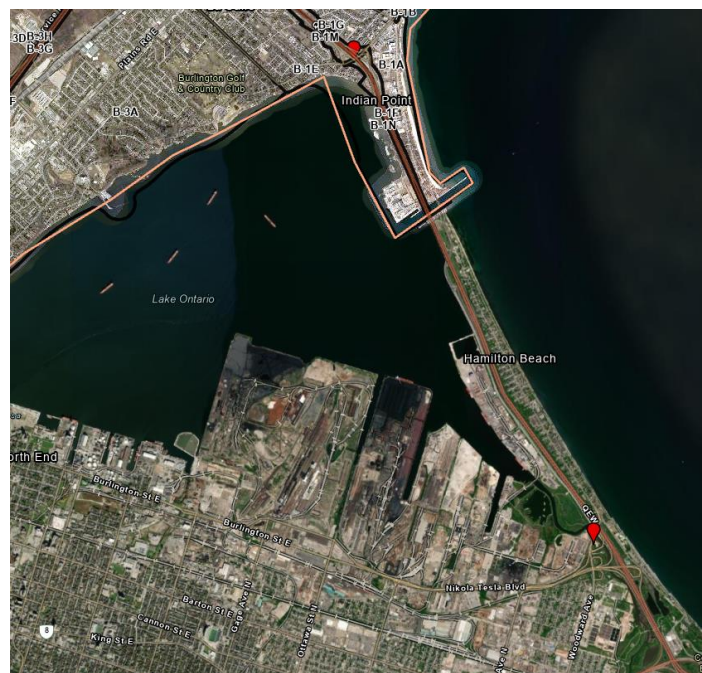
1. The Fire Department having jurisdiction over the impacted property/address (service area), will through its communications dispatch center - immediately notify the communications service dispatch center of the Hamilton Fire Department to request an Automatic Aid response to the service area.
2. Incident Command will be established in accordance with accepted practise by the initial arriving officer regardless of their station of origin.
3. Where this is a member of the Department providing a response into the adjoining jurisdiction, “Command” will be transferred to the first arriving officer from the Fire Department having jurisdiction at the earliest opportunity following a face-to-face briefing. Personnel operating at the incident will always remain under the supervision of their own supervisors operating within the Incident Command system at all times.
4. The first arriving apparatus, regardless of station of origin will develop an “Initial Action Plan” based on the following priorities where conditions permit: rescue, exposure protection, fire control/extinguishment, the establishment of a reliable water supply or water shuttle operation using the appropriate sector designations.
5. The apparatus and personnel from the adjoining municipality who are engaged in response or operations will be released in a timely fashion (generally within the first hour) by the Incident Commander after a full assessment of incident needs. Fire Department apparatus and/or staff are subject to recall by the “home” Fire Department Fire Chief or their designate at any time a major fire or emergency occurs in their own community.

6. Any fire cause determination effort and any administrative duties remain the responsibility of the Fire Department having jurisdiction over the subject property.

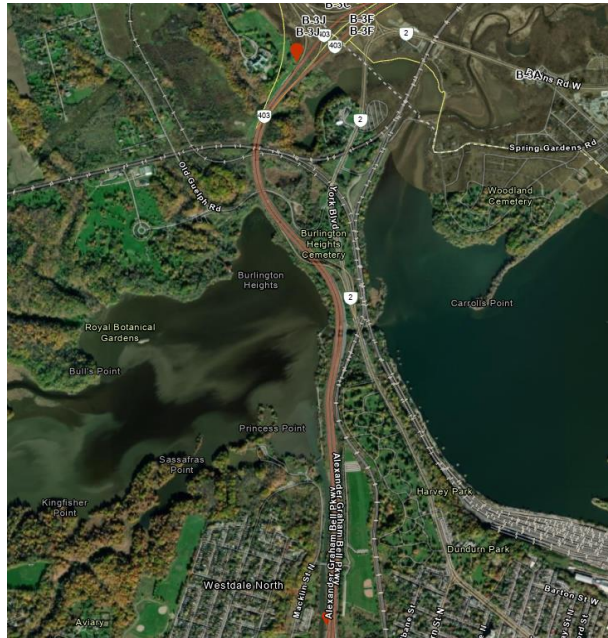
The following identifies the geographic areas that the Burlington Fire Department (BFD) and the Hamilton Fire Department (HFD) agree to jointly/simultaneously attend in response to (emergency) calls for service under the formal Automatic Aid Agreement.

Each jurisdiction will commit applicable resources based on their respective incident-type response plan(s), unless otherwise specified:

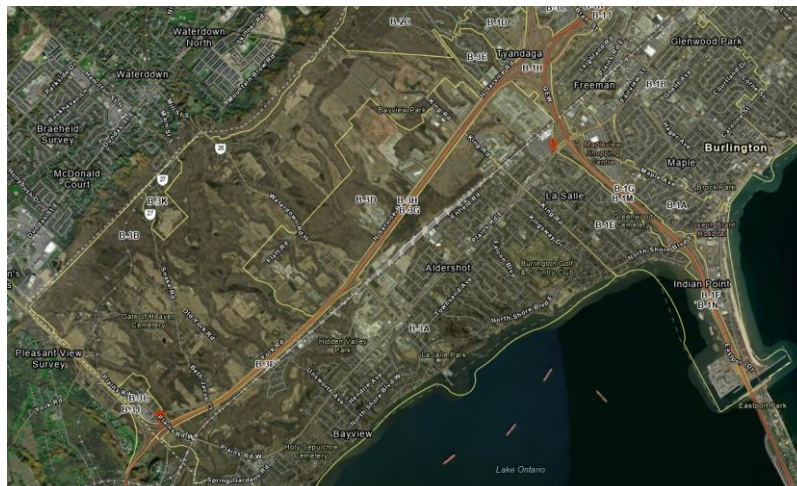
1. **Skyway Bridge:** Both the BFD and the HFD will respond to all incidents (north and south-bound) on the Skyway Bridge, with the BFD responding on the QEW south-bound as far as the Woodward Avenue cut off and the HFD responding on the QEW north-bound as far as the Northshore Boulevard exit. The first on-scene apparatus will assume command of the incident and determine resource requirements.



- 2. Highway #403 (Westbound) Hwy. #6 to the Main Street East Exit:** Both the BFD and the HFD will respond to all incidents. The first on-scene apparatus will assume command of the incident and determine resource requirements.



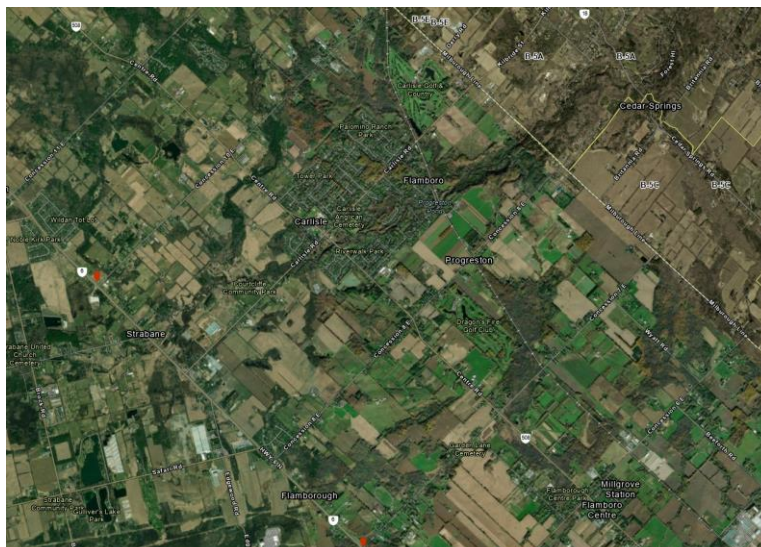
- 3. Highway #403 (Eastbound) Hwy. #6 to the QEW Niagara Cut-off:** Both the BFD and the HFD will respond to all incidents. The first on-scene apparatus will assume command of the incident and determine resource requirements.



4. **Highway #6 (from Hwy. #403 to Hwy. # 5):** Both the BFD and the HFD will respond to all incidents. The first on-scene apparatus will assume command of the incident and determine resource requirements.



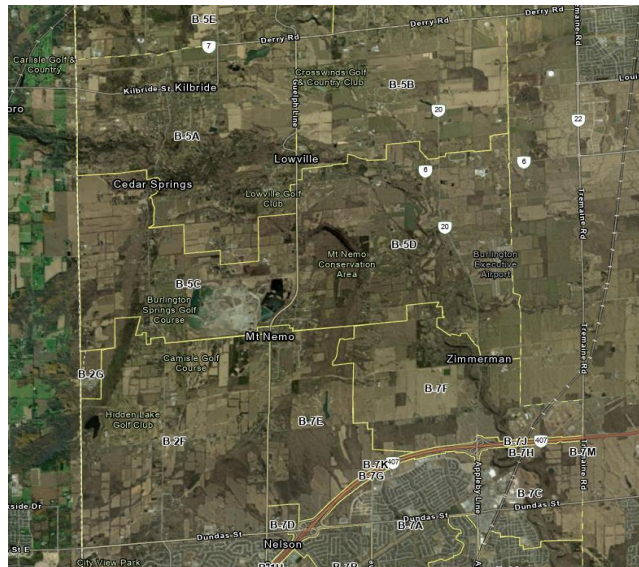
5. **Carlisle – Milborough Townline Road westerly to and on Hwy#6 (both sides), from Concession #7 east (both sides), northerly to Concession #10 (both sides) for all reported structure fires:** The HFD will respond with its applicable structure fire response and the BFD will dispatch a Tanker. HFD will establish and maintain command of the incident.



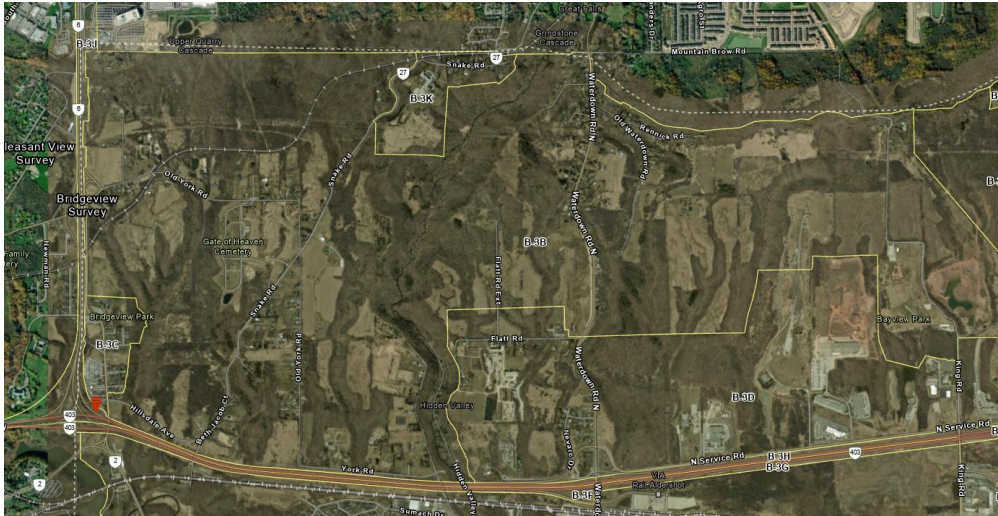
6. **For all emergency responses to Lost Forest Park - 4449 Milborough Townline Road:** Both the BFD and the HFD will respond to all incidents. BFD will establish and maintain command of the incident.



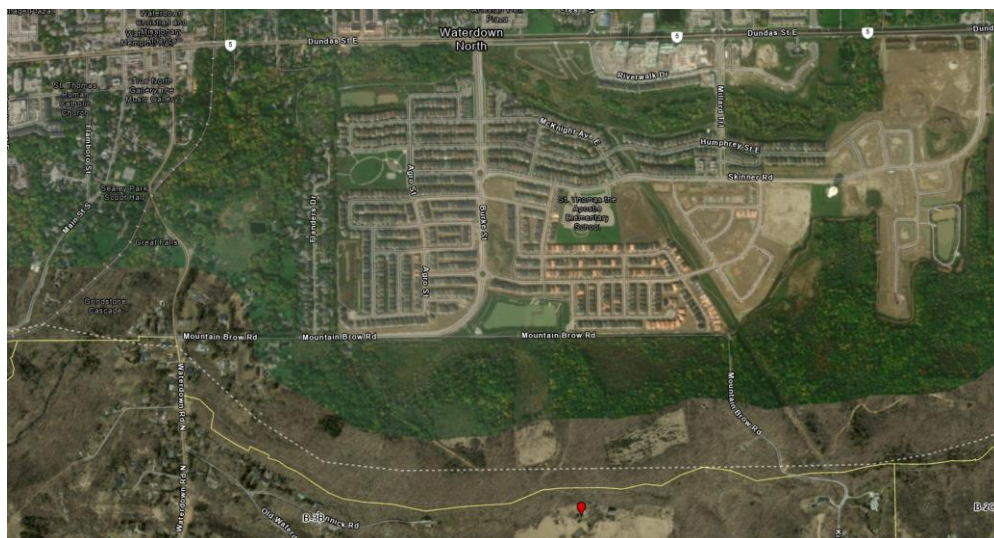
7. **Kilbride Area – Dundas Street (Hwy #5) northerly to Derry Road, Milborough Townline Road, easterly to Tremaine Road for all reported structure fires:** The BFD will respond with its applicable structure fire response and the HFD will dispatch two (2) Tankers for the area west of Guelph Line, and one (1) Tanker for the area east of Guelph Line. BFD will assume and maintain command for the duration of the incident.



8. **Aldershot – Hwy #403 northerly to the top of the escarpment, from Hwy #6 easterly to King Road for all reported structure fires:** The BFD will respond with its applicable structure fire response and the HFD will dispatch two (2) Tankers. BFD will assume and maintain command for the duration of the incident.



9. **For all emergency responses in the area of 38 Frontier Trail formerly known as 398 Mountain Brow Road:** Both the BFD and the HFD will respond to all incidents. If HFD is first on-scene at the incident, the HFD unit will assume command until a BFD unit arrives. Command will be transferred to BFD and be maintained for the duration of the incident. Incident Command (respectively) will determine resource requirements.



It is acknowledged that in the event of residential development including but not limited to boundary access, this appendix will be updated to reflect these changes through both the City of Burlington dispatch center and Hamilton dispatch centers.



SUBJECT: The Establishing and Regulating By-Law Report

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Karen Roche, Fire Chief

Report Number: BFD-02-23

Wards Affected: All

File Numbers: 755

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Recommendation:

Approve By-law XX-2023 attached as Appedix A to Burlington fire department report BFD-02-23 to establish and regulate the Fire Department for the Corporation of the City of Burlington and repeal By-Law 90-2012.

Background and Discussion:

An establishing and regulating bylaw is a municipal council document outlining policy for fire departments. It can be used to show how the municipality delivers fire protection services it has determined are necessary according to its needs and circumstances, as is required by the *Fire Protection and Prevention Act, 1997* (FPPA).

When setting or amending the levels of service in the establishing and regulating bylaw, municipal council, in consultation with the fire chief, should keep in mind the following considerations:

- the current needs and circumstances of the municipality;
- requirements and expectations, such as the following:
 - training requirements based on current standards and practices;
 - acquisition and maintenance of appropriate equipment; and
 - appropriate record keeping.
- the extent of fire department funding necessary to achieve and maintain the stated levels of service.

The on-going revisions of by-laws is important to a municipality, not only to demonstrate due diligence and protect itself from potential liability exposure but to maintain community confidence and trust in the City's performance of various services.

For the purposes of this report, the amendments to the Establishing and Regulating By-Law include the following changes:

Preamble – there are no changes to this section.

1. **Content** – Added Definitions:

- City Manager
- Chief Fire Official
- Dangerous Goods
- Enforcement
- Equipment
- False alarm
- Fire alarm system
- Fire Coordinator
- Interior
- Incipient stage
- Mandatory Retirement
- Multiple Family Row Housing.
- Mutual Aid
- NFPA
- Occupancy
- Volunteer Firefighter.

2. **Fire Department Establishment:** there are no changes to this section.

3. **Structure and Employment:** there are no changes to this section.

4. **Duties and Responsibilities:** there are no changes to this section.

5. **Department Divisions:** Each division is specifically named:

- i. Fire Prevention and Public Education,
- ii. Fire Suppression,
- iii. Training,

- iv. Mechanical and Maintenance,
- v. Communications,
- vi. Administrative Services.

6. **“Powers” of the Fire Chief has been amended to “Responsibilities and Authority of the Fire Chief.”** Additional responsibilities are listed:
7. **Emergency Response outside of Municipal Boundaries** – there are no changes to this section.
8. **Levels of Service** – there are no changes in this section, only in Appendix A as described.

Municipal Establishing and Regulating By-law Definition– As per the Ontario Fire Marshal Communique 2017-06; recommends that by-laws are reviewed annually to ensure that the level of services they are providing are in accordance with the current needs and circumstance of their community.

Appendix A – Core Services Provided by the Burlington Fire Department - The following core services were updated and added to Appendix A:

- Fire Prevention and Public Education, including a description of program deliverables, community risk assessments, Inspections and Investigations as per the *Fire Protection and Prevention Act, 1997 (FPPA)*.
- Community Emergency management services was added as per the *Emergency Management and Civil Protection Act*.
- Emergency Responses:
 - Basic Firefighting services
 - Interior firefighting / exterior firefighting
 - Grass, brush wildland firefighting
 - Marine shore-based firefighting.
- Special Response Levels: Clarification of services delivered:
 1. Awareness Level – The level is the most basic, and supports emergency response personnel who respond, or may response to a incident and participate in an indirect rescue support role.

2. Operations Level – This level of qualification expands on scene size-ups, site hazards and safety. Emergency service personnel who respond, or may respond, to a rescue incident and participate in direct rescue operations. The Operations level of qualification is a pre-requisite for the Technical level training and certification.
3. Technician Level - This level of qualification targets all emergency service personnel who respond to a rescue incident and participate in direct rescue operations as a technical advisor or member of a Technical Rescue Team. These personnel are qualified to conduct the overall scene operation and plan/execute rescue site activities.

SPECIAL RESPONSE LEVELS √ - refers to Burlington Fire's level of training for each Discipline			
Discipline:	Awareness level	Operations level	Technician level
HazMat Response		√	Hamilton Fire
Confined space	√		Hamilton Fire
Trench rescue	√		Mississauga Fire (By-Law 0047-2017)
Ice / Water Rescue		√	Halton Police /Beach Rescue
Structural Collapse	√		Provincial Team / Toronto USAR Task Forces
High/Low Angle Rope Rescue		√	√

- Emergency pre-hospital care:
 - Approved medical directives from BFD Medical Director.
 - CPR, defibrillation protocols.
 - Regional Tiered Response Services Agreement for “Obvious Threat to Life” (OTL).
 - Medical Priority Dispatch Services call determinants as per the agreed level of response that aligns with the department level of training.
 - The Administration of Symptom Relief drugs such as Epinephrine, Narcan and any other future symptom relief drug administration or enhancements and/or monitoring devices as per our Medical Director
- Community Risk Assessment:
 - The Department will conduct an annual review of the Community Risk Assessment to determine if there is a need for a revision of policies and practices to address changing circumstances.

- Mutual and Automatic Aid – as per Agreements with Hamilton Fire and Mississauga Fire and Emergency Services and Halton Regional Fire Departments.
- Participation in the City of Burlington Emergency Plan Activation and the Halton Region Emergency Plan Activation when warranted.
- Training and Certification: The Ontario government enacted **O. Reg. 343/22**: Firefighter Certification under the Fire Protection and Prevention Act, 1997. The Regulation sets out mandatory minimum certification standards for fire protection services for firefighters in a municipality.
- Communications:
 - The Burlington Fire Department Communications Division provides effective 911 fire call handling and dispatching of resources.
 - Monitor emergency responders and the public during an emergency call. provides 911 fire call handling and dispatching services for the City of Burlington, Town of Oakville, Town of Halton Hills and Milton Fire.
- Maintenance: Complying with the requirements of provincial regulations for maintaining fleet, equipment (both routine and emergency) and providing inspection and testing programs.

Vision to Focus Alignment:

- Excellence in Government
- Support sustainable infrastructure and a resilient environment.
- Deliver customer centric services with a focus on efficiency and technology transformation.

Financial Matters:

Conclusion:

The Fire Chief is responsible for providing City Council with advice on matters of fire safety; but Council has the ultimate responsibility for fire protection.

It is therefore recommended that Council repeal By-law BFD-90-12 and enact the new By-law that takes into consideration the local needs, circumstances, risks, resources,

capabilities, geography, building stock, demographics and legislated changes identified for the City of Burlington Fire Department.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Karen Roche", is written over a light gray rectangular background.

Karen Roche

Fire Chief

905-333-0772 ext. 6205

Appendices:

Appendix A: Establishing and Regulating By-Law

Report Approval:

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

City of Burlington By-law xx-xxxx

A by-law to establish and regulate the Fire Department for The Corporation of the City of Burlington, and to repeal By-Law 90-2012;
(BFD-xx-xx)

Whereas the Municipal Act, 2001 S.O 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

Whereas Section 8 of the Municipal Act, 2001, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

Whereas Part II, Section 5(0.1) of the Fire Protection and Prevention Act, 1997, S.O. 1997, CHAPTER 4 (the "FPPA"), as amended, authorizes the council of a municipality to establish, maintain and operate a fire department for all or any part of the municipality;

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

Content

Definitions

1. In this By-law, unless the context otherwise requires,

"Approved" means approved by Council;

"Acting Platoon Chief" means a Member designated by the Fire Chief or Deputy Fire Chief to supervise a particular Platoon in the Department in the absence of the regular Platoon Chief;

"Automatic Aid" means any agreement under which a municipality agrees to provide an initial response to fires, rescues and emergencies that may occur in a part of another municipality where a fire department is capable of responding more quickly than any fire

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department situated in the other municipality; or a municipality agrees to provide a supplemental response to fires, rescues and emergencies that may occur in a part of another municipality where a fire department in the municipality is capable of providing the quickest supplemental response to fires, rescues and emergencies occurring in the part of another municipality;

“City Manager” means the person appointed by council to act as the most senior administrative officer for the Corporation.

“Chief Fire Official” shall mean the Assistant to the Fire Marshal who is the Fire Chief or a member or members of the Fire Department appointed by the Fire Chief under the FPPA or a person appointed by the Fire Marshal under the FPPA;

“Captain” means the person in command of a company to which he or she is assigned and is responsible for the proper operation of that crew to the Platoon Chief;

“Company” means a complement of Fire Department personnel operating one or more pieces of apparatus or equipment;

“Collective Agreement” refers to an agreement between the Corporation and the Firefighters’ Association made under the provision of the FPPA, any such agreement between members of the Department and the Corporation;

“Corporation” means The Corporation of the City of Burlington;

“Council” means the Council of the Corporation;

"Dangerous Goods" means any product, substance or organism which is of a highly combustible, flammable or explosive nature, all as set out in the Transportation of Dangerous Goods Act (Canada, Chapter 34, 1992) and all amendments thereto; and any other material which, because of the toxic or other inherent characteristics, constitutes a fire hazard or a hazard to life, safety or health, and, without restricting the generality of the foregoing, are classified as follows:

"Dangerous Goods" classifications are as follows:

Class 1	Explosives, including explosives within the meaning of the Federal Explosives Act, and Explosives Regulations, and all amendments thereto
Class 2	Gases: compressed gases, liquified natural gas, liquified or dissolved gases; under pressure.
Class 3	Flammable liquids and combustible liquids.
Class 4	Flammable solids, substances liable to spontaneous combustion, substances that on contact with water emit flammable gases.
Class 5	Oxidizing substances, organic peroxides, chlorates, nitrates.
Class 6	Poisonous (toxic) and infectious substances.
Class 7	Radioactive materials and prescribed substances within the meaning.
Class 8	Corrosive
Class 9	Miscellaneous dangerous goods or organisms not included in any of the above classes.

"Department" means the Corporation's Fire Department;

"Deputy Fire Chief" means the person(s) appointed by Council to act in place of the Fire Chief in the Fire Chief's absence, or in the case of a vacancy in the position of Fire Chief;

"Dwelling or Dwelling Unit" means two or more rooms used or intended to be used for residential accommodations and shall have cooking, sleeping and sanitary facilities of which no more than one cooking facility is permitted consisting of cooking equipment, devices or appliances, sinks, cabinets and all electrical or plumbing service lines used or intended to be used to service the cooking facility.

"Enforcement" refers to the proper execution of the process of ensuring compliance with laws, regulations, rules, and standards.

"Equipment" means any apparatus, vehicles, tools, devices or materials used by the fire department.

“False alarm” means the activation of a fire alarm system resulting in the direct or indirect notification of the fire department to attend a property where the fire department finds no evidence or indication of any fire condition, unlawful activity or unauthorized entry;

“Fire alarm system” means a device or devices installed on real property and intended to warn of a fire condition by activating an audible alarm signal or alerting a monitoring facility but does not include a fire alarm system on real property that is intended to alert only the occupants of the dwelling unit in which it is installed;

“Fire Chief” means the person appointed by Council pursuant to the FPPA and is ultimately responsible to Council for delivery of fire protection services as defined in this Act;

“Fire Department” means a group of firefighters authorized to provide Fire Protection Services pursuant to the FPPA for the Corporation;

“Firefighters Association” means the Burlington Professional Firefighters Association, Local 1552 of the International Association of Firefighters;

“Fire Protection Services” means a range of programs designed to protect the lives and property of the inhabitants and public at large within the fire department response area from the adverse effects of fire, sudden medical emergency or exposure to dangerous conditions created by man or nature and includes fire suppression, fire prevention, fire and public safety education, communication, training of persons involved in the provision of fire protection services, specialized rescue and emergency services, maintenance and servicing of apparatus and equipment, and the delivery of all of those services;

“Firefighter” means any person employed in, or appointed to, a fire department and assigned to undertake fire protection services and includes a volunteer firefighter who responds in their community for a nominal pay structure.

“Fire Coordinator” means the person appointed by the Fire Marshal, under the authority of the Fire Protection and Prevention Act, 1997 to coordinate the mutual aid

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plan, or the person appointed by the Fire Marshal to act in the absence of the Fire Coordinator;

“Interior” structural firefighting means the physical activity of fire suppression, rescue or both, inside of buildings and enclosed structures which are involved in a fire situation beyond the *incipient stage*;

“Incipient stage” fire is defined as a fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, class II standpipe or small hose systems without the need for protective clothing or breathing apparatus;

“Mandatory Retirement” In order to ensure the health and safety of all firefighters. Mandatory retirement (age 60) is recognized as a *“bona fide occupational requirement”* (BFOR) for firefighters performing suppression activities. This applies to Career and Volunteer firefighters;

“Multiple Family Row Housing” shall mean single family dwellings joined by a common wall, up to two (2) stories in height, occupied by one family, with each house having an individual ground floor entrance/exit directly to the exterior of the building.

“Mutual Aid” means the Province of Ontario Mutual Aid Plan, including the county, regional and district plans developed under the authority of the Fire Protection and Prevention Act, 1997 and the direction of the Fire Marshal and Chief, Emergency Management to facilitate provisions of fire protection services to the residents of the county, district or region under a coordinated and cooperative provincial plan.

“Member” means any defined firefighter or employee of the Department;

“NFPA” means National Fire Protection Association. O. Reg 343/22 requires every fire department to certify all fire service personnel to NFPA standard applicable to those performing roles involving technical rescue services, communications, fire prevention, public education and training.

“Occupancy” means the use, or intended use, of a building, or part thereof for the shelter or support of persons, animals or property.

“Officer” means a Member of the Department with the designation of Captain or a more senior position than Captain;

“Platoon” means a complement of personnel operating one or more Companies and pieces of apparatus under the supervision of a Platoon Chief/Acting Platoon Chief;

“Platoon Chief” means a member designated by the Fire Chief or the Deputy Fire Chief to supervise a particular Platoon in the Department;

2. Fire Department Establishment

- 2.1 A Department of the Corporation, to be known as the Burlington Fire Department is hereby established and continued under this By-law and the head of the Department shall be known as the Fire Chief.

3. Structure and Employment

- 3.1 In addition to the Fire Chief, the Department personnel shall consist of at least two Deputy Fire Chief(s) and such numbers of Officers and Members as from time to time may be deemed necessary by Council.

4. Duties and Responsibilities

- 4.1 The Fire Chief is responsible to Council for the proper administration and operation of the Department. The Fire Chief is under the general direction of Council, and:
- 4.2 Shall develop and make available such written by-laws, operational guidelines, policies, general orders, mission statements and Departmental rules as may be necessary for the care and protection of the public, the Department, Department equipment and personnel, and for the efficient operation of the Department, provided that such policies, orders and rules do not conflict with the provisions of any by-laws of the Corporation, other provincial or federal legislation, and

- 4.3 Shall review periodically the policies and procedures of the Department and may establish an advisory committee consisting of such Members of the Department as may be determined from time to time to assist in these duties.
- 4.4 The Deputy Fire Chief(s) shall be the second ranking officer(s) of the Fire Department and shall be subject to and shall obey all orders of the Fire Chief and shall perform such duties as assigned by the Fire Chief and shall act on behalf of the Fire Chief in case of absence or vacancy in the office of Fire Chief.
- 4.5 The Fire Chief and all other Officers of the Department shall protect and guard all property entrusted to their care and the Fire Chief, all Officers and all Members, insofar as lies in their power, shall take proper measures to protect all Members of the Fire Department from accident, injury or death as a result of duty.

5. Department Divisions

- 5.1 The Department shall be organized into Divisions such as determined by the Fire Chief on approval from the City Manager and/or Council.
- 5.2 The Fire Chief may re-organize or eliminate Divisions or establish Divisions or may do all or any of these things or any combination of them as may be required to ensure the proper administration and efficient operation of the Fire Department and the effective management of Fire Protection Services for the Corporation with approval from the City Manager and/or Council.
- 5.3 The Fire Department shall be organized into Divisions such as:
 - i. Fire Prevention and Public Education,
 - ii. Fire Suppression,
 - iii. Training,
 - iv. Mechanical and Maintenance,
 - v. Communications,
 - vi. Administrative Services.

6. Responsibilities and Authority of the Fire Chief

- 6.1 The Fire Chief shall be the head of the Fire Department and is ultimately responsible to Council, through the City Manager, for proper administration and operation of the Fire Department including the delivery of Fire Protection Services.
- 6.2 The Fire Chief shall be authorized to make such general orders, policies, procedures, rules and regulations and to take such other measures as the Fire Chief may consider necessary for the proper administration and efficient operation of the Fire Department and the effective management of Fire Protection Services for the Corporation and for the prevention, control and extinguishment of fires, the protection of life and property and the management of emergencies and without restricting the generality of the foregoing;
- a) For the care and protection of all property belonging to the Fire Department.
 - b) For arranging for the provision and allotment of strategic staffing and facilities, apparatus, equipment, materials, services and supplies for the Fire Department;
 - c) For the development and implementation of automatic aid, mutual aid and other fire protection and emergency service agreements within the Corporation's borders and/or within the municipal borders of adjoining municipalities upon the approval of Council;
 - d) For determining and establishing the qualifications and criteria for employment or appointment, and the duties of, all members of the Fire Department;
 - e) For the conduct and the discipline of members of the Fire Department;
 - f) For preparing, and upon approval by Council, implementing and maintaining a departmental fire service plan and program for the Corporation;
 - g) For keeping an accurate record of all fires, rescues and emergencies responded to by the Fire Department and reporting of same to the Office of the Fire Marshal;

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- h) For keeping such other records as may be required by Council, the Corporation and the FPPA;
- i) For preparing and presenting an annual report of the Fire Department to Council; and
- j) For exercising control over the budget approved by Council for the Fire Department.
- k) Adhere to and exercise the provisions and powers of the FPPA;
- l) Take all proper measures for the prevention, control and extinguishment of fires and the protection of life and property and shall exercise all powers mandated by the FPPA;

6.3 The Fire Chief shall be empowered to authorize:

- a) The pulling down or demolition of any building or structure to prevent the spread of fire;
- b) All necessary actions which may include boarding up or barricading buildings or property to guard against fire or other danger, risk, or accident, when unable to contact the property owner; and
- c) The recovery of expenses incurred by such necessary actions for the Corporation in the manner provided through the Municipal Act, 2001 and the FPPA. Such expenses may include but are not limited to: retaining a private contractor, securing, renting/leasing heavy and or specialized equipment, and retaining specialized services.
- d) Enforce this By-law, Corporate and Department policies, guidelines, rules or regulations.
- e) Sign service agreements within approved budget allocations under delegated authority.

6.4 The Fire Chief is authorized to perform the duties of Regional Fire Coordinator as required.

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7. Emergency Response Outside of Municipal Boundaries

The Department shall not respond to a call with respect to a fire or other emergency outside the limits of the municipality except with respect to a fire or emergency:

- 7.1 That in the opinion of the Fire Chief, or designate, threatens property in the municipality or property situated outside of the municipality that is owned or occupied by the municipality;
- 7.2 In a municipality with which an agreement has been entered into to provide Fire Protection Services;
- 7.3 On property with respect to which an agreement has been entered into with any person or corporation to provide Fire Protection Services;
- 7.4 At the discretion of the Fire Chief, or designate, to a municipality authorized to participate in the Halton Region Mutual Fire Aid Plan and Program on a reciprocal basis; or
- 7.5 On property beyond municipal boundaries where the Fire Chief or designate, determines that immediate action is necessary to preserve and protect life and/or property and the correct fire department is notified and/or assumes command. The Fire Chief shall subsequently inform the head of Council of such response.

Levels of Service

- 1. The Fire Department shall provide the core services specified in Appendix A
- 2. The Corporation of the City of Burlington accepts no liability for delay or inability to supply the services set out in the Appendix A of this By-law.
- 3. Nothing in this By-law will restrict the Fire Department from providing more than the core services set out in Appendix A. Service delivery enhancements, and/or amendments or recommendations will be approved by council.

By-Law in Force

If a court of competent jurisdiction should declare any section or a part of this By-law to be invalid, the remainder of this By-law shall continue in force unless the court makes an order to the contrary.

This By-law shall come into full force and effect on the day it is passed by Council.

Enacted and passed this day, of April, 2023.

Mayor Marianne Meed Ward _____

City Clerk Kevin Arjoon _____

Municipal Establishing and Regulating By-law

An establishing and regulating bylaw is a municipal council document that outlines how the municipality delivers fire protection services it has determined are necessary according to its needs and circumstances, as is required by the *Fire Protection and Prevention Act, 1997* (FPPA).

An establishing and regulating bylaw can state the type and level of fire protection services provided and may include policy direction in the following areas:

- Legislative/regulatory requirements that may affect the delivery of fire protection services (e.g., FPPA, *Occupational Health and Safety Act*, and *Environmental Protection Act*);
- Fire Marshal directives
- Best practice (e.g., Ontario Fire Services Section 21 Advisory Committee guidance notes, National Fire Protection Association standards);
- General functions and core services to be delivered.
- Goals and objectives of the fire department;
- General responsibilities of fire department personnel;
- Organizational structure;
- Authority to proceed beyond established response areas;
- Authority to apply costs to property owners for fire investigations; and
- Authority to affect necessary fire department operations, in consultation with the municipality's legal resources.

When setting or amending the levels of service in the establishing and regulating bylaw, municipal council, in consultation with the fire chief, should keep in mind the following considerations:

- The current needs and circumstances of the municipality;
- Requirements and expectations, such as the following:
 - Training requirements based on current standards and practices;
 - Acquisition and maintenance of appropriate equipment; and
 - Appropriate record keeping
- The extent of fire department funding necessary to achieve and maintain the stated levels of services.

Appendix A: Core Services Provided by the Burlington Fire Department

Fire Prevention and Public Education

As required by the *Fire Protection and Prevention Act, 1997 (FPPA)*, the municipality must provide the minimum services listed below.

- a smoke and carbon monoxide alarm program with home escape planning
- a fire safety education program
- fire safety inspections upon complaint or request
- fire investigations

Smoke/Carbon Monoxide (CO) Alarm Program

The objective of the Smoke/CO alarm program is to promote and enforce the installation and maintenance of working smoke alarms as per the Ontario Fire Code (OFC) in the municipality.

Activities to help achieve this goal include:

- distribution of pamphlets or other education material
- instruction to residents regarding Smoke/CO alarms and escape planning
- providing advice and/or assistance on the installation of the smoke alarms
- inspection of residences to determine compliance with the smoke alarm provisions of the Ontario Fire Code.
- enforcement of the OFC in cases of non-compliance

Public Education Programs

The Department will provide a variety of fire safety education programs for the residents and businesses in the City of Burlington. Public education programs will be delivered in a variety of ways designed to meet the needs of the target groups as identified in the Community Risk Assessment.

Community Risk Assessment

The Department will conduct an annual review of the Community Risk Assessment to determine if there is a need for a revision of policies and practices to address changing circumstances.

Fire Code Inspections

It is the requirement by the FPPA and the Fire Prevention policy of the Department to conduct or arrange for fire prevention/safety inspections of occupancies:

- vulnerable occupancies,
- upon request,
- upon complaint or
- through an annual inspection program to assess the occupant/owner's compliance with the Fire Code.

Records of inspection, re-inspections, and inspection orders, or tickets issued, etc. will be maintained by the fire department. Follow-up on any outstanding violations will be made to obtain compliance or to undertake court action if required.

Fire Investigations

The Department shall conduct or arrange for investigations of fires in order to attempt to determine cause and origin and, where required, to request appropriate agencies to assist with the investigation.

Community Emergency Management Services

The Emergency Management and Civil Protection Act is the legislative framework under which we operate. It provides our program with target compliance benchmarks that must be achieved each year. Areas of compliance include the following:

- Municipal plan,
- Emergency Management Program Committee,
- Public education, training and exercises,
- Information management,
- Annual review of the Hazard Identification, Risk Assessment and Critical Infrastructure.

We ensure not only that the municipality remains compliant under the legislation; we go beyond these basic standards to build a comprehensive Emergency Management Program utilizing benchmarking and guidelines from organizations such as Canadian Standards Association (CSA).

Our Community Emergency Management Coordinator (CEMC) takes a collaborative approach to emergency management, building strategic partnerships across the province in both the public and private sectors. We work with community organizations and partners that are responsible for critical infrastructure, essential services and public safety. The City uses both an all-hazards and risk-based planning approach to emergency management and business continuity.

While the City's Disaster Management Plan is designed to protect the community from all hazards, we also continually assess the potential of specific hazards to impact the city to develop risk-based plans. We identify key personnel, infrastructure and critical services, develop specific training and exercises for each hazard and evaluate business impacts.

Emergency Response

i. Basic Firefighting Services:

The Fire Department shall respond to fires, alarms of fire and pre-fire conditions to provide fire suppression and shall exercise best efforts to conform to the most recent recognized standards as revised from time to time.

ii. Structural Firefighting Services:

For the purpose of this service, "Structural Firefighting" shall have the same meaning as Structural Firefighting as defined by NFPA 1710, Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments.

Interior Search and Rescue – Shall be provided when possible and as appropriate in accordance with the following:

- Service shall be provided to search for and rescue endangered, trapped or potentially trapped persons within the structure.
- Service shall be provided only when, in the opinion of the Fire Chief or most senior Officer in charge, all of the following are true:
 - i. A scene risk assessment has been completed, and the level of risk reasonably justifies entry into the structure;
 - ii. Building integrity permits entry into the structure;

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- iii. Sufficient Trained Firefighter staffing are deployed at the fireground;
 - iv. Reliable water supply with adequate flow can be sustained;
 - v. Adequate fireground supervision and support is provided.
- iii. Interior Fire Suppression (*Offensive Operations*) – Shall be provided when possible and as appropriate in accordance with the following:
 - Service shall be provided to contain the fire and prevent further loss of property.
 - Service shall be provided only when, in the opinion of the Fire Chief or most senior Officer in charge, all of the following are true:
 - A scene risk assessment has been completed, and level of risk reasonably justifies Firefighter entry into the structure;
 - Building integrity permits entry into the structure;
 - Sufficient Trained Firefighter staffing is deployed at the fireground;
 - Reliable water supply with adequate flow can be sustained;
 - Adequate fireground supervision and support is provided
- iv. Exterior Fire Suppression (*Defensive Operations*) - Shall be provided when possible and as appropriate, in the opinion of the Fire Chief or most senior Officer in charge, in accordance with the following:
 - There shall be no expected rescue component with this service.
 - Service shall be provided to prevent fire spread to adjacent areas.
 - Service shall be provided when Interior Fire Suppression is not possible or appropriate.
 - Service shall be provided as water supply permits.
- v. Special technical and/or rescue response services provided by the Burlington Fire Department shall include performing automobile and/or equipment extrication using hand tools, air bags, and heavy hydraulic tools as required, vehicle stabilization, extrication and patient removal and patient care.

- vi. Other technical and/or specialized rescues response services such as rope rescue, slope rescue, ice water and shore-based water rescue shall be provided by the Burlington Fire Department at the Operations level.
- vii. Grass, brush firefighting
- viii. Marine shore-based firefighting
- ix. Other emergency responses as the department is capable of providing within their level of training that will not compromise the health or safety of a firefighter or the member of the public.
- x. Mutual Aid – as per Halton Mutual Aid Plan with Oakville Fire, Milton Fire and Halton Hills Fire.
- xi. Mutual and/or Automatic Aid – as per Agreements with Hamilton Fire and Mississauga Fire and Emergency Services.
- xii. Participation in the City of Burlington Emergency Plan Activation
- xiii. Participation in the Halton Region Emergency Plan Activation when warranted.

Special Response Levels

Medical - Emergency pre-hospital medical care:

- Approved medical directives from BFD Medical Director.
- CPR, defibrillation protocols.
- Regional Tiered Response Services Agreement for “Obvious Threat to Life” (OTL).
- Medical Priority Dispatch Services call determinants as per the agreed level of response that aligns with the department level of training.
- The Administration of Symptom Relief drugs such as Epinephrine, Narcan and any other future symptom relief drug administration or enhancements and/or monitoring devices as per our Medical Director

Special rescue techniques, equipment, and training are required, based on identified needs and risks in the community. Continuation of training programs, standards, knowledge, and experience provide the basis for the Fire Chief to designate the recommended response levels in this By-law.

In accordance with industry-accepted practices, applicable legislative requirements, current regulations or standards as directed by Council, the Burlington Fire Department (“BFD”) shall maintain a team of firefighters who are capable of responding to:

√ - refers to Burlington Fire's level of training for each Discipline

SPECIAL RESPONSE LEVELS			
Discipline:	Awareness level	Operations level	Technician level
HazMat Response		√	Hamilton Fire
Confined space	√		Hamilton Fire
Trench rescue	√		Mississauga Fire (By-Law 0047-2017)
Ice / Water Rescue (tethered)		√	Halton Police /Beach Rescue
Structural Collapse	√		Province of Ontario and Toronto HUSAR Task Forces
High/Low Angle Rope Rescue		√	√

Awareness Level – The level is the most basic, and supports emergency response personnel who respond, or may respond to a incident and participate in an indirect rescue support role.

Operations Level – This level of qualification expands on scene size-ups, site hazards and safety. Emergency service personnel who respond, or may respond, to a rescue incident and participate in direct rescue operations. The Operations level of qualification is a pre-requisite for the Technical level training and certification.

Technician Level - This level of qualification targets all emergency service personnel who respond to a rescue incident and participate in direct rescue operations as a technical advisor or member of a Technical Rescue Team. These personnel are qualified to conduct the overall scene operation and plan/execute rescue site activities.

Hazmat – Operations level Response include:

- Small- and large-scale hazardous materials emergencies only.
- Immediate life hazards to the public and to effect potential rescues.

- Will enter into extremely hazardous environments by utilizing the highest level of personal protective equipment available for hazardous materials incidents.
- Use specialized air monitoring equipment.
- Decontamination set-up.
- Does *not* provide spill clean up or site remediation services.

Urban Search and Rescue (USAR)- Additional details includes:

- emergency situations, including urban building collapses,
- mudslides, flooding,
- forest fires, among other disasters.

Training

The Ontario government enacted O. Reg. 343/22: **Firefighter Certification** under the **Fire Protection and Prevention Act, 1997**. The Regulation sets out mandatory minimum certification standards for fire protection services for firefighters in a municipality, or in a fire department in a territory without municipal organization.

This includes and is not limited to providing:

1. Access to Training Facilities:
 - a) Coordinating access to appropriate training facilities.
 - b) Delivering hands-on training to staff.
2. Providing Station Training:
 - a) Delivering curriculum specific to operational and strategic needs.
 - b) Providing supervisory training drills.
3. Program Development Services:
 - a) Developing trainer facilitators.
 - b) Coordinating core curriculum.
 - c) Providing officer training and development.
 - d) Developing specialized staff development programs

Communications

The Burlington Fire Department Communications Division provides a public service responsible for effective 911 fire call handling and dispatching of the required fire resources in order to mitigate emergencies and monitor emergency responders and the public during an emergency call for assistance.

As a public safety answering point (PSAP) our Communications centers coordinates the response of fire protection resources, manage the flow of incident-related information to and from emergency responders and/or community agency resources. Monitor the status of emergency responders, assign additional resources as required; all the while emphasizing the safety of the public and emergency responders.

The City of Burlington provides 911 fire call handling and dispatching services for the Community's of the City of Burlington, Town of Oakville, Town of Halton Hills and Town of Milton. Other responsibilities include but are not limited to:

- a) Arranging for the provision of dispatch services from external agency to dispatch appropriate Fire Department resources.
- b) Liaising with dispatch centres.
- c) Providing current municipal information to the dispatch centres, including response protocols, mapping, local streets, property and water service information, road closures, and caution notes.
- d) Monitoring Fire Department dispatch centre performance and resolving service issues.

Maintenance

The Burlington Fire Department provides a maintenance program for apparatus, equipment and facilities that ensures the appropriate quantity, quality, and reliable condition to meet the needs of the community and the operations of the fire department. This includes but is not limited to:

- a) Maintaining fleet and equipment (both routine and emergency).
- b) Providing periodic inspection and testing programs.
- c) Complying with the requirements of provincial regulations.
- d) Providing annual pump capacity and certification testing.

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- e) Developing specifications for new apparatus and equipment.
- f) Acceptance testing of new apparatus and equipment.
- g) Maintaining, testing and calibrating specialized equipment.

For the purposes of this Establishing and Regulating By-Law, "Appendix A" may be subject to change as per city council approved service delivery levels.



SUBJECT: Amendment to 2023 Rates and Fees – Fire

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Fire Department

Report Number: BFD-03-23

Wards Affected: All

File Numbers: 435-03

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Recommendation:

Approve By-law XX-2023 attached as Appendix A to Burlington fire department report BFD-03-22, to amend Rates and Fees By-law 83-2022 to update the Fire Prevention and Fire Emergency Response Rates and Fees to reflect the MTO's 2023 apparatus rate.

PURPOSE:

Background and Discussion:

Strategy/process/risk

The Ministry of Transportation sets the annual rate for fire response on provincial highways. The cost of one apparatus responding is now set at \$543.03. Historically, the Burlington Fire Department has taken this amount and applied it to any rate that requires an apparatus response.

Options Considered

The alternative would be to leave the existing rate in effect.

Financial Matters:

2023 SERVICE RATES AND FEES - ADJUSTED

Description of Service or Activity Provided or Use of City Property	2023 Base Rate	NEW 2023 Base Rate
COMPLAINT/CONTRAVENTION OF BYLAW / FIRE CODE		
Complaint/Contravention - Open Air Burning - Rural Area Non Permitted - Cost Recovery - Per Fire Apparatus - Reference: Open Air Burning Bylaw	509.89	543.03
Complaint/Contravention - Open Air Burning - Urban Area Not Allowed - Cost Recovery - Per Apparatus - Reference: Open Air Burning Bylaw	509.89	543.03
Complaint/Contravention - Display / Discharge of Family Fireworks - Day/Time/Location Not Permitted - Cost Recovery - Per Fire Apparatus - Reference: Fireworks Bylaw	509.89	543.03
Complaint/Contravention - Display / Discharge of High Hazard Fireworks - Not Approved through valid Permit - Cost Recovery - Per Fire Apparatus - Reference: Fireworks Bylaw	509.89	543.03
FALSE ALARM RESPONSE ²		
Working on System - Failure to Notify Fire Dept. - Initial & Subsequent Incident(s) - Per Apparatus	533.30	543.03
Pull Station, Malfunction, Accidental, Human Error - 1 & 2. below = Per Apparatus		
1. Dispatch of fire apparatus to 1st incident - Fire Prevention Follow-up / Order	-	-
2. Dispatch of fire apparatus to 2nd and subsequent responses to false alarms	533.50	543.03
TECHNICAL RESPONSE(S)		
Motor Vehicle Collision (MVC) Highways/ 407 ETR - Per Apparatus - Ministry of Transportation (MTO) ⁽²⁾	509.89	543.03
Motor Vehicle Collision (MVC) Municipal Street - Per Apparatus - Non Resident ⁽²⁾	509.89	543.03
Motor Vehicle Fire (MVF) - Per Apparatus - Non Resident ⁽²⁾	509.89	543.03

Total Financial Impact

Adjusting to the MTO apparatus rate would increase revenue by approximately \$16,000.

Source of Funding

Not applicable.

Other Resource Impacts

Not applicable.

Climate Implications

Not applicable.

Engagement Matters:

Not applicable.

Conclusion:

It is recommended to update the Fire Prevention and Fire Emergency Response Rates and Fees By-law to reflect the MTO's 2023 apparatus rate.

Respectfully submitted,

Jordan Sromek

Coordinator of Fire Business Services & Strategic Planning

905-637-8207 Ext. 6222

Appendices:

A. Draft 2023 Rates and Fees Amending By-law – Fire

Report Approval:

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



SUBJECT: 2022 Annual building permit revenues and expenses

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Building and By-law Department

Report Number: BB-02-23

Wards Affected: All

File Numbers: 565-05

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Recommendation:

Receive and file building and by-law department report BB-02-23 providing related information for the 2022 annual building permit revenues and expenses.

PURPOSE:

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
- Deliver customer centric services with a focus on efficiency and technology transformation

Background and Discussion:

The Building Code Act amendments (through Bill 124) eliminated the practice of applying excess building permit revenues to cover the costs of non-building permit related activities. An activity-based costing model was developed at the time of the building permit fees review that took place in 2005/06. The model was used to determine costs (direct and indirect) associated with delivering services related to the administration and enforcement of the Building Code Act.

The financial model referred to above, was revisited as part of the comprehensive building permit fees review conducted in 2009/10, 2016 and 2019. Building permit services are based on a "Fee for Service" model that is not supported by municipal taxes and is in full compliance with legislation. The intent behind establishing a Building Permit Stabilization

Reserve Fund is to provide municipalities with a sustainable tool for providing and maintaining building permit and inspection services throughout a fluctuating construction industry and overall economy. The 2022 building permit fees annual financial report is required to be published before the end of the first quarter of 2023 as mandated by the Building Code Act.

Strategy/process

The purpose of this report is to present Committee and Council with an annual report on building permit fees collected; direct and indirect costs of administering and enforcing the Building Code Act and Ontario Building Code, as well as the balance in the Building Permit Stabilization Reserve Fund for the period January 1 to December 31, 2022.

The reporting requirements respecting building permit activity for the year ending December 31, 2022 are provided in the attached Appendix “A”, the content of which has been provided by the Finance Department based on the financial model developed and implemented in 2006 and later revised in 2010, 2016 and 2019. The Building Code Act and its Regulations (the Ontario Building Code), require that a report be prepared annually on fees collected and costs incurred.

It is important to point out that the financial model must be structured to accommodate costs associated with streamlining and modernizing technologies/processes, in addition to the day to day operating costs associated with running the permitting/inspection business. Building Services is looking into the future for ways to improve our current service delivery to our customers. When Bluebeam software was implemented in 2021 to accommodate the electronic review of applications during the COVID pandemic, we were aware this software was a temporary solution. Bluebeam software is not integrated with the City’s current land management database software and provides no mechanism or portal for customers to apply for their permits in one easy step. The current process to apply for a building permit is a multi-step process. This causes our customers frustration through lost time and duplication and provides little to no transparency to the customer on the status of their permit application. Building Services needs to invest in the future of electronic permit applications through an integrated portal system that will accommodate customers submitting an application, initiating code compliance reviews (negating application status reports) and booking building inspections – all through one user-friendly web-based application.

Building Services has also initiated a fee review in 2023 with Watson & Associates Ltd. A review of the current fee structure, including a close review of direct/indirect costs, will be conducted to determine refinements to building permit fees. This cyclical review is necessary to ensure Building Services covers all its operating costs and ensures a healthy Building Permit Stabilization Reserve Fund. The services provided have changed since 2019 with the reorganization of the department that same year and most recently

in 2023. A time-based analysis will be conducted on all related services which will form the basis for any changes to the permit fee schedule.

Options Considered

Not applicable.

Financial Matters:

Appendix A, attached to this report, provides the prescribed information for the period January 1 to December 31, 2022. As of December 31, 2022, the balance in the Building Permit Stabilization Reserve Fund was \$5,201,986. This amount represents approximately 1.29 times the 2022 annual direct costs of administration and enforcement of the Building Code Act and the Ontario Building Code. The target balance for the reserve fund, as established by Council, is 1.63 times the direct costs (F-46/06). The target balance was established to ensure the Building Permit Stabilization Reserve Fund has an upper limit to cover direct/indirect costs and any fluctuations in the construction industry but also to ensure the “Fee for Service” model is viable and not constituted as an additional tax to permit applicants. The target balance will be reviewed and potentially adjusted through the 2023 building permit fee review analysis.

Building permit revenue for 2022 was \$6,997,304 which is a 47.6% increase in permit revenues from 2021. The revenue increase in 2022 was due to the influx of several large industrial buildings, multi-residential mid/high-rise buildings and continued investment by homeowners. The following list captures some of the significant permit applications in 2022:

- 2075 Lakeshore Road (Beau Soleil), new 30 storey residential building
- 4130 Harvester Road (Sobey's Voila), new single storey food distribution warehouse
- 3227 Appleby Line (CRU6), new single storey commercial building
- 3100 Mainway, new single storey industrial building

Our overall revenues for 2022 saw record highs and we anticipate seeing more significant projects in 2023. The Building Services Section was able to contribute \$2,237,519 into the Building Permit Stabilization Reserve Fund due to increased permit activity in 2022.

The Chief Building Official and the management team monitor local and regional development and construction activity; and the associated building permit and inspection revenues on a regular basis in coordination with local and regional industry representatives and stakeholders.

Total Financial Impact

The contribution to the Building Permit Stabilization Reserve Fund for the period of January 1 – December 31, 2022 was \$2,237,519 and the closing balance in the reserve fund as of December 31, 2022 is \$5,201,986.

Source of Funding

Revenues generated by building permit fees and other related administration fees are the sole sources of funding for Building Services; which includes plans review, building inspections and policy & regulatory services.

Other Resource Impacts

Not applicable.

Climate Implications

Not applicable.

Engagement Matters:

The information contained in this public report will be shared with the Burlington Housing and Development Liaison Committee (BHDLC), West End Home Builders Association (WEHBA) and the Hamilton Halton Construction Association (HHCA).

Conclusion:

Building Services experienced a positive year for permit revenues with a substantial amount contributed to the Building Permit Stabilization Reserve Fund for 2022. The reserve is established so that when there are economic downturns, the business can draw from the reserve. It is anticipated that we will see an upswing in permit applications and revenues in 2023 which could result in another contribution to the Building Permit Stabilization Reserve Fund.

This annual report represents the state of construction activity in Burlington for 2022 and confirms the sustainability of the “Fees for Service” financial model for Building Services.

The annual report on building permit revenues and expenditures, and the annual financial statement for the 12-month period of January 1 to December 31, 2022 is provided for information.

Respectfully submitted,



Nick Anastasopoulos, P.Eng.

Chief Building Official

905-335-7731 ext. 7619

Appendices:

A. Building Permit Fees Annual Financial Statement for 2022

Notifications:

Burlington Housing and Development Liaison Committee (BHDLC)

Mailing or e-mail address : [BHDLC distribution list](#)

Hamilton Halton Construction Association (HHCA)

Mailing or e-mail address : sue@hhca.ca

West End Home Builder's Association (WEHBA)

Mailing or e-mail address : mikecw@westendhba.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.

Building Permit Fees Annual Financial Statement for 2022	
Actual Costs Associated with Delivering Services Related to the Administration and Enforcement of the Building Code Act	
(For the Period January 1 to December 31, 2022)	
	<u>2022 Actuals</u>
Revenues	
Building Permit Revenues	\$ 6,997,304
Expenses	
Direct Costs	\$ (4,027,649)
Indirect Costs	\$ (732,135)
Total Expenses	<u>\$ (4,759,784)</u>
Net Position – Surplus/(Deficit)	\$ 2,237,519
Building Permit Stabilization Reserve Fund	
Opening Balance	\$ 2,894,113
Provision to reserve fund	\$ 2,237,519
2022 Admin Fees	\$ (1,202)
Interest	\$ 71,557
Closing Balance	<u>\$ 5,201,986</u>

Note:

2022 actuals have been provided by the Finance Department based on the financial model developed and implemented in 2006, 2010, 2016 and 2019 as approved by Council.



SUBJECT: City of Burlington update to Coyote Response Strategy

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Building and By-law Department

Report Number: BB-03-23

Wards Affected: All

File Numbers: 155-03-01

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Recommendation:

Receive and file building and by-law department report BB-03-23 and endorse the actions taken by the Director of Building and Bylaw to date related to the City's response to the implementation of a Coyote Action and Awareness Program; and

Direct the Director of Bylaw Compliance to report back as required with any further updates on the program as well as additional future staffing and other resource requirements to support the City's Coyote Management Strategy.

PURPOSE:

Vision to Focus Alignment:

- Building more citizen engagement, community health and culture
-

Background and Discussion:

Coyotes in Burlington

Coyote sightings are common in the City of Burlington, as our green spaces and forested areas provide an excellent habitat for Coyotes and other wildlife. Incidents involving coyotes in Burlington are also on the rise, as indicated by the 7 unprovoked attacks of 2022.

As noted in report to council CM-26-22, an April 9, 2021 segment of CBC's *Quirks & Quarks*, hosted by Bob McDonald addressed the increased population of coyotes in urban environments with Dr. Dennis Murray, associate professor of biology at Trent University.

“According to Murray, the rapid rise in the coyote's range and urban population is due to the intersection of many different ecological issues. Climate change plays a part. Coyotes do better when there's less snow, and so have been able to expand their range northwards. The absence of bigger predators like wolves has meant less competition for prey animals. And, Murray adds, the way we've built cities has changed to incorporate more parkland and green space, which is ideal coyote habitat.”¹

Wildlife Control Roles and Responsibilities

- *The Ministry of Natural Resources and Forestry (MNRF)*
Wildlife control is a function of the Province under the [Fish and Wildlife Conservation Act](#) and as legislated through various regulations, such as [Ontario Regulations 665/98](#) (hunting) and [Ontario Regulations 667/98](#) (trapping).

With respect to wildlife, specifically coyotes, The Ministry of Natural Resources and Forestry (MNRF) states:

“Wildlife such as coyotes, wolves, and other furbearing mammals sometimes come into conflict with people. Municipalities are responsible for deciding on and taking appropriate actions when human-wildlife encounters create ongoing conflict situations on municipal property and can also take action on private property with the permission of the landowner.

The province supports municipalities by providing advice and expertise on actions they can take to resolve such situations. In many cases, these conflicts can be prevented (see tips at ontario.ca/livingwithwildlife). However, when prevention fails, the Fish and Wildlife Conservation Act allows municipalities to protect their property by harassing, capturing or dispatching a variety of wildlife species,

¹ <https://www.cbc.ca/radio/quirks/coyotes-doing-well-in-the-city>

including coyotes, or to hire a licensed hunter or trapper to do so on their behalf. Municipalities may also take action to address human-wildlife conflicts on private property with the permission of the landowner. No approval or authorization is required from the province in these cases.

Any situation that impacts public safety should be referred to the local police as they are the authority to deal with these matters. Police can dispatch an animal if they deem it necessary to protect public safety.

Municipalities may pay licensed hunters or trappers to hunt or trap furbearing mammals within their municipal boundaries. The municipality determines the terms of any such arrangement, including the species of furbearing mammals, the hunters or trappers involved, the number of animals, and the locations and time periods that apply.”²

▪ City of Burlington Animal Services

Given the Province’s delegation of responsibilities to municipalities, responding to wildlife issues in Burlington resides within Animal Services. The primary functions of Animal Services are:

- dog licensing programs,
- in-house animal shelter and care,
- pet adoptions,
- by-law enforcement related to all aspects of Animal Services By-law, and
- educational and public awareness programs.

Burlington Animal Services recently completed the contract staff (2) hiring process for the CAAP (Coyote Action and Awareness Program) and the Animal Services team is now currently staffed with one supervisor, six animal control officers and four animal care and licensing attendants. Animal control officers are directly responsible for administering and enforcing applicable animal laws and regulations of the Province of Ontario and City by-laws pertaining to animals. In the provision of the services, Burlington residents are assisted with stray animals, rabies mitigation, dangerous

² <https://files.ontario.ca/mnrf-wild-animal-control-rules-municipalities-en-2020-06-18.pdf>

animal investigations, animal nuisances, loose livestock, injured animals and deceased animal pickup with these requests being related to domestic and/or wildlife. While coyotes represent an increasingly difficult challenge, an increased demand has also been placed on Animal Services to deal with domestic animal issues; namely aggressive dogs in City-owned public parks and open space. Domestic animal bites alone account for almost 1 incident per week over the past 2 years 2021/2022.

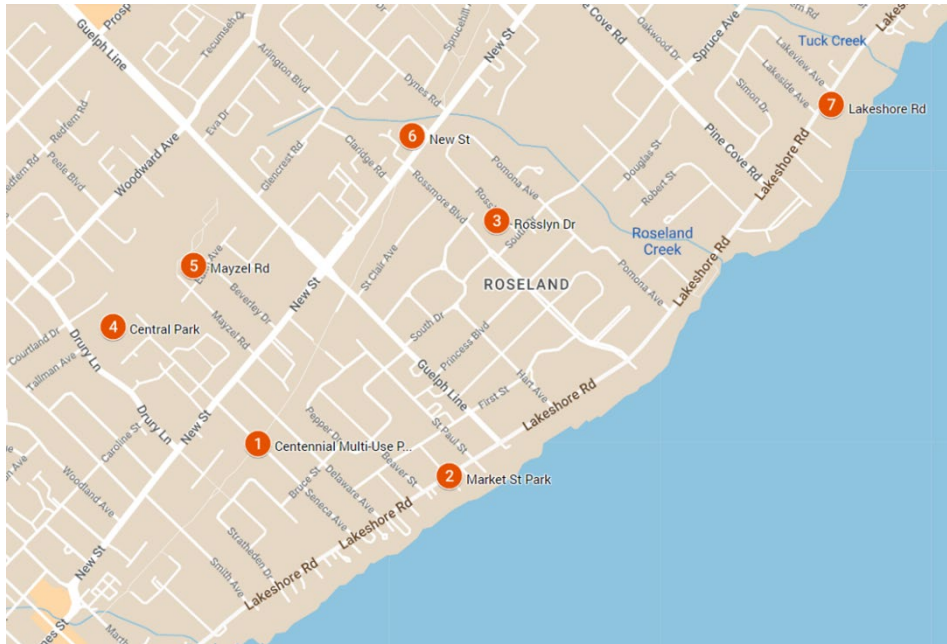
Year	Dog Bites
2018	41
2019	41
2020	31
2021	47
2022	45
2023	6 (Current investigations)

Animal control officers are responsible for providing public education related to co-existing with coyotes including hazing techniques, assessing properties for known coyote attractants, investigations into encounters and attacks, investigating and issuing fines for illegally feeding coyotes and other wildlife, monitoring known coyote dens, and locating and eliminating coyotes involved in attacks on residents.

Strategy/process

CAAP – Coyote Action and Awareness Program

As indicated, Burlington experienced 7 physical coyote attacks on residents in 2022 during a 9-week period from July 30th to September 20th, 2022. Upon learning of the attacks, Burlington took specific and direct action to activate the Level II Crisis Management Team and followed the Coyote Response Strategy Escalation Protocol approved by Council in PB-90-15. The Animal Services team focused their resources on locating and tracking the coyotes responsible and collaborated with a Certified Wildlife Professional (CWP) in their elimination.



In addition, staff presented a comprehensive report CM-26-22 entitled the City of Burlington Coyote Response Strategy Update and response to serious attacks on city residents. This report outlined coyote management recommendations and strategic actions subsequently all approved by Council to allow the City to be proactive when it comes to managing coyotes and wildlife to protect its residents.

Council approved the following directions in the report and amended the report to include several additional comprehensive directions.

1. 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
2. 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 additional one year terms; and

3. Direct the Director of Building and Bylaw 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
4. Direct the Chief Financial Officer to report back to City Council directly on Sept. 20, 2022 with options and recommendations for funding the new Coyote Action and Awareness Program; and
5. 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 Bylaw Compliance Department (as recommended in companion report CM-24-22) inclusive of an enhanced coyote response model as part of the Animal Services function; and
6. Direct the Executive Director of Community Planning, Regulation and Mobility, following the hiring of a new Director of Bylaw Compliance, to undertake a full review and update of the current City of Burlington Animal Services Bylaw (By-law 60-2005) and Coyote Response Strategy by Q4 2023; and
7. 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
8. 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
9. 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
10. 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

11. Direct the Director of Building and Bylaw to adopt a pro-active coyote response strategy model inclusive of adding two additional contract Bylaw Enforcement Officers, and engage appropriate coyote specialist resources to assist with investigations, canid response team, training staff and members of the public; and
12. 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
13. Direct 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
14. 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 the City respond to coyote attacks in Burlington; and
15. Direct the Executive Director of Legal Services and Corporation Counsel and the Director of Building and Bylaw 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 bylaw amendments for consideration by Council on Sept. 20, 2022; and
16. Direct the Director of Corporate Communications & Engagement to distribute a city-wide mailing and social media communication plan by Sept. 30, 2022 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 Sept. 20, 2022; and
17. 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.

With respect to the above directions the following is a summary of their status to date:

Completed to Date	In Progress Tied to Future Reporting Date	In Process of Completion with Date for reporting TBC
Directions: 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15 (related to feeding of wildlife), 16	Directions: 6, 7 (namely this report)	Direction: 12, 15 (related to illegal dumping), 17

In the months following the attacks, in addition to the above, Burlington animal services staff have worked towards developing a more proactive approach, ensuring public awareness and increased visibility throughout the community. Additional large billboard signage was deployed, as well as increased social media messaging. Staff ensured to secure the appropriate PPE (full-length gloves and wildlife proof coverings) as well as the appropriate wildlife capture equipment (hand-held wildlife capture equipment) and appropriate wildlife hazing devices and tools (pyrotechnic flares and audible deterrent devices).

Senior leadership, via implementation of the ECG (Emergency Control Group) identified immediate needs to have resources on hand and available for immediate deployment, as such the City of Burlington has continued the procurement of a roster of CWPs (Certified Wildlife Professionals) trained and accredited to use lethal and non-lethal measures in Coyote control and mitigation tactics. In addition to the use of external CWP services, in recent months, the Supervisor of Animal Services has also built greater internal capacity to deal directly with any crisis situations similar to the 2022 attacks.

The CAAP program will continue to utilize science-based information as well as data to monitor, track and aversion condition coyotes to maintain a healthy ecological balance in the community. This information is obtained in large part through the development of our ongoing and closed relationships with the MNRF as well as our continued collaborative efforts with our municipal neighbours, Oakville & Mississauga. Through the City Manager's offices, Burlington and Oakville has initiated ongoing joint coyote management meetings with the respective animal services staff teams.

Public facing data such as digital mapping and reporting forums are also key to the program, and to date the City has created and is beta-testing interactive reporting channels which will assist both the public and officers in maintaining this balance. The Animal Services team is currently working with Geomatics & Data Management Services to finalize an external facing map that visually plots coyote sightings across the City.

This reporting system assists both Animal Service officers as well as the Municipal Law Enforcement team in determining and identifying locations for a systematic and routine approach to audit derelict and problematic properties (both public and private). This method allows the teams to work collaboratively and efficiently to deal with coyote issues, by educating the public regarding minimum property standards as well as wildlife attractants and deterrents. City staff are also able to assess potential den locations to either mitigate or remove the location prior to it becoming a public safety threat. To date a number of property audits have already been completed with highly positive feedback from the community.

Increased community visibility and coyote education programs, via town halls, school pop-ups and proactive patrols are the continued focus of the CAAP team in 2023 and 2024 based on the two-year pilot timeframe. The education and enforcement regarding feeding of wildlife continues to be the foundational basis for the program, which also expands into proactive park patrols for domestic animals off-leash as well as the failure to remove domestic animal waste. This provides the community with multiple channels for relaying information to officers, either via email, telephone, or personal conversation with an officer patrolling a specific park or ward. This amplifies community engagement as well adds an additional layer of security by officers being readily available for any coyote-related issues which may arise.

Purchasing and implementation of digital (or magnet) signage (i.e. mobile/portable signage) is also being explored, as the need for readily available, large & visible signage is key to ensuring messaging is deployed in a timely fashion. Having signage on hand and readily available, will allow for focused messaging to be displayed in identified problematic areas immediately, to continue to provide the public with the most readily available information.

As Committee is aware, in report CM-26-22, a section of the report was devoted to the independent report provided the Burlington Oakville Coyote Management (BOCM) and as part of this report a further update is provided in relation the status of the 11 recommendations included in that report (Refer to Appendix A). Committee should also be aware that the joint meetings of Oakville and Burlington Animal Services staff, including the respective CAOs, has included discussion of the report and in particular where opportunities to work together to advance the recommendations provided by BOCM. Staff appreciate the efforts of BOCM and acknowledge that while all of the recommendations have been fully considered, not all of the recommendations as noted in Appendix A have been supported.

Options Considered

The traumatic physical attacks have changed the dynamics of coyote-human co-existence within Burlington. While the City's approved Coyote Strategy protocols addressed how unprovoked and provoked physical attacks would and in fact should be handled, those incidents have demonstrated the need for ongoing proactive response tactics, the implementation and endorsement of the CAAP program is achieving positive results.

Future consideration is being given to the ability to track, tag and potentially collar urban coyotes, which would be the first program of its kind in Ontario to our knowledge. This program could potentially have revenue streams attached in the capacity of base donations or sponsorships of the animals being digitally monitored similar to the Yellowstone Wolf Program (State of Montana). This will require collaboration with external agencies to ensure appropriate database systems are in place as well as seeking input from the Ministry and any associated grant programs to assist with cost offsetting.

Financial Matters:

The costs incurred during 2022 were \$88,190. These costs were not budgeted and therefore absorbed as part of the 2022 yearend financial position

Total Financial Impact

The 2023 budget included a one-time funding in the amount of \$580,488.00 for a two-year coyote response strategy. The two-year program includes 2 contract animal control officers, communication and literature costs as well as purchased services of CWP's and veterinary expenses.

Source of Funding

The 2023 budget included a one-time funding for the two-year coyote response strategy.

Other Resource Impacts

With the implementation of the new pilot Coyote Action and Awareness Program (CAAP) and the enhanced communications campaign, it is expected other support internal services will be engaged to provide either one-time or on-going support. As the details of the programs emerge, the extent of the impact on these support services will

be made clear. Management will be assessing any requests for additional resources as the need arises.

Climate Implications

Changing climate and its impact on weather and weather patterns plays a role in the urbanization of coyotes. According to Dr. Murray, the rapid rise in the coyote's range and urban population is due to the intersection of many different ecological issues. Climate change plays a part. Coyotes do better when there's less snow, and so have been able to expand their range northwards.”³

Engagement Matters:

The City continues to maintain ongoing connections with all agencies involved in the initial attacks, as well as establishing ongoing relationships with neighbouring municipalities to ensure knowledge transfer and public safety;

- Ministry of Natural Resources and Forestry (MNRF) - sharing scientific information
 - Halton Region Public Health - ensure shareable information about coyote attacks
 - Halton Regional Police Services - assist with public safety if/when required
 - Town of Oakville (Municipal Enforcement Services) – collaborating on policies/procedures
 - City of Hamilton (Animal Services) – collaborating on policies/procedures
-

Conclusion:

Coyotes have existed within the City of Burlington for decades and will continue to thrive in this current climate. Recent aggressive behavior including the 2022 physical attacks on residents brought about the urgent need to enhance our response strategy and implement a rapid action team (CAAP) to deal with these urgent issues. Our ability to

³ <https://www.cbc.ca/radio/quirks/coyotes-doing-well-in-the-city>

coexist with these animals is dependent on public understanding and controlled interactions which reduce the level of fear and increase the aversion conditioning tactics required to maintain that balance. While the City's protocols addressed how the unprovoked and provoked physical attacks are handled, continued enhancements and response tactics will be key to long term success of the program and overall public health/safety. Council's unequivocal support of the additional tactics and resources proposed is directly benefiting the City's efforts with Coyote management and will ensure that the Animal Services team is equipped to address escalated coyote situations in an expeditious manner.

Respectfully submitted,

Adam Palmieri

Supervisor of Animal Services

905-335-7600 x 6523

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.

Appendices:

Appendix A – BOCM Report_CM-26-22 and Status Updates

Appendix B - 2023 Coyote Response Communications Strategy

Appendix A – Original City Response to Feb 2022 BOCM Report Recommendations (Report CM-26-22) and Status Update

1. Conduct an impact analysis by neighbourhoods to identify various controls that should be implemented to safeguard residents, children and pets from coyote attacks.

An impact analysis might be beneficial. But are there agencies that could provide this service? Does Coyote Watch Canada have any data to assist with this? Animal Service staff will reach out to Coyote Watch to determine next steps.

***Status:** Remains under consideration however discussions with MNRF in particular with City staff have resulted in an enhanced understanding of local Coyote management and response management in particular the importance of strict control and imposition of fines and escalating penalties over feeding of all wildlife including coyotes.*

2. Improve both the quantity and quality of signage relating to coyotes, and ensure it offers meaningful information on what to do in the event of sightings.

Based on the digital images provided, signage appears to be inconsistent throughout the City. The inclusion of Coyote deterrence information should be reviewed for all future signage (or replacement of current signage). Future financial support will have to be assessed.

***Status:** Fully supported and enhanced signage design and implementation are ongoing between Animal Services and RPF staff.*

3. Current municipal by-laws should be amended to permit the laying of charges and assessment of fines for persons who feed coyotes.

Amendments to by-laws in regard to specific fines are not always successful in deterrence methods. Increasing fines for offences which are not often penalized would not be a successful way to mitigate the behaviour. The application of the by-law and the intent must be defined to understand what issue is trying to be resolved. A full review of the AS by-law as well as other enforcement strategies such as administrative penalty system (APS) are critical and must be considered. (Smaller, more easily payable and collectable fines are often more successful in specific deterrence than large, unattainable Provincial Offences). As noted above the current AS by-law should be reviewed to determine effectiveness.

Status: *Fully supported with increased wildlife feeding fines implemented in reports CM-26-22 and BB-14-22.*

4. Provide appropriate coyote management education in schools and parks that border creeks.

Agreed, this would be a great opportunity for the Animal Services Ambassador Pilot Program give presentations at schools or provide educational pamphlets to bring awareness to the issue (ideally utilizing the AS officers for this community engagement). Our presence at the schools and in the community also provide a sense of security to the public that we are actively monitoring and addressing the situation.

Status: *Fully supported and being implemented as part of the CAAP pilot program.*

5. Change municipal by-laws to permit residents to increase fence heights in order to deter coyotes from entering residents' properties.

Providing blanket exemptions for fences along "hot spots" could result in entire backyards appearing to be fortified. A review from the Planning Department – Zoning Section would need to be conducted to see if a 1m (3.3ft) increase would be a) permitted and b) appropriate in this circumstance as a deterrent.

Status: *Fence regulations will be reviewed by the Community Planning Department through the Comprehensive Zoning By-law review project.*

6. Permit residents' whose properties back onto wooded areas to place an awning structure at the top of their fence to prevent coyote jumps.

Status: *Fence regulations will be reviewed by the Community Planning Department through the Comprehensive Zoning By-law review project.*

7. Request more frequent and nightly bylaw officer visits to wooded areas known to have coyote dens.

Requests for service and operational needs are something that can always be assessed. Any specific project or special area of concern can always be addressed with proper planning, implementation and contemplating any impact on operational demands. The addition of an Ambassador pilot program with

assistance from Coyote Watch Canada is an opportunity to address these specific needs.

Status: *Fully supported and in progress of implementation with additional Animal Services staff resources and CAAP program to address the frequency of proactive patrols for known coyote hotspots.*

8. Scientifically measure the size of the coyote population in West Oakville, Bronte and Burlington.

Does Coyote Watch Canada have any data to assist with this? Or does Coyote Watch Canada have any ability/capacity to facilitate this sort of request?

Status: *Not supported given the transient nature and mobility of the coyote population. MNRF continue to provide the City with information on coyote behaviour with urban environment within the GTHA and City of Burlington staff are in direct contact with Provincial subject matter experts and animal services staff at the Town of Oakville.*

9. Institute a program of coyote contraception to limit the size of the coyote population.

This would be a discussion to be had with the Ministry, as wildlife is protected. Coyote cull programs may exist in other locations or municipalities. The municipality on its own would probably not be permitted to initiate a program such as this.

Status: *Not supported based on City not having authority of implementing such a program based on the MNRF feedback.*

10. Initiate a program of aggressive hazing to instill fear in coyotes.

Agreed. Similar to question 4. This could be a good opportunity for the City of Burlington to engage the local schoolboards and provide education seminars or hold open public sessions where officers can be present to engage in Q&A with the community.

Status: *Hazing is fully supported and is/will be reinforced in our coyote management communications as well as our direct public engagement through the CAAP program.*

11. Institute a program of regular pesticide spraying of rats and other vermin consumed by Coyotes in our trail areas and known den areas.

Pesticides and spray control is just one method of deterrence. Ensuring all available food sources are removed, or properly stored is another more effective measure. City employees (Ambassadors) could engage local problem “hot spots” to assess current issues.

(Garbage left out unattended. Bird Feeders or feeding of wildlife. local parking spots where garbage cans are not properly maintained, etc..) and provide an education campaign to bring better awareness to the issues.

Status: *Not supported for number of reasons including unintended impacts to wildlife and the overall environment and ecological balance.*

Coyote Action and Awareness - Communications Plan

Key Messages:

- Five things Burlington residents can do to deter coyotes:
 1. Never feed coyotes
 2. Never leave pets unattended
 3. Keep a tidy property
 4. Inspect your property
 5. Consistently haze coyotes
- Coyotes are native to North America and can be found living in large and small urban and rural areas across the United States and Canada.
- Coyote sightings are common in the City of Burlington, as our green spaces and forested areas provide an excellent habitat for them. While coyotes will generally avoid humans, they can pose a serious threat to pets, such as cats and small dogs. Coyotes naturally fear humans and should remain wild animals with little human interference. They play an important role in balancing the ecosystem in southern Ontario by controlling the populations of rabbits, rats and mice.
- The City is responsible for taking appropriate actions to manage resident encounters with coyotes and take appropriate action on municipal property. It is unusual for a coyote to attack humans. When it does happen, the City has a Council approved protocol that we follow.
- If you see a coyote, let us know using our online report. Reporting coyote sightings, or potential problems related to overgrown building sites, garbage or someone intentionally or accidentally feeding a coyote, helps us monitor the location and activity of coyotes in the community.
- Coyotes are naturally wary of humans but will look for food and shelter in residential neighbourhoods if it's there. See the top 5 things you can do to help deter coyotes, including what to do if you are physically attacked a coyote, at burlington.ca/coyotes
- There are things we can all do to prevent situations that may cause conflicts with coyotes that live in our city.
- Our relationship with coyotes is directly affected by our behavior and the cues we send them.
- The most significant thing we can do to prevent coyote/human conflicts is to stop feeding them, directly or indirectly.

- When walking in parks and on trails, keep dogs on leashes at all times.
- Report coyote sightings to www.burlington.ca/coyote

Strategy and Tactics

Strategy	Audience	Tactic	Timing
Build awareness about coyote behaviour at key times of year and share information about how to avoid conflicts.	All	1. Update web information on www.burlington.ca/coyote as needed, e.g. Top 5 Things to Know about Urban Coyotes	Feb. (yearly)
		2. Distribute media releases at key times of year, e.g.: - Jan/Feb (mating season) - March/April (denning season) - Sept/Oct. (dispersal season)	Jan. March May Sept.
		3. Share weekly tips, updates and reminders to city's social media channels. Boost posts in neighbourhoods experiencing coyote conflicts	Ongoing
		4. Google Ads	April Sept.
		5. Share video highlighting property hazards that could attract coyotes, e.g. garbage, brush piles, dog food and feces	Via social media

		6. Halton Multicultural Council e-Newsletter/Translations	April Sept.
		7. Reprint and distribute door hanger with coyote information	May Sept.
		8. Provide councillors with content for use in eNewsletters, web, social media, etc.	March May Sept.
		9. Update newspaper filler with Top 5 ways to avoid coyote conflicts this season	Annually
		10. Newspaper ads – print and digital	April Sept.
		11. Use pull-up vinyl banners x 4 for display at city community centres	April Sept.
		12. Messaging on read-o-graphs at City facilities	March, May, Oct., Jan.
		13. Digital image for P&R TVs in community facilities	March, Oct., Jan. (yearly)
		14. Bus ads	April Sept.



SUBJECT: Appointment of Hearing Officers

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Transportation Services Department

Report Number: TS-10-23

Wards Affected: ALL

File Numbers: 110-04-1

Date to Committee: March 28, 2023

Date to Council: March 30, 2023

Recommendation:

Approve By-law No. XX-2023, being the Screening and Hearing Officer By-law, substantially in the form attached as Appendix A to transportation services department report TS-10-23, in the form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Approve Hearing Officer remuneration at the rate of \$500 per diem; and

Authorize the Director of Transportation Services to execute service agreements/ contracts with each of the appointed Hearing Officers, and any extension thereto, with content satisfactory to the Director of Transportation Services and form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

PURPOSE:

To appoint Hearing Officers working under the City of Burlington Administrative Penalty System (By-law 40-2016) as required per Section 8 of Ontario Regulation 333/07.

Vision to Focus Alignment:

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

Background and Discussion:

Provincial Requirement for Screening and Hearing Officers

The City of Burlington operates under an Administrative Penalties System (APS) for parking infractions in accordance with authority provided under the Ontario Administrative Penalties Regulation 333/07 (the “Regulation”).

The regulations provide a two-step process for those individuals wishing to dispute a parking ticket.

Step one is a review by a Screening Officer who can vary, amend or cancel the parking ticket.

Step two is a final and binding appeal to a Hearing Officer should the ticket recipient be unsatisfied with the Screening Officer’s decision.

Screening Officers can be employees of the City while Hearing Officers must be independent of the City and are appointed by council. Hearing Officers must be appointed under an implementing bylaw. Currently, the Hearing Officers are appointed by By-law No.09-2020 which is sought to be repealed and replaced in the recommendation made in this report.

Once the bylaw is passed, the City will enter into service agreements with the appointed hearing officers.

Financial Matters:

Total Financial Impact

By-law 09-2020 recommended an updated per diem rate of \$500 per hearing. This rate is recommended to remain the same. The 2023 Parking Services Operating Budget planned for this amount assuming approximately 12 hearings per year.

Source of Funding

Payment for Hearing Officers is offset by the administrative penalty fees collected through parking tickets as approved in the City’s Administrative Monetary Penalties bylaw 40-2016.

Climate Implications

Not applicable.

Enterprise Risk:

The city is required to designate Screening Officers and appoint Hearing Officers as part of the appeal process legislated in Ontario Regulation 333/07.

Conclusion:

The recommended by-law will confirm the Screening Officer hiring process and appoint Hearing Officers to ensure the City's Administrative Penalty System complies with Provincial regulations.

Respectfully submitted,

Stephen Camm

Supervisor of Parking Services

905-335-7777 ext. 7690

Appendices:

- A. By-law XX-2023 to replace City of Burlington Screening and Hearing Officer Appointment By-law 09-2020.

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council. Final approval is by the City Manager.



SUBJECT: Park Provisioning Master Plan final report

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Engineering Services

Report Number: ES-02-23

Wards Affected: all

File Numbers: 930-01

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Recommendation:

Receive and file the Park Provisioning Master Plan, listed as Appendix A in engineering services report ES-02-23, as the framework to guide the planning of future parks in the City of Burlington and satisfy Provincial legislative requirements (as amended by Bill 23) to have a park plan in place prior to passing an update to the Parkland Dedication Bylaw; and

Approve the updated park classification system and authorize the Director of Engineering to report back to Council with an updated inventory of existing parks recategorized within the new classification system; and

Approve the future parkland target service levels identified in Section 2.5 of the Parks Provisioning Master Plan, listed as Appendix A in engineering services report ES-02-23; and

Approve the parkland criteria, listed as Appendix B in engineering services report ES-02-23, as a support document to help guide the development community and staff in deciding which lands to obtain through parkland dedication; and

Direct the Executive Director of Legal Services and Corporation Counsel or designate to develop a proactive strategy to acquire park lands based on service levels set forth in the Park Provisioning Master Plan; and

Approve monitoring the City's parkland service levels and acquisition priorities as part of Multi-Year Community Investment Plan reporting and updates to the Vision to Focus; and

Direct the Director of Community Planning to conduct an exploration of a Community Planning Permit System as a tool to aid in the acquisition of infrastructure, parkland or monetary contribution, in exchange for offering a more streamline and transparent approval process within the Major Transit Station Area (MTSA) specific planning process; and

Direct the Director of Community Planning to begin work with land owners in the MTSA's or any area of the City subject to an area-specific planning process to guide future development and to identify specific City infrastructure needs.

PURPOSE:

To provide Council with an assessment of current parkland service levels, guidelines and recommendations on the acquisition of parkland in the short, medium and long-term and decision-making methodology for future parkland acquisition.

Vision to Focus Alignment:

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

Executive Summary:

Nearly a decade and a half ago, the City of Burlington published the 2009 *Parks, Recreation and Cultural Assets Master Plan* (PRCAMP). Since that time, the city's population has expanded by more than 11,000 people and is transitioning from greenfield to infill development. In the next 20 to 30 years, Burlington's population is expected to grow by an additional 50,000 to 70,000 people. With all these changes, it is important to update the PRCAMP. In advance of that, there is an immediate need to complete a related technical study specific to parkland and have it endorsed by Council as a necessary precursor to the passing of any future park dedication by-law. As a result, the *Park Provisioning Master Plan* (PPMP) was developed to analyze and set service level targets for the land base required to keep up with growth and avoid downward pressure on existing parks.

The table below demonstrates the fundamental differences between the two master plans.

Name	Summary – Area of Focus	Delivery
Park Provisioning Master Plan (PPMP)	Land Base (parkland service level)	2023- Q1
Parks, Recreation and Cultural Assets Master Plan (PRCAMP)	Community Needs Facility/Park Assets	2024- Q2

In recent years, there has been significant change to the Burlington landscape. New types of parks are emerging with the expansion of pedestrian spaces, installation of urban parkettes and new types of trails in urban areas. COVID-19 has demonstrated that parks are seen as multi-benefit landscapes that support mental and physical health through opportunities for active and passive recreation and environmental resiliency. Parkland dedication through subdivision agreements will become more redundant as Burlington shifts from growth in large greenfield areas to redevelopment and intensification of smaller land parcels in existing urban areas. This is compounded by increasing land value and recent changes in legislation that limit the City's ability to receive land through development. The result is a reduction in Burlington's existing parkland service level. It is critical that Burlington shift from the traditional means of park acquisition and move towards a proactive approach to provide quality outdoor space that keeps pace with growth. This study contains several strategic actions to guide the city to meet parkland needs for future generations. This study is meant to be updated on a regular basis by staff to ensure parkland service level targets are achievable and still applicable as the city continues to grow.

Background and Discussion:

The Park Provisioning Master Plan has been developed to establish a Council-approved parkland acquisition framework and parkland service level targets to guide land acquisition and planning for future parks over the next 20 to 30-years. The PPMP aligns with the following:

- Halton Region's Regional Official Plan Amendment 49 (ROPA 49)

- Burlington's Growth Analysis Study
- Burlington's Major Transit Station Areas (MTSA) Area Specific Study that uses a 2051 growth horizon for the MTSA's.

The following discussion will provide a high-level summary of findings from the PPMP study, including:

- Provincial Context and Alignment with other key studies/plans,
- Burlington Park Classification System,
- Parkland Service Levels,
- Strategic Actions Summary, and
- Strategy Process.

It will also address the outstanding staff direction (SD-17-18), moved by former Councillor Meed Ward, to direct the Director of City Building to consider setting a minimum parkland standard (ha/1000 population) and walk distance for the Primary Growth Areas (3 Mobility Hubs and the Downtown) during the Area Specific Plans. It is important to note, since that time Mobility Hubs have been changed to Major Transit Station Areas (MTSAs).

Provincial Context and Alignment

The Park Provisioning Master Plan (PPMP) used the best information available at the time of the analysis. This approach comes with the understanding that the information could change and require future review or update. The Region of Halton Municipal Comprehensive Review (MCR) is being implemented in a phased approach. The first phase of the work was implemented through Halton Region's Regional Official Plan Amendment 48 (ROPA 48) and was adopted by Regional Council in July 2021 and approved by the Minister of Municipal Affairs in November 2021. ROPA 48 implements a regional urban structure hierarchy of strategic growth areas and delineates and establishes intensification targets for Urban Growth Centres and MTSA's. The second phase of work was implemented through ROPA 49. It was adopted by Regional Council in June 2022 to implement the results of the Region's Integrated Growth Management Strategy (IGMS), providing direction on how the Halton Region will accommodate population and employment growth to 2041.

When ROPA 49 was approved by the Minister of Municipal Affairs and Housing on November 4, 2022, the Minister made a number of modifications which impact Burlington. Among other things, the modifications add new urban land in Burlington, converts Regional employment area designations and extends the planning horizon to 2051.

Staff are now working to establish a local planning vision for the areas impacted by the Minister's decision on ROPA 49 for consideration by Council in early 2023. This work is necessary to inform a process with the Region and local municipal partners to develop a

clearly defined plan for where and when growth is expected to occur in order to coordinate the delivery of significant and critical infrastructure to support that growth.

While the PPMP references the 2051 population and employment forecasts, it is expected that once the details of this work are confirmed and implemented there will be an opportunity to include any changes in subsequent updates to the PPMP.

At the municipal level, the PPMP is one of many park-related projects that are currently underway. Other associated initiatives include:

- MTSA area specific planning
- PRCAMP update
- Community Benefits Strategy and Development Charges background study
- Integrated Mobility Plan
- Urban Forest Management Plan
- Asset Management Plan.

Alignment of the PPMP with these initiatives and other technical studies is essential to provide a consistent message to Council as well as to industry stakeholders and the public. To ensure alignment across projects, the PPMP included an interdisciplinary working group, utilizing the most current information from the other projects, acknowledged the interconnectivity of other projects and identified challenges that may be faced by the City to achieve its strategic goals and vision.

Burlington Parks Classification System

Burlington has an existing park classification system that is used as a tool to support the planning, development and operation of the park and open space system. Parkland targets will vary in each of the different classifications and when planning for new parkland. The classification requirements will help to determine the appropriate land characteristics required in the acquisition of land and the anticipated operating and capital budget impacts to the city budget.

The PPMP provides an updated park classification system that is more representative of the types of parks that are required to meet the current and future needs of Burlington residents. It has the potential to provide clarity on the role and function of different park assets. The proposed classification system closely aligns with Burlington's existing park classifications, acknowledges the duplication of park types and functions, and addresses park types that generally accompany urban intensification and redevelopment.

The PPMP recommends that the classification system include six types of parks, each providing a function and service to residents to meet their overall recreation and open space needs.

The new park classifications include the following park types:

1. Destination Parks (NEW replacing City Parks)
2. Community Parks
3. Neighbourhood Parks
4. Urban Parks (NEW)
5. Linear Parks & Greenways (NEW)
6. Ecological Parks (NEW)

A reclassification of each existing park will take place following Council approval of the PPMP. The “City Park” and “Special Resource Area” classifications will be retired. Staff will determine which parks are reclassified based on the PPMP’s recommendations for each park type. A summary of the changes is noted in the table below.

	Park Type	Change	Example
NEW	Destination Park	Existing City parks that draw many users from beyond city limits will become destination parks.	Lowville Park Spencer Smith Park
	Community Park	Existing City and Community Parks will either become or remain Community Parks	Orchard Park Nelson Park
	Neighbourhood Parks	Existing Parkettes and Windows to the Lake (WTTL) Parks will become Neighbourhood Parks along with existing Neighbourhood Parks	Fairfield Parkette Appleby Line WTTL Longmoor Park Palladium Park
NEW	Linear Parks and Greenways	These will be parks that function as active transportation corridors. Linear Parks are more are manicured parks vs Greenways that have more natural features.	Elgin Promenade (Linear) Crosstown Trail (Greenway)
NEW	Ecological Parks	These will be parks that are primarily a natural area.	Kerncliff Park
NEW	Urban Parks	Existing or new parks that are located in high density areas.	Civic Square

Parkland Service Levels

The purpose of a level of service analysis is to determine how well the existing parkland and open space system is meeting the current needs of residents and to set target service levels or provisioning standards to meet the demand for more parks to accommodate growth. Using population data from the 2021 census, Burlington's current parkland level of service was determined through a combination of catchment analysis, park pressure analysis and park function analysis.

CATCHMENT ANALYSIS

Identified under focus area four in the 2018-2022 Burlington's Plan - From Vision to Focus, the city aims for homes to be within a five-minute walk of a park. Research has demonstrated that an approximate **five-minute walk** (400m) is a reasonable, accessible distance that most people will walk to a local park before using a different mode of transportation (e.g. car, transit). To support the development of future target parkland service levels, a walking catchment around each park was created. The walking distance catchment was determined using pathways, sidewalks, trails and local roads without sidewalks and measuring the distance to the edge of the park where access can be gained in a reasonable manner (i.e. there are no steep grades, the area is not fenced). This method also factors in barriers to access, such as highways, rail lines, creek channels, or where there are gaps in sidewalks, pathways, or trails. This walking catchment tool is more reflective of a person's access to parkland than calculating the number of people within a park buffer.

PARK PRESSURE ANALYSIS

The park pressure analysis utilizes the 400m walking catchments and federal census dissemination blocks to calculate the total number of people a park serves within the 400m walking catchment. This method takes into consideration **population density** within the 400m walking catchments providing a measurement of equity between the different catchment areas. This measure produces a square meters of parkland per person number which complements the walking distance measure to provide a more accurate picture of parkland service level. It is important to know if a park is walkable and likely to provide comfortable personal space or if the park may be walkable but is likely to be well used and crowded.

PARK FUNCTION ANALYSIS

The park function analysis examined the **programable park space** compared to natural areas and the distribution of sports fields and playgrounds across the city. The park function analysis does not consider the asset condition or functionality outside of the

purpose of the infrastructure. The PPMP examined at a broad level the location and number of rectangular sports fields, baseball diamonds and playgrounds.

Using this analysis, target parkland service levels were determined for the city as a whole and for the planning policy areas. Policy area boundaries were used because the city consists of very different planning and community regions that function differently and thus have different parkland service needs. The different policy areas in the city will also experience different growth pressures and therefore it was determined that measuring service levels and creating targets for different urban and rural areas is more equitable and will help the city determine and distinguish parkland priorities.

The following items were considered in the establishment of the parkland targets for the different policy areas:

1. Access to private green space, private yard space
2. Urban typology, i.e. dense urban MTSA or Downtown Urban Centre
3. Population density, existing and anticipated
4. Parkland function
5. Proximity to park access within a 5 min/400m walk

As the city grows and intensifies, it is anticipated that there will be greater use and demand for existing parks, as well as greater challenges in acquiring and developing new parks, particularly in existing urban areas. Accordingly, the citywide target future parks service levels identified in Section 2.5 of the PPMP take these forecasted changes and challenges into account.

Overall, the PPMP recommends a future parkland service target at 2051 of **3 hectares per 1,000 people citywide**. Refer to Tables 25 and 26 of the PPMP (Appendix A). This means that approximately 90 hectares of additional parkland need to be acquired to meet local parkland and citywide recreational needs. A service target of 3 hectares per 1,000 is a slight decrease from the current parkland service rate of 3.65 hectares per 1,000, however this is necessary to keep pace with growth and still maintain one of Burlington's best features; a quality and accessible park system. Burlington is regularly ranked one of the best cities to live and parks are a leading and consistent metric in these evaluations.

Strategic Actions Summary

Bill 23, the More Homes Built Faster Act, 2022 was passed by the Province of Ontario Legislature on Nov. 28, 2022. This Bill is very broad in nature and makes changes to the Planning Act that directly impact both the renewal and delivery of new parks. It will drastically diminish funding towards parkland needs and reduce the amount of parkland dedicated to support growth. With this new legislation in place, developers will be able to identify which areas of their land will be dedicated to the city to satisfy land dedication

requirements. They can propose lands for designation that include stratified parcels, lands encumbered with easements or below-grade infrastructure, and non-fee simple interests such as private owned publicly accessible spaces (POPS). The selected land may or may not meet the service needs of residents. Municipalities may refuse to accept lands proposed, however, developers will have a right of appeal to the Ontario Land Tribunal (OLT).

Bill 23 will impact how the city acquires parkland, but the target provisioning rates will remain the same. The city will have to shift towards a stronger, multi-faceted approach to providing quality parks with less dependency on development as a primary means for acquiring parkland.

The following is a list of tools already in place that the city can leverage.

- Purchase by Halton Region to expand existing City parks (e.g. Beachway Park)
- Off-Site Land Exchange (e.g. Palmer Park)
- Private Donation (e.g. Eileen and John Holland Nature Sanctuary)
- Reciprocal Agreements (e.g. playgrounds on school sites)
- Lease (e.g. Leighland Park)
- Master Park License Agreement (e.g. Centennial Multi-Use Trail)
- Easements (e.g. greenways)
- Management Agreement (e.g. Kerncliff Park)
- License to Occupy Crown Land (e.g. Trail on Federal Land)

Strategy/process

There is still uncertainty around Bill 23 as it relates to parkland. It will take time for the Province to release more detailed regulations and integrate these new requirements into current business processes. Development applications remain active so as a benefit to both the city and the development community, Appendix B of the PPMP puts in place parameters related to what makes land suitable for a park. It also addresses details related to Privately Owned Publicly Accessible Spaces (POPS). In determining when and where parkland should be taken, there are many factors to be considered. They are intentionally not specified within the Parkland Dedication Bylaw to allow decisions to be made based on context rather than a binary requirement in a bylaw.

It is recommended Appendix B presented as Parkland Criteria, be adopted as a support document to help guide the development community and staff in deciding which lands to obtain through parkland dedication, and also through city purchase of lands for parks.

Another tool that may be appropriate in the planning and provisioning of park land is the use of a Community Planning Permit System. A Community Planning Permit System combines zoning, minor variance and site plan applications into one application and approval process instead of two or three separate ones, accelerating the development approval process. In exchange, a municipality may impose conditions related to development standards, parkland, design criteria, and community contributions. The by-law could include but not be limited to the listing the permitted land uses, development standards (e.g. height, density), development or uses of land exempt from requiring a permit, etc. The Community Planning Permit system requires more work upfront to determine and set the vision for the entire municipality or a specific area including an Official Plan Amendment for the area where the Community Planning Permit System would apply and the passing of a Community Planning Permit bylaw. However, the use of this tool may be effective in the MTSA and Urban Centres to create more certainty for both the City and developers. It is recommended that a Community Planning Permit System be explored further in particular with respect to development of the MTSA and Urban Centres.

Options Considered

n/a

Financial Matters:

The PPMP outlines the parkland acquisition framework and targets for parkland service levels to guide the land acquisition and planning for future parks over the next 20 to 30 years. Council's approval of the PPMP is a necessary precursor to the passing of any future park dedication by-law. The city has committed to updating the existing transitional park dedication by-law upon completion of the PPMP, but as of more recently, to align with the resolutions of Bill 23 amending the Planning Act. As mentioned above, Bill 23 impacts will diminish funding towards existing parkland needs and reduce the amount of parkland monies dedicated to future growth. The Bill 23 amendments, which are already in force with respect to parkland dedication and cash-in-lieu (CIL) of parkland, have significant impacts on the City's ability to accept CIL and/ or conveyance of land. This will erode the dollar per unit caps that were established in the amended parkland by-law in July 2022. Parkland dedication is a significant source of funding towards the parks program and moving forward the City will need to prioritize park needs for inclusion in the capital budget and continue to create financial capacity in order to progress on the objectives of the PPMP.

Staff will be bringing forward the new park dedication by-law for Council approval in Q2-2023. The new park dedication by-law and the endorsed PPMP will inform the City's multi-year community investment plan (MCIP). Staff will report back on the updated MCIP in Q4 2023 to include completed master plans to date (PPMP, Integrated Mobility Plan, Fire Master Plan, Transit Master Plan) and an overview of funding options resulting from BMA Health report, Bill 23 Impact Analysis, new park dedication by-law, Community Benefits Charge (CBC) and Development Charge (DC) updates, etc. The MCIP will provide a preliminary financing strategy to assist in meeting the objectives of the master plans completed to date and will set the stage for financing future master plans.

Climate Implications

Burlington City Council declared a climate emergency in April 2019 in response to concerns about the impact that a changing climate is having on the City and communities around the globe. On April 20, 2020 Council approved a Climate Action Plan which provides a framework to reduce the use of fossil fuels in the community, the main contributor to greenhouse gas emissions, which are causes of climate change.

The Climate Action Plan focuses on the following key areas: low-carbon new buildings, deep energy retrofits for existing buildings, renewable energy, electric mobility and equipment, integrated mobility, waste reduction and industry innovation.

Parks mitigate the urban heat island effect, improve air quality, and absorb carbon from the atmosphere. They support local biodiversity, can act as buffer zones for flooding and are important environmental infrastructure. New urban parks are important because they can provide pockets of shade and can help Burlington both mitigate carbon emissions and adapt to a changing climate.

Engagement Matters:

The development of the PPMP began in early 2022 with an interim report presented to the Environment, Infrastructure & Community Services Committee June 9th, 2022 (report ES-05-22). The draft plan was tabled to allow for public review of the document. As part of the engagement process, a number of stakeholders, including and not limited to the local School Boards, the Region of Halton, Conservation Halton and the Niagara Escarpment Commission presented findings that contributed to recommendations published in this report. The PPMP will become the "Parks Plan" as referenced in the

Planning Act (as amended by Bill 23) and fulfill the legislative requirement to have a park plan in place before an update to the Parkland Dedication Bylaw can be passed. Following Council approval of the PPMP, staff intend to bring the City's Parkland Dedication Bylaw into compliance with the Planning Act (as amended by Bill 23) in Q2 2023.

Conclusion:

Burlington parks play a vital role in the social, economic, physical and mental well-being of residents. They are critical infrastructure to a healthy city and are recognized as powerful tools for local economies, climate mitigation and the preservation and conservation of the natural system. As Burlington continues to grow, so does the pressure on its existing parks system. The types of parks the city is likely to be creating within the urban boundary are small urban and linear/greenways parks. New community and destination parks will be nearly impossible to achieve through development, and thus moving forward, acquiring land for any new large outdoor recreational amenities (e.g. sportsfields) will be very challenging within the urban boundary. The City must improve

upon and expand its current land base for parks to keep in line with the projected growth in order to support the future parks and recreational needs of its residents.

Respectfully submitted,

Marion Rabeau

Manager Parks Design and Construction, Engineering Services

Appendices:

- A. EICS-02-23 Parks Provisioning Master Plan
- B. EICS-02-23 Parkland Criteria

Report Approval:

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

Appendix A: Park Provisioning Master Plan

March 2023

Council Report ES-02-23



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Land Acknowledgement

Burlington as we know it today is rich in history and modern traditions of many First Nations and the Métis. From the Anishinaabeg to the Haudenosaunee, and the Métis – our lands spanning from Lake Ontario to the Niagara Escarpment are steeped in Indigenous history. The territory is mutually covered by the Dish with One Spoon Wampum Belt Covenant, an agreement between the Iroquois Confederacy, the Ojibway and other allied Nations to peaceably share and care for the resources around the Great Lakes. We would like to acknowledge that the land on which we gather is part of the Treaty Lands and Territory of the Mississaugas of the Credit.

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Disclaimer

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Executive Summary

The City of Burlington is in a unique position within the Greater Toronto and Hamilton Area. It is one of the few municipalities that will accommodate almost all of their population growth within the city's existing built up area, in alignment with the Province's A Place to Grow plan and the City's Official Plan. Parkland having been traditionally dedicated at the time of development, will become more difficult to attain through the dedication process due to the small parcels and multiple owners that make up redevelopment applications. The City's last comprehensive review of its future park needs was completed in 2009 through the completion of the Parks, Recreation and Cultural Assets Master Plan.

This Park Provisioning Master Plan provides an overview of Burlington's existing parkland service levels and creates parkland provision targets for individual planning policy areas in the city, over the next 20 to 30 years. The City of Burlington has 691.5 hectares of active parkland that it owns, leases or manages and currently has a parkland service level of 3.7 hectares per 1000 people. Approximately 66% of Burlington residents are within a 400m or five minute walk to a park. The Region, through the adoption of Regional Official Plan Amendment (ROPA) No. 49 and the Minister of Municipal Affairs and Housing approval with modifications determined that the city is anticipated to grow to 240,050 people by 2041, and to 265,160 people by 2051. An exercise is underway to determine the phasing of growth to the local municipalities to align with infrastructure delivery. To address growth pressures over the next 20 to 30 years it is recommended the city maintain a target service level of 3 hectares per 1000 at the end of the growth horizon with 80% of the population able to walk to a park within 400m from their residence. To achieve the recommended parkland service level targets in this report, the City will need to acquire approximately 104 hectares of land by 2051, through a combination of land dedication and City purchase.

This report provides park dedication policy guidelines and short, medium and long-term actions that the City should focus on to achieve the parkland future target service levels. These actions should continue to grow and evolve as legislation changes, demographics of the city change and mobility options change.

An update of Burlington's parks classification system is included to address the anticipated growth and redevelopment that is to occur over the next few decades. It's recommended that the parks system include six types of parks each providing a function and service to residents to meet their overall recreation and open space needs.

It's recommended that Council approve this report and approve the updated park classification system and future parkland target service levels contained within. This report and the information within it, is to be used to inform the update and review of the new Parks, Recreation and Cultural Assets Master Plan to be completed in 2024.

1 | Introduction

1.1 Project Overview

Parks provide residents with recreation and social gathering places that strengthen the community's well-being. Burlington's parks exist in a variety of forms and offer different functions to meet the needs of a diverse group of residents. Taken from the 2020 Love My Parks Survey completed by the City, Figure 1 lists the different activities Burlington residents like to do in the city's parks.

The City of Burlington undertook a strategic review of the City's parks system in 2009 that resulted in the completion of the Parks, Recreation and Cultural Assets Master Plan (PRCAMP). Since the PRCAMP was completed, Burlington has grown by more than 11,000 people and is anticipated to grow an additional 50,000 to 70,000 people over the next 20-30 years.

Parkland dedication through traditional means such as dedication at the time of development application will become more

challenging. This is due to a shift from accommodating growth in large, greenfield areas to growth mainly occurring through the redevelopment and intensification on smaller land parcels in existing urban areas. It is more difficult to achieve land dedication through the collection of bits and pieces of smaller parcels and land developers have less of an ability to provide land on smaller parcels without significantly impacting the physical viability of their development project.

1.1.1 Project Purpose

The Parks Provisioning Master Plan (PPMP) has been developed to establish a Council-approved parkland acquisition framework and targets for park provisioning service levels to guide the acquisition and planning of future parks over the next 20 to 30 year horizon. The 20 to 30 year horizon was utilized to align with Halton Region's Regional Official Plan Amendment 49 that plans for growth to 2051 in two periods, between 2022 to 2041 and 2041 to 2051.

Figure 1: What people like to do in Burlington parks



Regional Council adopted ROPA 49 that identified specific population and employment distribution to 2041 and a policy that directs a future amendment to the Regional Official Plan to forecast growth between 2041 and 2051. The Minister of Municipal Affairs and Housing, through their decision on ROPA 49, modified this growth strategy by deleting the framework and identifying a new distribution of population and employment growth to 2051. The Minister's decision also adds new urban land in the City and converts the Regional employment area designation. Work is underway to establish a planning vision for these areas impacted by the Minister's decision on ROPA 49.

The 20-30 year horizon also aligns with the City's Growth Analysis Study that forecasted growth out to 2041 and with the City's Major Transit Station Areas (MTSA), Area Specific Study that used a 2051 growth horizon for the MTSA's. The PPMP includes recommendations and actions to implement over the short, medium and long term for the different planning policy areas.

The PPMP is the first phase of parkland analysis work that will be incorporated into a new PRCAMP document. The information included in the PPMP will be included into the new PRCAMP and integrated with more in depth direction on park amenities, strategic direction for specific parks, projected infrastructure investment costs, and broader community engagement and input on the City's parks. In addition, the PPMP will set the framework and act as the parks plan to guide the City's parkland

dedication bylaws in alignment with provincial legislation and the Official Plan.

This report focuses primarily on the City of Burlington's parkland and refers to property owned, managed and leased by the City of Burlington. Other parkland within the City limits and adjacent to the City limits has been included for the purpose of setting the context and identifying opportunities to strengthen the City's parkland network. Public open space that is not classified as parkland is not included in this study unless otherwise specified.

1.2 Value of Parks

Publicly-owned parks are an integral part of urban and suburban living. They provide outdoor space to recreate and socialize that would not otherwise be available. Parks also allow people the opportunity to enjoy specific natural beauty and features such as Spencer Smith and City View Parks. Parks serve many other functions in society that contribute to a higher quality of life.

Studies have been conducted that indicate parks provide a public health benefit for people. Not only do parks provide physical benefits through recreation and exercise but parks also provide mental health benefits.

Parks can contribute to ecological functions such as water filtration, shade, in some cases as a wildlife corridor, and contribute to tree canopy. Parks can play a role in climate resiliency by absorbing storm water and by helping decrease the heat island effect in urban centres.

Parks provide economic benefit by creating an attraction for people to enjoy and thereby attract jobs and investment to a municipality. Parks adjacent to residential development usually create a premium for those nearby properties compared to others in the neighbourhood. Destination parks can also attract tourism to the region whether that is for sports tournaments, festivals, or performances. These attractions will draw people to use hotels and restaurants in the area as well.

1.3 Report Organization

This report is organized into the following sections:

- 1. Introduction:** The introduction provides an overview of the project and the importance of this work and how it fits in with other work happening at the City.
- 2. Burlington Parks & Open Space System:** Introduces the updated parks classifications and provides a summary of the methodology for defining current service levels and includes the future target service levels for the various planning policy areas.
- 3. Implementation Tools:** Identifies tools that may be used to achieve the parkland target service levels in the different areas of the city.
- 4. Recommendations & Strategic Actions:** Lists actions that should be implemented to achieve the parkland target service levels over the short, medium and long term.
- 5. Measuring Success:** Identifies how to determine if the City is being successful in meeting the prescribed target service levels and how to maintain a measurement of success.
- 6. Glossary:** Provides definitions for terms that have specific meaning in this report.

1.4 Planning Hierarchy

Provincial legislation sets the planning framework in Ontario, this is done mainly through the *Planning Act*, however there is other legislation that also guides the framework such as the *Development Charges Act, 1997* and the *Places to Grow Act, 2005* to name a couple.

Below the legislation level are provincial policies that further guide planning, growth and parks decisions. The Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe provide guidance to the Region of Halton in the creation of the Halton Region Official Plan and in turn the City of Burlington Official Plan. Both the Regional Official Plan and City's Official Plan establish policies that guide the location and intensity of future growth and the type and provision of the parks and open space system.

Bylaws such as the Parkland Dedication Bylaw, Development Charges Bylaw and Community Benefits Charge Bylaw are then used as tools to achieve parkland dedication, funding for growth related capital expenses, and community benefits

to mitigate the impacts of higher density and intensification.

In addition to the Official Plan and bylaws, the City completes non-statutory plans and policies to guide decision making to help achieve the City's long term vision. The Park Provisioning Master Plan is a non-statutory plan that sets the parkland dedication framework to support the requirements of the Parkland Dedication Bylaws in alignment with the Official Plan.

There must be alignment with all of these requirements, policies, and legislation for the planning system to operate efficiently and effectively.



1.5 Relationship To City Policies and Plans

Related Projects

The PPMP is one of many ongoing projects in the City of Burlington related to parks. Some of the projects listed below will also provide input into the new PRCAMP document:

- Asset Management Plan
- Burlington Accessibility Design Standards
- Climate Resilient Burlington
- Community Benefits Charge Study
- Development Charges Bylaw
- Framework for Community Recreation
- Housing Strategy
- Integrated Mobility Plan
- MTSA ASP Planning Project
- Multi-Year Accessibility Plan
- Parkland Dedication Bylaw Update

These projects have recently been to Council or are scheduled to be before Council Committee over the next twelve months. Alignment of the PPMP with these other studies is critical to provide a consistent message to Council as well as industry stakeholders and the public. To ensure alignment across projects, the PPMP included an interdisciplinary working group, utilized the most current information from the other projects, acknowledged the interconnectivity of other projects and identified challenges that may be faced by the City to achieve its strategic goals and vision.

Official Plan

Burlington Official Plan, 2020 was adopted by City Council in 2018 and approved with modifications by Halton Region in 2020. An interim version has been made available as there are appeals still in-progress to the Ontario Land Tribunal (OLT) regarding the Official Plan. The City's Official Plan is to guide growth and development to 2031 and beyond in alignment with the Halton Region Official Plan, the Provincial Growth Plan, 2019 and the Provincial Policy Statements, 2020.

The Burlington Official Plan, 2020 provides policy objectives and direction regarding the purpose, intent, dedication, and location of parks within the city and identifies parks and open spaces as a valuable resource to residents which support recreation and community building acting as a building block to complete communities in Section 3.3 of the Official Plan. Key objectives are identified in Section 3.3.1 of the Official Plan, including the identification that parks and open space lands are valuable resources to residents which support recreation and community-building, and that an adequate and equitable supply of parks and public spaces are to be provided throughout Burlington.

The implementation of the parks classification system identified in the Parks, Recreation, and Cultural Assets Master Plan, as updated and changed from time to time, is also identified as an objective in this section. Related parks classification and distribution policies are provided, providing specific reference to the Parks, Recreation,

and Cultural Asset Master Plan, while noting that park types, functions, amounts, and distribution can be changed and updated over time (S. 3.3.2 (a, d & e)).

With regards to parkland provision, the Official Plan notes that the majority of City parks will be acquired through dedication via the development approval process (S. 3.3.2 (d)). Specifically, 12.1.16 of the Official Plan provides direction regarding the parkland dedication amounts and rates to be used for residential, commercial and industrial, and mixed use developments. These directions will be implemented by in-progress updates to the parkland dedication bylaws (current bylaws are identified in Section 2.4 of this report below). The Official Plan also provides clear direction regarding the dedication of lands for active transportation connections between neighbourhoods, environmental protection, and waterfront public access (i.e. minimum 15 metre wide strip). Land dedication required for drainage infrastructure, shoreline protection, natural heritage areas, or hazards will not be accepted as parkland unless suitable for viable passive recreation uses.

Park Dedication Bylaws

The City of Burlington has two parkland dedication bylaws, By-Law 147-1993 applies to non-residential lands and By-Law 57-2005, as amended by By-Law 62-2022, applies to residential lands. Burlington's residential parkland dedication rate for land is the greater of 5% of total land area or one hectare for each 300 dwelling units; the non-residential parkland rate is 2% of the

total land area. For non-residential lands cash-in-lieu is preferred over parkland dedication in most instances.

In 2020, the *COVID-19 Economic Recovery Act* came into effect in the province and included a change to Subsection 42(4.26) of the *Planning Act* that stated all existing park dedication by-laws that use the alternative parkland dedication rates would expire on September 18, 2022. The City of Burlington uses the alternative parkland dedication rate in By-Law 57-2005, as amended, and therefore was required to pass a new park dedication by-law before the expiry date.

On July 7, 2022, City staff brought forward staff report ES-06-22 to recommend an amendment to By-Law 57-2005, the staff report included a Parkland Dedication By-law Review Background Report as an attachment. A review had been undertaken by Watson & Associates Economists Ltd. to assess the City's need for parkland and the ability of the current Parkland Dedication By-law to meet these requirements based on the current growth forecast. By-Law 57-2005 was amended by By-Law 62-2022 in July 2022 to include revised alternative parkland dedication cash-in-lieu rates for medium to high density residential development as permitted under Subsection 42(3) of the *Planning Act*. The cash-in-lieu rates for residential development are as follows:

Low Density

Cash-in-lieu = value of the land to be developed as of the day before the day the building permit authorizing development is issued x 5%.

Medium Density

The lesser of:

- a. the number of units in the proposed development divided by 500 x the per hectare land value of the land to be developed as of the day before the day the building permit authorizing development is issued; or
- b. the number of units in the proposed development x \$33,400.

High Density

The lesser of:

- c. the number of units in the proposed development divided by 500 x the per hectare land value of the land to be developed as of the day before the day the building permit authorizing development is issued; or
- d. the number of units in the proposed development x \$23,600.

Parks, Recreation and Cultural Assets Master Plan

The Parks, Recreation and Cultural Assets Master Plan (PRCAMP) is a comprehensive strategic plan guiding the delivery of parks, recreation and cultural services over a twenty year period and was completed in 2009. The directions and recommendations in the report were formed following extensive public engagement and technical analysis on the City's facilities and amenities. The recommendations stemming from the report were grouped into five sections:

- Policies and Strategies
- Parks, Open Spaces and Community

Trails Services

- Recreation Services
- Cultural Services
- Organizational Resourcing

In section 4, Parks, Open Spaces and Community Trails of PRCAMP, there are three recommendations. The first being Recommendation 15 of the master plan sets out the creation of the five existing classifications of parks. The detail summary of each park type is located in the PRCAMP and the Official Plan policies implement the use of the existing park types but refer back to the PRCAMP for the detailed classification descriptions. Following approval of the new PRCAMP, the Official Plan will also require updating to ensure alignment.

Indicated in Recommendation 16, the PRCAMP had determined the current provision of parks and open spaces was adequate and future park and open space development should focus on park enhancements instead of the provision of additional parks, however, included as one of the park directions in Table 4-1 of the PRCAMP report, is to respond to density increases and intensification impacts. This direction was in response to the recognition that some areas of the city would experience intensification over the next 10 to 20 years and as a result may become underserved if new lands were not added. Recommendation 16 also states the City should pursue creative approaches to park and open space acquisitions.

The third recommendation under section 4

of PRCAMP, is Recommendation 17. This recommendation provides specific recommendations regarding the development of community trails, the reciprocal use of school lands, direction for Lowville Park, Waterfront Parks, Mountainside Park, Sherwood Forest Park, Kilbride Park, and direction regarding the park renewal program, tennis courts, North Burlington, Sports Field Capacity, Water Play Opportunities and Community Gardens.

The City of Burlington will be completing an updated PRCAMP in 2024, prior to the PRCAMPs completion the Burlington Park Provisioning Master Plan will support decision making on park prioritization and land dedication and acquisition.



1.6 Bill 23 More Homes Built Faster Act

The Province passed Bill 23, the More Homes Built Faster Act, 2022 in the fall of 2022. Bill 23 includes numerous changes to the Planning Act and other Acts pertaining to growth in an effort to have more housing built faster and cheaper.

Changes to how parkland and cash-in-lieu of parkland is dedicated is one of the major changes included in Bill 23. The changes most applicable affecting how this plan will be implemented include:

- A decrease and cap on the amount of land that can be dedicated under the alternative rate. The new rate is 1 hectare per 600 units, a decrease from the existing alternative parkland dedication rate of 1 hectare per 300 units. For parcels five hectares or less, a maximum conveyance of 10% of the land. For parcels greater than five hectares, a maximum conveyance of 15% of the land.
- A cap placed on the amount of money that can be provided as cash-in-lieu.
- A requirement to spend or allocate a minimum amount (60%) of parkland reserve funds every year, and
- The ability of developers to dedicate Privately Owned Public Space (POPS) and encumbered land.

The land dedication and cash-in-lieu maximums will make it more difficult for the City to achieve the recommended parkland service targets in this report from land

dedication at the time of development application than it already is.

The regulations guiding the requirement to spend or allocate funds is unknown at this time and therefore so are the implications.

The ability of developers to dedicate POPS and encumbered land will create additional administration at the time of dedication for POPS, leading to additional time processing applications. The land provided by developers as POPS or encumbered may not be suitable to service the open space and recreational needs of residents due to limitations on the use of the land.

At this time the degree of impact of the changes introduced in Bill 23 is unknown. Greater clarity on some of the impacts should arrive with the publication of the regulations. Other impacts will have to be monitored through the development application process to gain a full understanding of these changes may affect the PPMP.

1.7 Stakeholder Engagement Summary

Stakeholder engagement was focused on stakeholders that directly contribute to the provision, regulation and management of parkland and open space within the City of Burlington. Broader stakeholder and public engagement will occur during the review of the Parks, Recreation and Cultural Assets Master Plan.

Internal City stakeholder meetings occurred with departments and staff that are involved in the acquisition and management of parkland. External stakeholders were provided with a workbook to fill-out and provide comments as well as meetings. External stakeholders included:

- Halton District School Board
- Halton Catholic District School Board
- Conservation Halton
- Niagara Escarpment Commission
- Regional Municipality of Halton
- Bruce Trail Conservancy

Topics that were explored with external stakeholders included parkland supply, functionality and partnerships.

In addition to stakeholder meetings, a brief project awareness write-up was posted to the City of Burlington webpage.

Stakeholder engagement also occurred with the development industry to inform them of the proposed PPMP.



2 | Burlington Parks and Open Space System

2.1 Existing Park Classifications

One of PRCAMP's recommendations in 2009 was to formalize the current five level park and open space classification system that includes:

- City Parks
- Community Parks
- Neighbourhood Parks
- Parkettes
- Special Resource Areas and Linkages

Figure 2 identifies the existing percentage of park types in Burlington indicated in number of parks and in park area. The majority of Neighbourhood, Community, and City parks provide sportsfields across the city. It will be important to maintain the same balance of large and small parks to provide for organized recreational opportunities.

Figure 3 on the following page illustrates the location of Burlington parks and the existing

classification. Open space lands owned by the City but not classified as parks such as creek blocks are not illustrated on the map. Tyandaga Golf Course is another example of City owned open space that is not classified as a park since it is a pay to play golf course for half of the year, however the open space acts as a park during the winter months allowing tobogganing, snow-shoeing, cross country skiing, etc.

Included in the City Park type are three regional waterfront parks, these being Spencer Smith, Beachway, and Burloak. Under the Halton Region Official Plan, the Region is responsible for planning and funding major capital improvements plus land acquisition. The Region manages these parks in close collaboration with the City.

The Park Provisioning Master Plan (PPMP) provides a recommended updated parks classification system that is more representative of the types of parks that will be required in future to meet the needs of Burlington residents.

Figure 2: Existing Burlington Park Percentage Breakdown by Quantity and Area

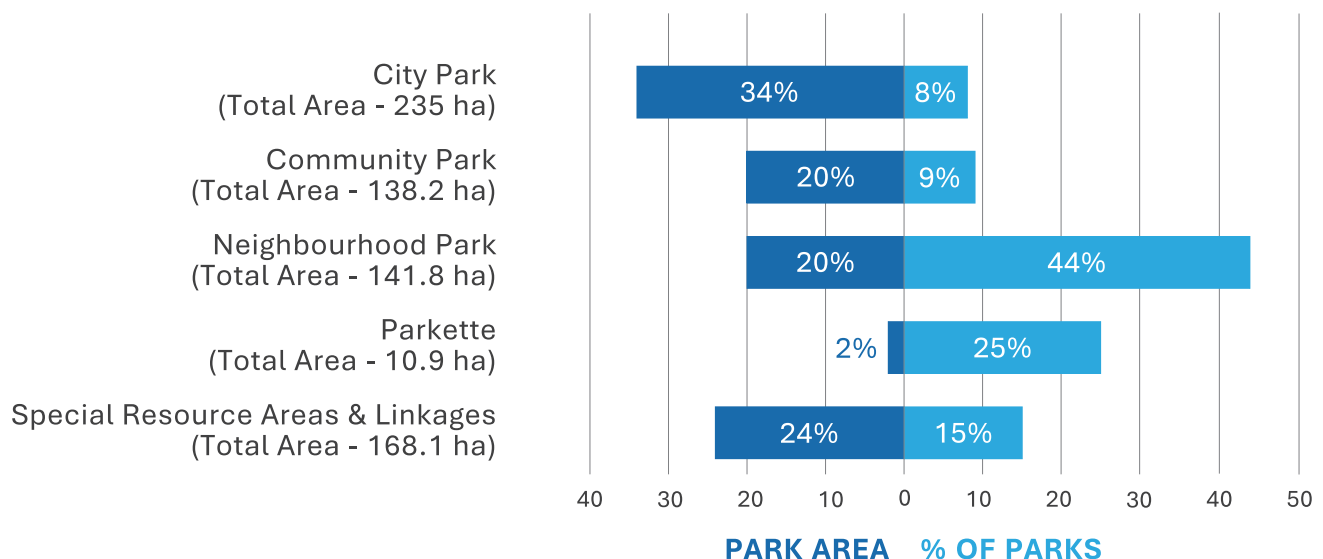
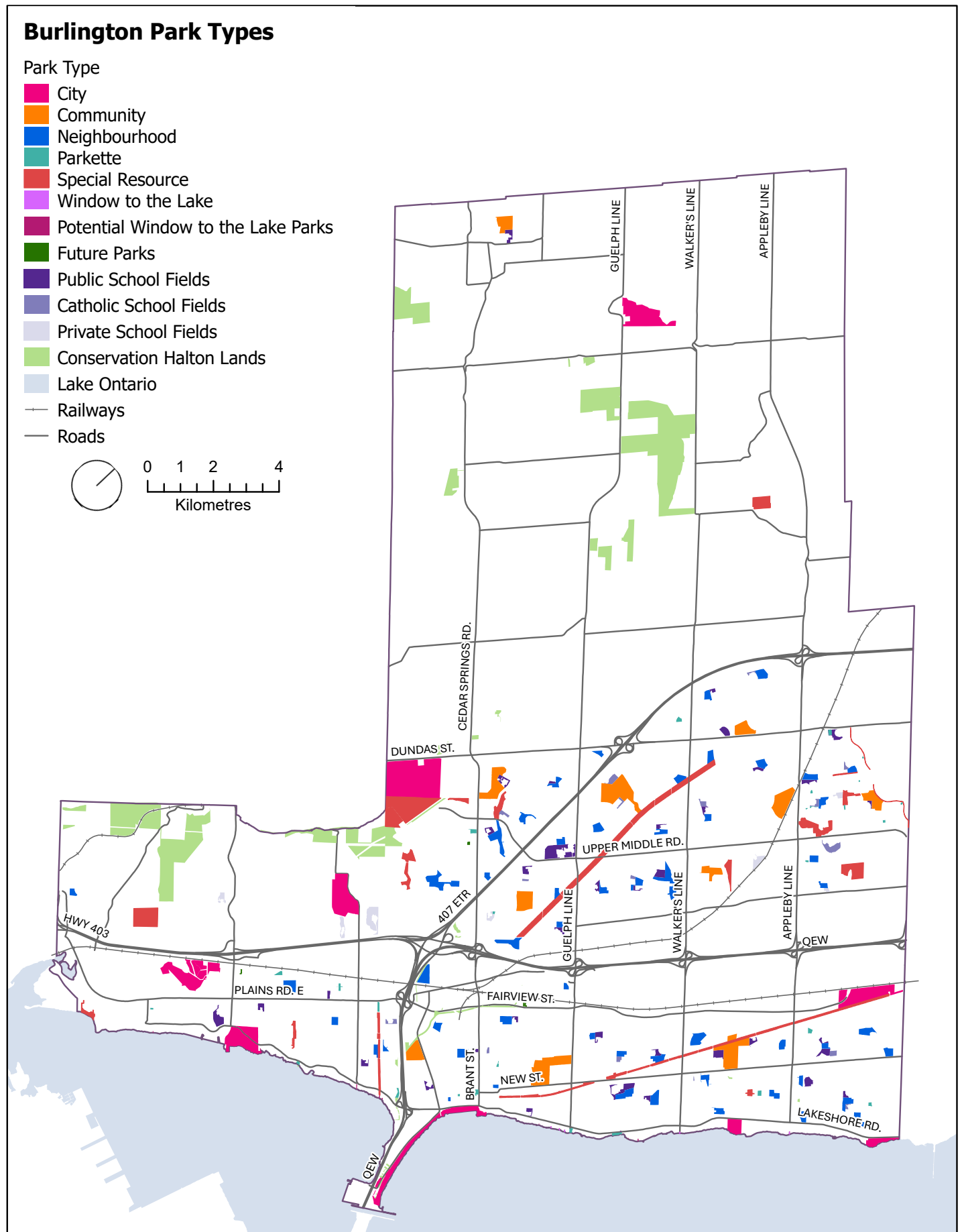


Figure 3: Existing Park Classifications



2.2 New Park Classifications

The proposed classification system closely aligns with Burlington's existing parks classifications while acknowledging the duplication of park type and functions as well as addressing park types that generally accompany urban intensification and redevelopment. It is recommended that the parks system include six types of parks each providing a function and service to residents to meet their overall recreation and open space needs.

The new park classifications include the following park types:

- Destination Parks
- Community Parks
- Neighbourhood Parks
- Urban Parks
- Linear Parks & Greenways
- Ecological Parks

The classification of parkland is important to the City in the planning, development and operation of a parkland and open space system. Parkland targets will vary for the different classifications and when planning for new parkland, knowing the classification requirements will help with determining the appropriate land characteristics required in the acquisition of land and the anticipated operating and capital budget impacts to the City budget. The new classifications will provide clarity on role and function of different park assets.

2.2.1 New Park Classification Fundamentals

A reclassification of each park has not been provided in this report and therefore a percentage breakdown of park types under the new classification is not included in this report. Staff will determine which parks are reclassified based on the following program and function descriptions each park should achieve.

Generally, existing parks will fall into the new classifications as described.

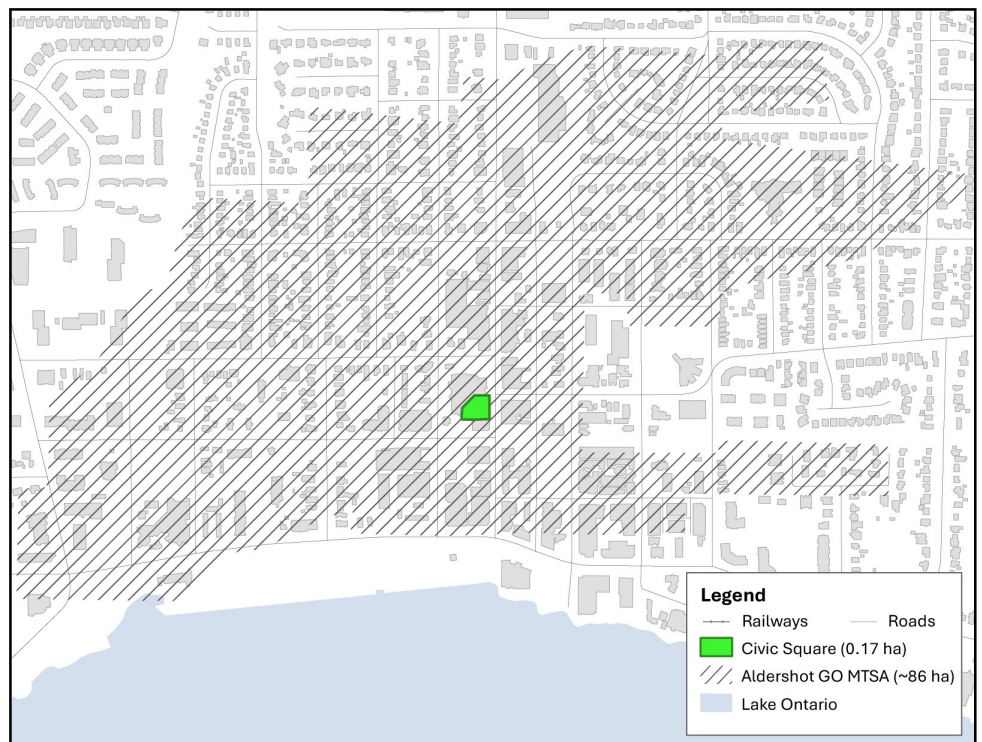
- Existing City parks that draw users from beyond city limits will become Destination Parks.
- Other existing City Parks and existing Community Parks will either become or remain Community Parks.
- Existing Parkettes and Windows to the Lake Parks will become Neighbourhood Parks along with existing Neighbourhood Parks.
- Existing Special Resource Parks will be split into Ecological Parks if the park is primarily a natural area or Linear Parks and Greenways if the parks are more manicured.
- Another new classification is Urban Parks, these parks may be existing or new parks that are located in high density areas and growth centres.

The park classifications provide clarity on the function of each park type, however parks within a particular classification should not all be treated equally in the amenities provided, size and maintenance

of each park. Those determinations should be based on factors such as geographic context, demographics, and anticipated use.

Figure 4 on this page is intended to give a sense of scale of different parks to help illustrate the size guidance provided for each park type on the following pages. Figure 4 illustrates the size of Sherwood Forest Park compared to the size of the Aldershot GO MTSA and the size of Civic Square in relation to the size of the Aldershot GO MTSA. This figure highlights that Neighbourhood parks and Urban parks will be the primary park type provided in the MTSAs.

Figure 4: Existing Park Size In Relation to the Aldershot GO MTSA Size



2.2.2 Destination Parks

Destination parks are designed to serve the leisure needs of all the residents of the city and also draw users from outside of the city. These parks usually offer unique features and receive a higher level of maintenance.

Program & Function

- Can include gathering and special event areas; unique one of a kind facilities within the City, such as destination-based water and large skate parks; location for indoor recreation facilities related to both permanent or portable structures; seated venues; and related activities.
- Can include important natural and ecological areas, be used for special events and festivals, and include unique geographic features.
- Can also include designated Regional

Waterfront Parks, where Halton Region plays a collaborative role in park planning and infrastructure improvements.

Key Features

- Should be accessible by City residents through multiple modes of transportation, including public transit, walking and cycling, and by vehicle.
- Provide community and neighbourhood-level amenities for adjacent residents and businesses.
- May include paid parking.

Size

Typically a larger park, however a destination park is not defined by size or location.

Examples

Spencer Smith Park, Burloak Regional Waterfront Park, Beachway Regional Waterfront Park



Destination Park Example - Spencer Smith Park

2.2.3 Community Parks

Community parks are larger parks designed and located to serve the outdoor recreational needs of several neighbourhoods within a larger residential district.

Program & Function

- Could include recreational fields and courts, including artificial turf facilities and lighting; spectator and user amenities, such as parking, seating, washrooms, and concessions; enhanced playground structures and large open play areas; specialized outdoor facilities, such as skateboard and water play areas; leash free, and community garden areas.
- Can include maintenance buildings, indoor recreation facilities, permanent/portable structures.
- Can include natural and ecological areas within parks.
- May be used for special sporting events and tournaments.

Key Features

- Located on arterial / collector roads to enhance access via walking and cycling, trails, vehicle and public transit. Parking and transit stops are encouraged.
- May be located adjacent to school properties.
- Potential co-location with indoor community and recreation facilities.
- May also provide neighbourhood-level amenities for adjacent residents and employees.

Size

Typically larger parks greater than five hectares.

Examples

Nelson Park, Ireland Park, Sherwood Forest Park, Central Park



Community Park Example - Central Park

2.2.4 Neighbourhood Parks

Neighbourhood parks are the foundation of the Burlington parks system currently representing 44% of the number of parks in the city, and thus relied upon to provide local park access to most residents.

Program & Function

- Could include a range of neighbourhood level open space and recreational services, such as playgrounds, passive areas for social gatherings and relaxation, open and flexible play areas, trails and pathways, programmable secondary and youth level recreational fields and courts; trail linkages.
- May include shade structures, skateboard, and water facilities, if these facilities are not available in the closest Community Park.

- Can include some naturalized woodlots and ecological areas and linkages within parks.

Key Features

- Predominantly located along collector or local roads, with a focus primarily walking and cycling access from the neighbourhood. Transit access may also be provided, as well as street parking. On-site parking may be provided as determined by the facilities and amenities on-site.
- Often located adjacent to schools to provide shared use of parking and playgrounds.

Size

Less than 7 hectares.

Examples

Lampman Park, Apeldoorn Park, Palladium Park, Pinemeadow Park



Neighbourhood Park Example - Pinemeadow Park

2.2.5 Urban Parks

Urban parks are designed and located to serve the recreational and open space needs of urban intensification areas or higher density neighbourhoods.

Program & Function

- Intended to be multi-functional with high quality urban design, urban parks should provide flexible green space and canopy cover in addition to hardscaped areas.
- Could include a range of community and neighbourhood level open space and recreational services, including seating areas and lawns for passive recreation and social gatherings, child-friendly amenities such as playgrounds and water play areas, small-scale winter recreation opportunities (e.g. skating), pathway connections, and playing courts.
- Designed to support both spontaneous, everyday use and routinely programmable space that can serve many functions.

Key Features

- Given location in urban intensification and growth areas, park design and siting will prioritize transit, walking and cycling access.
- Frontage on public streets, proximity to public transit, and park configuration should support the park's ability to be high quality, multifunctional space that will be well used.
- Design materials and ongoing maintenance will likely require greater investment given the likelihood that urban parks will be very well used by adjacent residents, workers, and visitors.
- May include promenades, squares and plazas.
- Consider connectivity to linear parks where applicable.

Size

No size or shape limitations.

Examples

Veteran Square or Civic Square



Urban Park Example - Civic Square

2.2.6 Linear Parks & Greenways

Linear parks are manicured parks that function as active transportation corridors and connections between open spaces, community facilities, and/or neighbourhoods with potential bump-out recreation/amenity opportunities. Greenways provide similar active transportation corridors and connections between open spaces and facilities but are more natural looking. Similar looking connections could be made in support of the larger objective of supporting seamless connectivity through the public realm within the road right-of-way, however these would not be considered parkland.

The appearance of Linear Parks and Greenways will vary greatly depending on the urban context the park and greenway is located.

Program & Function

- Could include multi-use pathways or trails to support walking and cycling connections, with additional park amenities such as seating areas, small play areas (e.g. playground equipment, water play, etc.), and trees and plantings.
- Linear parks will respond to the context in which they are proposed and should focus on providing safe connections.

Key Features

- Can include public access easements along utility corridors as well as City owned parkland.
- Can include recreational lease agreements on non-City owned lands.

Examples

Crosstown Trail, Francis Road Trail, Maple Trail, Orchard Pipeline Trail, Centennial Trail, Elgin Promenade



Linear Park Example - Centennial Trail

2.2.7 Ecological Parks

Ecological parks are areas of parkland predominantly in a natural state and/or which provide ecosystem services, as well as passive recreation opportunities that are primarily unprogrammed.

Program & Function

- Primarily conservation and/or preservation of ecologically important areas, and may include passive recreation uses.
- May include passive park usage such as trails, seating, and lookouts.
- Internal access and use limitations may apply due to environmental sensitivities and/or restrictions.

Key Features

- Areas which are part of the City's Natural Heritage System or are identified as having predominantly native vegetation or wildlife, wetlands, functioning as an ecological habitat, core area, or corridor.

Size

Size varies based on the environmental feature being protected.

Examples

Duncaster Park, Forestvale Park, Kerncliff Park, Shoreacres Park, Zimmerman Park



Ecological Park Example - Zimmerman Park

2.3 Measuring Parkland

2.3.1 Catchment Analysis

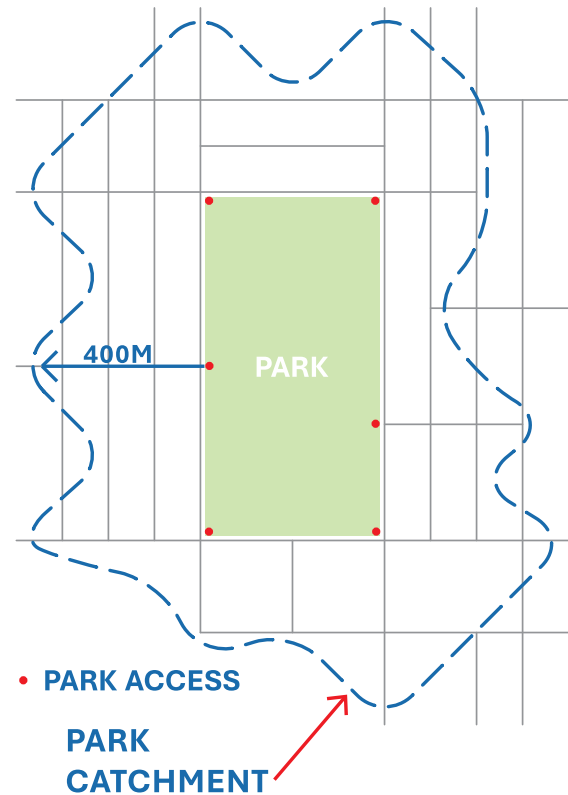
Identified under focus area four in the 2018-2022 Burlington's Plan - From Vision To Focus, the City aims for homes to be within a five minute walk of a park. Research has demonstrated that an approximately five minute walk is a reasonable, accessible distance that most people will walk to a local park before using a different mode of transportation (e.g. car, transit).

The development of a walking catchment around each park was created as illustrated in Figure 5. A walking catchment is more reflective of a person's access to parkland than calculating the number of people within a park buffer. A 400m catchment has been determined to be appropriate in Burlington's case as the appropriate walking distance for people to meet their local park needs within a five minute walk.

For destination and community parks, a larger catchment is more appropriate to analyze spatial dispersement since these parks are designed to service a larger volume of people. A larger catchment of 1.5 km has been established as an appropriate distance to the services provided in these parks classifications. The walking distance catchment is determined using pathways, sidewalks, trails and local roads without sidewalks. The walking distance is measured to the edge of the park where access can be gained in a reasonable manner (i.e. there are no steep grades, the area is not fenced). This method also factors

in barriers to access, such as highways, rail lines, creek channels, or where there are gaps in sidewalks, pathways, or trails.

Figure 5: Park Catchment

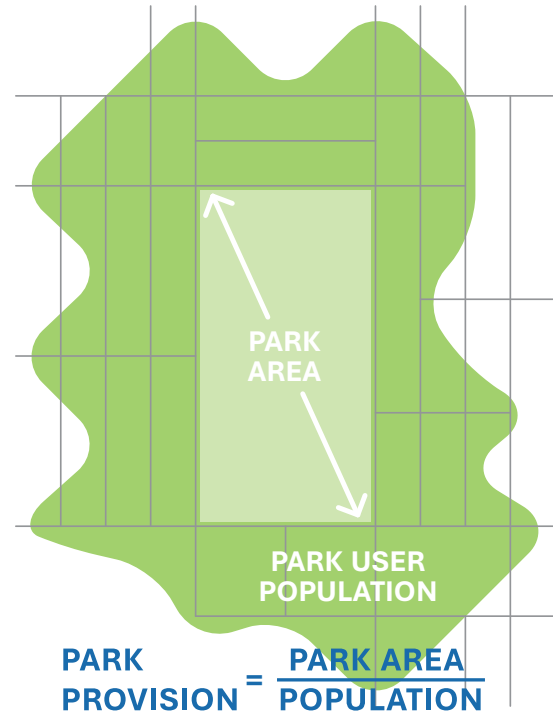


2.3.2 Park Pressure Analysis

The park pressure analysis utilizes the 400m walking catchments and federal census dissemination blocks to calculate the total number of people a park serves within the 400m walking catchment. This method takes into consideration population density within the 400m walking catchments providing a measurement of equity between the different catchment areas. This measure produces a square metres of parkland per person number. This measure complements the walking distance measure to provide another lens on parkland service level. Overcrowded parks is also an indication that additional parkland may be required in an area to address service needs of the community.

It should be noted that the park pressure analysis alone can lead to misinterpretation of how much park space is available. This is due to the effect of utilizing the dissemination blocks. If one portion of the dissemination block is well serviced by parkland in close proximity, the per capita park space may appear high even in areas of a dissemination block that may not be within 400m of a park.

Figure 6: Park Pressure



2.3.3 Park Function Analysis

The park function analysis examined the usable park space compared to natural areas and the distribution of sports fields and playgrounds across the city. The park function analysis does not consider the asset condition or functionality outside of the purpose of the infrastructure. This report examined at a broad level the location and number of rectangular fields, baseball diamonds and playgrounds. Asset condition would be a part of the corporate asset management plan review.

2.4 Burlington Population Growth

2.4.1 Existing Population and Demographics

The 2021 Census data indicates Burlington's 2021 population is 186,948 and is an increase of 3,634 (2.0%) since 2016. Burlington's growth rate continues to decline from previous census years and continues to increase in age. Figures 7 through 9 illustrate Burlington's age pyramid from the 2021 federal census and the age trends occurring in Burlington over the last 20 years. Monitoring population and demographic trends will be important to keeping the PPMP current.

Figure 8: Burlington Male/Female Population Distribution by Age (2021)

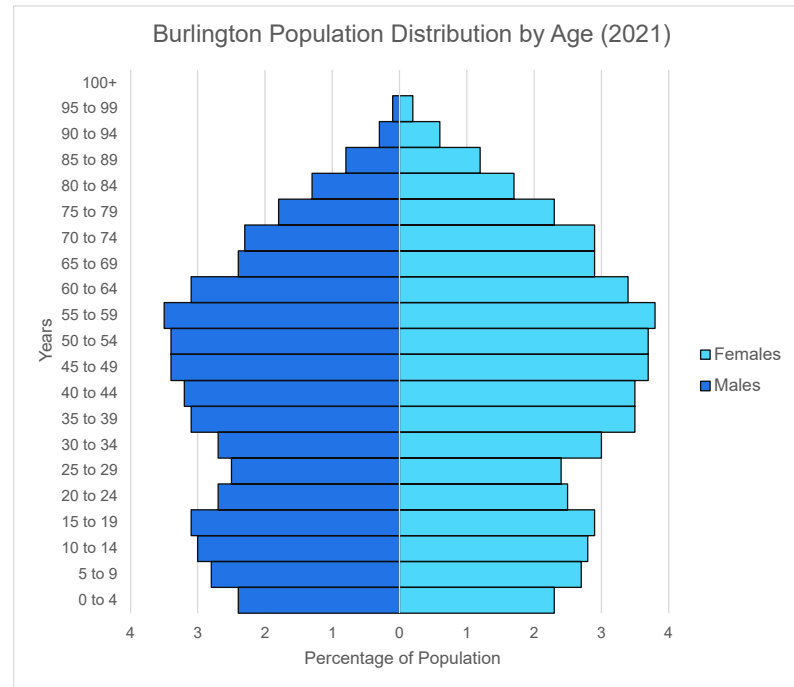


Figure 7: Population Trend of 65+ and 0 to 14 Age Groups

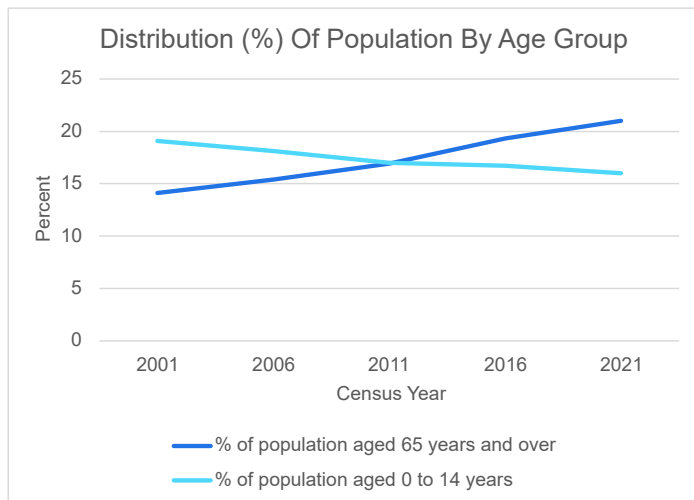
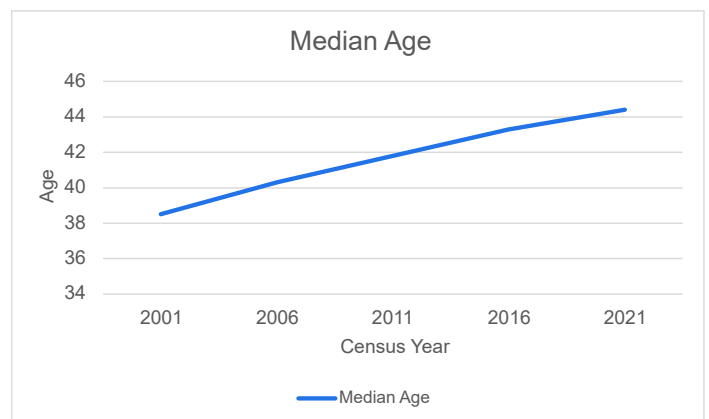


Figure 9: Burlington Median Age Trend Over Last 20 Years



2.4.2 Future Population and Demographics

The City of Burlington relies on the Region of Halton to provide a distribution of anticipated population and employment growth in alignment with the Region's Official Plan. Due to changing Provincial growth directions, the Region is constantly revising and updating Halton's growth projections for each lower tier municipality to remain in alignment. This report has used the most current information from Region of Halton Official Plan Amendment (ROPA) 49 as adopted by Regional Council in June 2022.

Halton Region has divided the City of Burlington into different policy areas and assigned anticipated population and employment growth numbers to each area out to the year 2041. A total population of 240,500 was anticipated for the City in 2041. This work was completed to inform Region of Halton Official Plan Amendment (ROPA) 49. The policy areas used in this study are derived from the Regional policy areas and are illustrated in Figure 10. For the purpose of this study some of the policy areas provided by the Region have been grouped together due to similar growth patterns.

Through the modified approval of ROPA 49, the Ministry of Municipal Affairs and Housing approved an anticipated population of 240,050 at 2041 and 265,160 at 2051 for the City of Burlington. This report uses the initial 2041 population growth breakdown by policy area provided by the

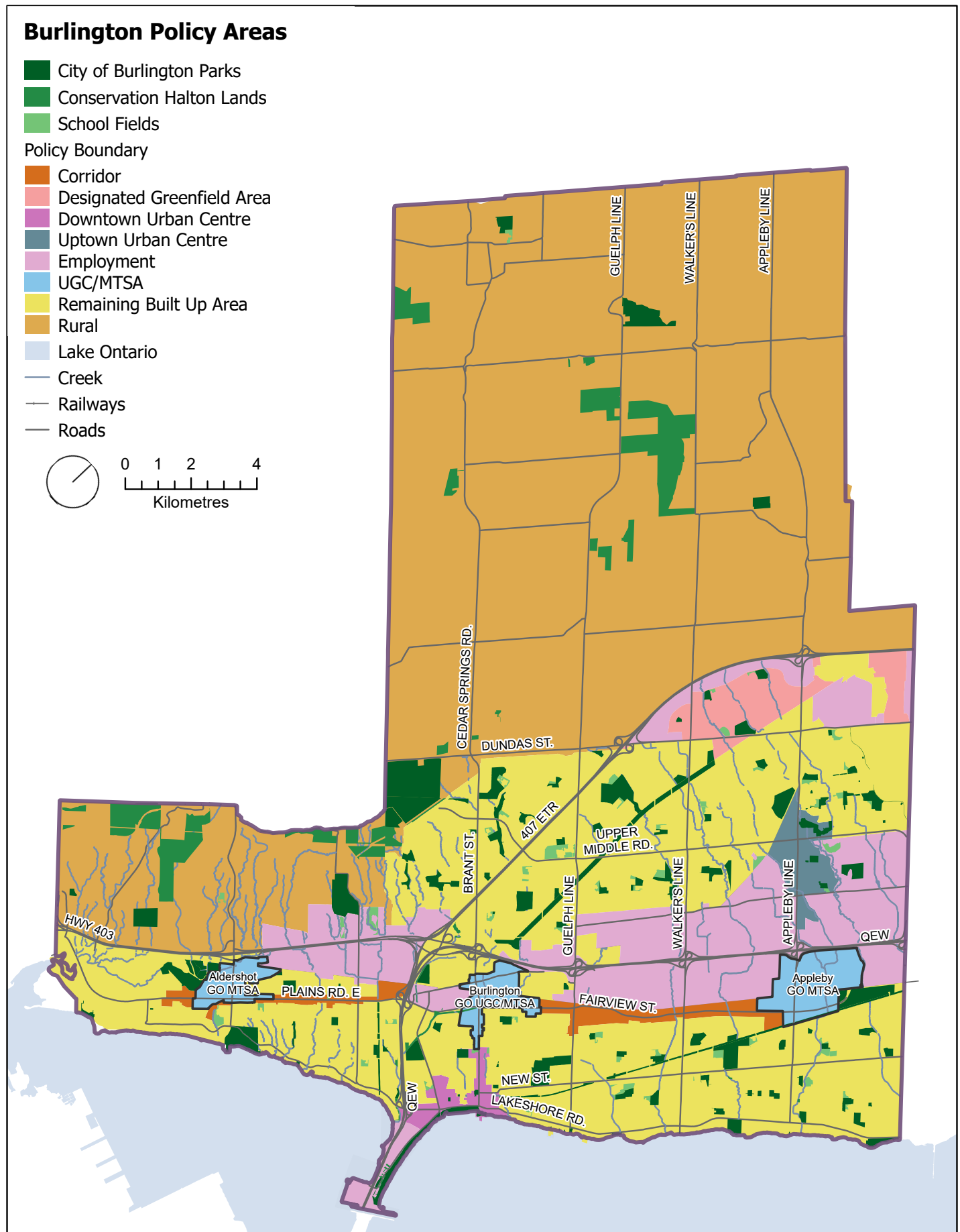
Region to complete parkland analysis and develop specific parkland targets for different areas of the city. The 2041 initial breakdown of population by area is used in this report as the most current information available. An analysis using the anticipated population of 265,160 for the City in 2051 as approved by the Ministry of Municipal Affairs and Housing, has also been used to determine an overall Burlington parkland service level and implications at 2051.

In this report most of the growth is anticipated within the Built-Up Urban Area Centres and Corridors such as the MTSAs, downtown and uptown mixed use centres, and Plains Road corridor. Approximately 86% of the forecasted growth is to be accommodated in the Built-Up Area (BUA).

The Ministers decision also modified ROPA 49 to include new urban lands and converted lands from the Region's Employment Area. These changes as a result of the Minister's decision have not been captured in this report and will be subject to a separate process.

Increased population will create a declining parkland service level as represented in hectares per capita in most of the urban area.

Figure 10: Burlington Policy Areas



2.5 Current & Target Future Park Service Levels

Current Levels of Service

Current level of service was determined through the combination of the catchment analysis, park pressure analysis and park function analysis. The 2021 population from the 2021 Census was used to help determine existing service levels. It should be noted that the 2021 population for each policy area has been estimated since the 2021 census information does not align with the policy area boundaries. The 2041 anticipated population at the time of this report was used to help determine current service levels into the future should no additional parkland be acquired.

Parkland service levels were determined for the city as a whole and for the planning policy areas as utilized by Halton Region in support of the Region's ongoing Municipal Comprehensive Review. The policy area boundaries are represented in Figure 10 on the previous page. The City of Burlington consists of community areas that function differently and will take different levels of growth and thus have different parkland service needs. It was determined that measuring service levels and creating targets for different urban and rural areas is more equitable and also helps the City determine and distinguish parkland priorities.

In the existing parkland service level tables in this report, the metric 'Percent of Population Within 400m of a Park' for each policy area includes proximity to parks

within and outside of the policy area. Where as the metric 'Hectares of Parkland Per Population' only includes the parks within the policy area. The rationale for the discrepancy is to provide a more accurate representation of walkability but avoid the double counting of parkland between areas when calculating the hectares of parkland per population.

Target Future Levels of Service

This section identifies future parkland target service levels for the different identified areas of the city illustrated in Figure 10. Parkland supply targets should not be looked at uniformly across the city as different areas of the city require different parkland needs due to population density, built form composition and demographics. Creating a single citywide parkland supply target has many flaws and provides very little indication to how parkland service levels are being met in different neighbourhoods.

The following items were considered in the establishment of the parkland targets for the different policy areas:

- Access to private green space, private yard space
- Urban typology, i.e. dense urban MTSA or Downtown Urban Centre
- Population density, existing and anticipated
- Parkland function
- Proximity to park access within a 5 minute walk, 400m walking distance

In addition to creating a parkland service

level target in the form of area of parkland per resident, service level targets indicating accessibility have also been identified in the form of percentage of residents within 400m walking distance to a park and also to a park with a playground. A service level target has also been provided at the city wide level for diamonds and rectangular sports fields. For individual policy areas a target for diamonds and rectangular sports fields or multi-use field has been provided. Users of diamonds and rectangular sports fields are not necessarily determined from proximity to these facilities and it is not appropriate to have a target service level for each defined policy area. However, most residents should have an open space area where activities such as kicking or throwing a ball, throwing a frisbee, etc., could occur. This could take place on a diamond or rectangular sports field when not in use or on a flat grass area of a local park.

Priority Acquisition Areas

Priority acquisition areas have been conceptually identified for each policy area of the city, to aid in the prioritization of park acquisition and investment for those areas most in need.

Priority acquisition areas were developed for each policy area using the four criteria below:

- Area with 30 or fewer square metres of city parkland per capita within 400m
- Area that is expected to grow at least 10% from 2021 to 2041
- By 2041 area will have a 25% or greater decrease in per capita park area

- Areas not within 400 walkable metres of a park (in a walkability gap)

Priority acquisition area mapping illustrates how many of the four criteria may exist in any given location within the policy area. The purpose of the acquisition mapping is to provide an initial indication of where the lowest to highest priority location may be for parkland dedication and/or acquisition. The priority acquisition area mapping illustrates how many of the four criteria are being met in a location. The City should prioritize areas for further examination where all four criteria are existing in an area.

If all four criteria exist in an area, the priority acquisition area mapping should not be used in isolation to determine the highest priority areas for dedication and/or acquisition. These areas should be further narrowed down based on factors, such as meeting the needs of residential versus employment lands, the preservation of heritage and natural features, and the ability to meet public realm, connectivity and urban design goals of an area. The factors mentioned above should not be considered exhaustive.

Priority acquisition mapping for each policy area is included under each policy area section.

2.5.1 Citywide

Current Levels of Service

The City of Burlington has 691.5 hectares of public parkland that it owns, leases or manages (see Table 1). This number includes both usable and non-usable space within Burlington's defined parks but excludes other open space and natural areas owned by the City such as creek areas. An additional 460 hectares of natural open space and parks is owned by Conservation Halton, some of which is accessible to the public. Additional open space is provided in the form of school fields and playgrounds. A significant portion of residents, 66.6%, are within a five minute walk (400m) of a park. From a functional perspective, the City has a reasonable disbursement of park types within distance of the different planning policy areas. When looking at the analysis from a city-wide level, a walkability deficiency exists in the rural and North Aldershot area. Although areas of Aldershot are within 400m of a park, walkability in the Aldershot area may be challenging for some residents due to this area of the city largely being without sidewalks.

Included within City owned parkland are 60 ball diamonds and 53 rectangular fields. 11 of the diamonds are lit and 11 of the fields are lit. Additional diamonds and fields are also located on school sites and are shared with the City. The City has classified fields into A, B, C, and D based on a set of criteria. Class A fields can accommodate adults while class B, C and D fields are generally not full sized facilities and have limitations

on age use. Diamonds and fields with lights can accommodate a higher capacity due to longer hours of use. To create a uniform capacity measurement, lit fields are estimated to be the equivalent of 1.45 unlit fields. The current diamond and field capacity service level indicated in Table 1 reflects the combination of lit and unlit fields. If looking at only artificial turf fields, the City's current service level is one field per 26,707 residents.

Target Future Levels of Service

As the city grows and intensifies, it is anticipated that there will be greater use and demand for existing parks, as well as greater challenges in acquiring and developing new parks, particularly in existing urban areas. Accordingly, the citywide target future parks service levels identified in Table 2 take these forecasted changes and challenges into account.

For the City to meet a future parkland target service level of 3 hectares per 1000 population in 2051, a total of 104 hectares of parkland will need to be acquired to meet the future parkland target service level in 2051.

Determining an appropriate target for sports fields requires a detailed analysis of usage rates and sports trends which are not part of this study. The target rates included in Table 2 reflect the City maintaining its approximate current level of service. If this level of service was maintained only through the acquisition of new parkland a total of 18 diamonds and 15 fields would be required by 2041 and an additional 6 diamonds and 6

fields would be required by 2051. Using an average of 1 hectare for diamonds and 1.2 hectares for rectangular field sizing, this would represent an approximate need of 50 hectares for the diamonds and fields alone, not including parking, seating areas, buffers from property lines, etc. Re-purposing and adding lights to existing diamonds and rectangular sports fields would be necessary to minimize the land acquisition need.

Municipal Comparison

When comparing Burlington's current and future parkland service level target to neighbouring municipalities in Figure 11, Burlington compares favourably with a higher level of parkland per 1000 population. Most municipalities comparable to Burlington currently provide two to three hectares of municipally owned parkland per thousand residents and a range of one rectangular field per 1,500 to 3,500 residents.

Caution should be used when measuring across municipalities, since it may not be a direct comparison. Each municipality has a different method of classifying and counting parkland as it relates to service level targets. Some municipalities only include parks that can primarily be used for active recreation, while others may also include passive and natural areas into their parkland calculations. A more detailed summary of comparable municipalities can be found in Appendix A of the Park Provisioning Master Plan Progress Report dated April 2022.

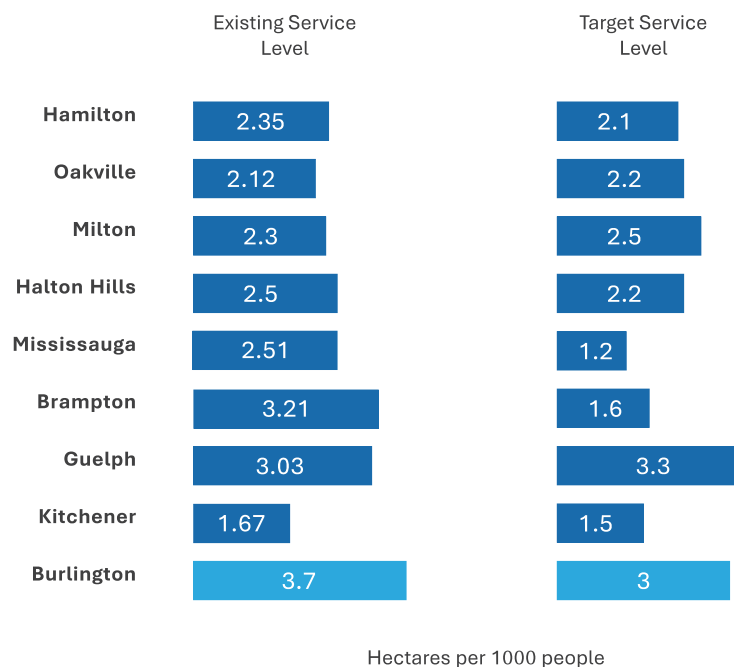
Table 1: Citywide existing parkland service levels

TOTAL AREA (HECTARES)	18,705.4 ha
NUMBER OF RESIDENTS (2021)	186,948
HECTARES OF PARKS	691.5 ha
PERCENT OF POPULATION WITHIN 400M OF A PARK	66.6%
HECTARES OF PARKLAND PER POPULATION	3.70 ha per 1000 people
NUMBER OF DIAMONDS PER POPULATION (UNLIT UNIT EQUIVALENTS)	1:2,878
NUMBER OF RECTANGULAR FIELDS PER POPULATION (UNLIT UNIT EQUIVALENTS)	1:3,226

Table 2: Citywide future parkland target service levels

	FUTURE PARKLAND TARGET LEVEL OF SERVICE
1	80% of residents are within a 400m walking distance of a park
2	Residents have access to 3 hectares per 1000 people citywide
3	80% of residents within 400m of a playground/exercise structure
4	1 diamond per 3,000 people (unlit unit equivalent)
5	1 rectangular sports field per 3,500 people (unlit unit equivalent)

Figure 11: Comparable Municipal Service Level Targets



2.5.2 Major Transit Station Areas

In alignment with A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Halton Region Official Plan, Burlington's Official Plan, 2020, envisions urban redevelopment and intensification around the City's GO Stations that promotes "connected, walkable, transit-oriented communities that offer convenient access to employment opportunities, a full range of housing, public service facilities including schools and parks, and convenient access to various daily needs like shopping, services, and supports for residents throughout their entire lives." As noted in the Official Plan vision, access to high-quality, multi-functional public parks will be a key element in supporting urban intensification and maintaining Burlington's high quality of life for current and future residents.

Recommended preferred precinct plans for the Burlington GO UGC/MTSA and the Aldershot and Appleby GO MTSA were endorsed in principle by Council in January 2022, and the Major Transit Station Areas, Area Specific Planning Study and Final Report for the Downtown Burlington UGC/ Burlington GO MTSA and Aldershot GO MTSA was presented to Council in July 2022. The vision and objectives for the Appleby GO MTSA were also shared with Council at the July meeting which provided an updated precinct plan for Burlington and Aldershot as well as the policy directions which will inform the creation of ASPs at a later date.

The next step in the MTSA planning process will be to bring forward official plan amendments to formalize the area-specific planning policy directions for these priority growth areas. The parks and open space specific components of the future amendments will be informed by the analysis and recommendations of this PPMP.

MTSA Target Future Service Levels

The Burlington Official Plan directs the majority of growth to 2031 and beyond to be focused towards the three MTSA's, as well as the Uptown Urban Centre and the Downtown Urban Centre, and requires consideration of both standard and alternative parkland acquisition and provision tools for these growth areas.

In order to assess potential future park service levels within the MTSA's, an analysis of maximum possible parkland dedication through redevelopment was completed at the parcel, precinct, and MTSA level for each of the Aldershot GO, Appleby GO, and Burlington GO areas. The maximum possible parkland dedication was assumed to be at the build out (2041 and beyond) of each MTSA, as per the Area-Specific Plan (ASP) Planning Study Interim Report (December, 2021). The maximum possible amount of parkland dedication is presented for each MTSA using:

- the standard percentage of net developable land rates for residential (5%) and non-residential developments (2%) (i.e. S. 42.1 of the Planning Act);

- the alternative rate of one hectare per each 600 residential units for higher-density development (i.e. S. 42.3 of the Planning Act); and
- the potential new alternative rate for “transit oriented communities” (TOC¹) as provided for in Bill 109 (“More Homes for Everyone Act”), should the MTSA be designated as such by the Province in the future, of 10% for sites less than or equal to five hectares in size, and 15% for sites greater than five hectares.

Given that the final area specific plans and zoning bylaw updates for the MTSA are not available in time for incorporation by this report, additional analysis and assumptions were required to determine the specific net (re)developable lands and unit density forecasts within each MTSA based on available information (e.g. land use, building heights) in the MTSA ASP Planning Study, as well as GIS data and the latest aerial imagery from the City. Currently known or identified future parks within the MTSA are included in this analysis.

In order to forecast the maximum, reasonable amount of residential units and commercial development per developable parcel in accordance with each precinct’s proposed land use, a high-level estimation of units per type of built form was assessed. The high-level unit estimation determined which parkland dedication rate that could apply. For mixed-use precincts, a ratio was

¹ Transit oriented communities are defined by the Government of Ontario as “a development project of any nature or kind and for any usage in connection with the construction or operation of a station that is part of a priority transit project, and includes a development project located on transit corridor land” (“Transit Oriented Communities Act”, 2020).

estimated between residential and non-residential uses informed by the land use descriptions in the ASP Planning Study.

Where available, City data on pre-application and in-progress development application data was used to inform development statistics for parcels and precincts. Non-developable areas, including natural and hazard lands, existing and planned public roads, and facilities deemed unlikely to be redeveloped as another use (e.g. hospitals, new development), among others, were excluded from the calculations. These estimations were right-sized to the types and scales of development envisioned in the ASP Planning Study (e.g. low-rise, mid-rise, high-rise and mixed use). To supplement this analysis, a policy scan was conducted to identify neighbouring, comparable municipalities that have identified approximate unit density ranges per hectare by scale of redevelopment, such as the City of Hamilton.

This assessment generated a “bottom-up” estimate of unit growth based on the above inputs. To ensure the number of units is properly aligned with the Regional Municipal Comprehensive Review and MTSA Area Specific Planning Study population forecasts at 2041 and at build out for each MTSA, persons per unit (PPU) estimates were used that align with City Planning staff expertise and the Development Charges 2019 Study (i.e. 1.5 PPU for mid to high density development).

Given the high-level nature of this analysis and assumptions required to complete the

assessment, a number of limitations are present that are important to consider. Given the existing parcel fabric in each MTSA and that growth will occur through redevelopment, park dedication sizes per parcel are generally small. Therefore, the total amount of estimated maximum parkland area presented below is not consolidated. Assembling parks that total the sizes below will require sharing agreements and other site plan control measures. Additionally, it is unlikely that each parcel within each MTSA will develop to its maximum density potential, or will do so on a similar time frame. Finally, these calculations are for land only, and do not reflect potential cash-in-lieu values.

This assessment, along with the existing park access analysis completed, allow for the PPMP to inform and provide recommendations to the next steps of MTSA planning and implementation with regards to the ideal placement and type of future parks, and where planned access and transportation network improvements will be most valuable from a parks perspective.

The MTSA priority acquisition maps in this report illustrate areas in each MTSA that have been identified as a priority based on a park provision analysis. The MTSA Area Specific Plans identify preferred park locations based on a community design perspective.

In addition to the priority acquisition mapping, the following guidelines have been provided to guide the location of parks in MTSA areas.

- Locate parks adjacent to the Nautral Heritage System and other open space to create a larger open space network.
- Space parks throughout the MTSAs to meet the 400m walking distance target.
- Locate parks close to heritage buildings/ site and environmental features to take advantage of views.
- Provide new parks at locations closest to the highest density precincts.
- Use parks for connectivity purposes where no other means is available.

Together, the MTSA ASPs and PPMP will inform and advance each other's aligned goals in achieving an urban community that advances the City's vision for the future.

Burlington GO Urban Growth Centre/MTSA

Current Levels of Service

Burlington GO UGC/MTSA's current parks service level is below the citywide average. Optimist Park is the main park accessible to most existing residents, which houses a wide variety of high quality parks infrastructure and programming. The southern portion of the MTSA is within walking distance of Wellington Park. As the city's Urban Growth Centre Burlington GO area is already constrained in terms of parks access and the amount of parkland available, and this will likely be exacerbated by increasing intensification of the area. It can also be expected that existing parks within the area, such as Optimist Park, will see increased use and visitation due to an increase in the population within existing park access catchments. Table 3 provides a snapshot of existing parkland service levels for the Burlington GO UGC/MTSA.

Figure 12 illustrates areas of the Burlington GO UGC/MTSA that are currently not within 400m walking distance of a park. Figure 13 shows the existing square metres of parkland within 400m walking distance per resident in the dissemination block.

Target Future Levels of Service

The Burlington GO UGC/MTSA will be the focal point for future mixed-use growth and development within the city anticipated to reach a population of 8,160 people by 2041. Given the high-level parks service estimate identified above, strategic placement of new parkland within this MTSA will be critical to ensure the growing city centre community

has accessible and multifunctional park space. This will require taking parkland dedication and conveyance as land wherever feasible through redevelopment of the area, and potentially employing some of the alternative parkland acquisition options (e.g. Strata parcels, Partnerships, etc.).

It will be important to locate parks centrally in the Burlington GO Central precinct to promote multi-modal accessibility and achieve walkability targets, given the intensity of development planned for this area. These parks should be designed and maintained to a higher standard and quality given the expected high usage of these spaces.

Table 4 indicates the future parkland service targets for the Burlington GO UGC/MTSA. To meet a future parkland target service level of 1 hectares per 1000 population in 2041, 7.76 hectares of new parkland will need to be acquired within the Burlington GO UGC/MTSA.

Similar to the other MTSA areas, given acquisition and dedication challenges and high amount of redevelopment, a focus for this area will be on providing access to parks for existing and future residents. As with the other MTSAs, the planned linear parks, active transportation and transit network improvements will be important to improve access for residents to existing and future parks as well. Priority should be placed on improving active and green transportation links between the Urban Growth Centre and the Downtown Urban Centre, such as through public realm improvements along Brant Street or through

new pathway connections along Hydro or utility corridors, as available. As noted above, the supply of parkland target may require alternative acquisition tools in addition to parkland dedication through the development process.

Priority Acquisition Areas

Figure 14 illustrates that most of the Burlington GO UGC/MTSA is a priority area for parkland acquisition, with the highest priority area shown north of Fairview Street, based on parkland spacing and priority mapping. Figure 15 has been provided from the Major Transit Station Areas, Area Specific Planning Study & Final Report completed by Dillon Consulting to indicate the initial planning concept developed for this area.

Table 5 on the following page illustrates the estimated parkland dedication that may be possible in the Burlington GO UGC/MTSA using the potential land dedication rates, assuming no cash-in-lieu is provided. Table 5 demonstrates that it will be challenging to meet a service level of 1 hectare of parkland per 1000 people solely from land dedication at time of development.

The City will have to be proactive and develop a more refined concept plan with the land owners in the area to ensure parkland and linear connections can be provided in the most appropriate locations.

Table 3: Burlington GO UGC/MTSA existing parkland service levels

TOTAL AREA (HECTARES)	103 ha
NUMBER OF RESIDENTS (2021)	1,670
HECTARES OF PARKS IN POLICY AREA	0.4 ha
PERCENT OF POPULATION WITHIN 400M OF A PARK	33.12%
M² OF PARKLAND PER POPULATION WITHIN POLICY AREA	2.4 m ²

Table 4: Burlington GO UGC/MTSA future parkland target service levels

	FUTURE PARKLAND TARGET LEVEL OF SERVICE
1	100% of residents are within a 400m walking distance of a park
2	Residents have access to 1 hectare per 1000 people
3	100% of residents within 400m of a playground/exercise structure

Table 5: Burlington GO UGC/MTSA Estimated Parkland Dedication Amount

<i>Estimated Parkland Dedication Amount By Rate Type¹</i>			
Burlington GO Precincts	Standard Dedication (Ha)	Alternative Rate (Ha)	Transit Oriented Community Rate (Ha)
Fairview Frequent Transit Corridor	0.22	1.24	0.47
Mid-Rise Residential	0.45	1.39	0.90
Upper Brant	0.08	0.34	0.18
Legion Node	0.37	0.08	0.08
Leighland Node	0.18	0.95	0.37
Drury Node	0.55	0.51	0.64
Queensway Main Street	0.22	1.43	0.50
Burlington GO Central	0.62	4.7	1.41
Urban Employment	0.07	0	0.37
MTSA TOTALS:	2.77	10.64	4.92

¹Although the alternative rate applies to all the proposed densities in the MTSA (as per the Official Plan, S. 12.1.16.2), it is assumed to not be feasible for all parcels given the amount of land required to be dedicated from development (e.g. nearly one-third to one-half of the available developable land in certain precincts). Therefore, it is assumed that a mixture of available dedication rates would be used to capture maximum feasible amount of parkland dedication. Above illustrates possible ranges for this analysis only.

Figure 12: Burlington GO UGC/MTSA Existing Accessible Parkland Walkability Gaps

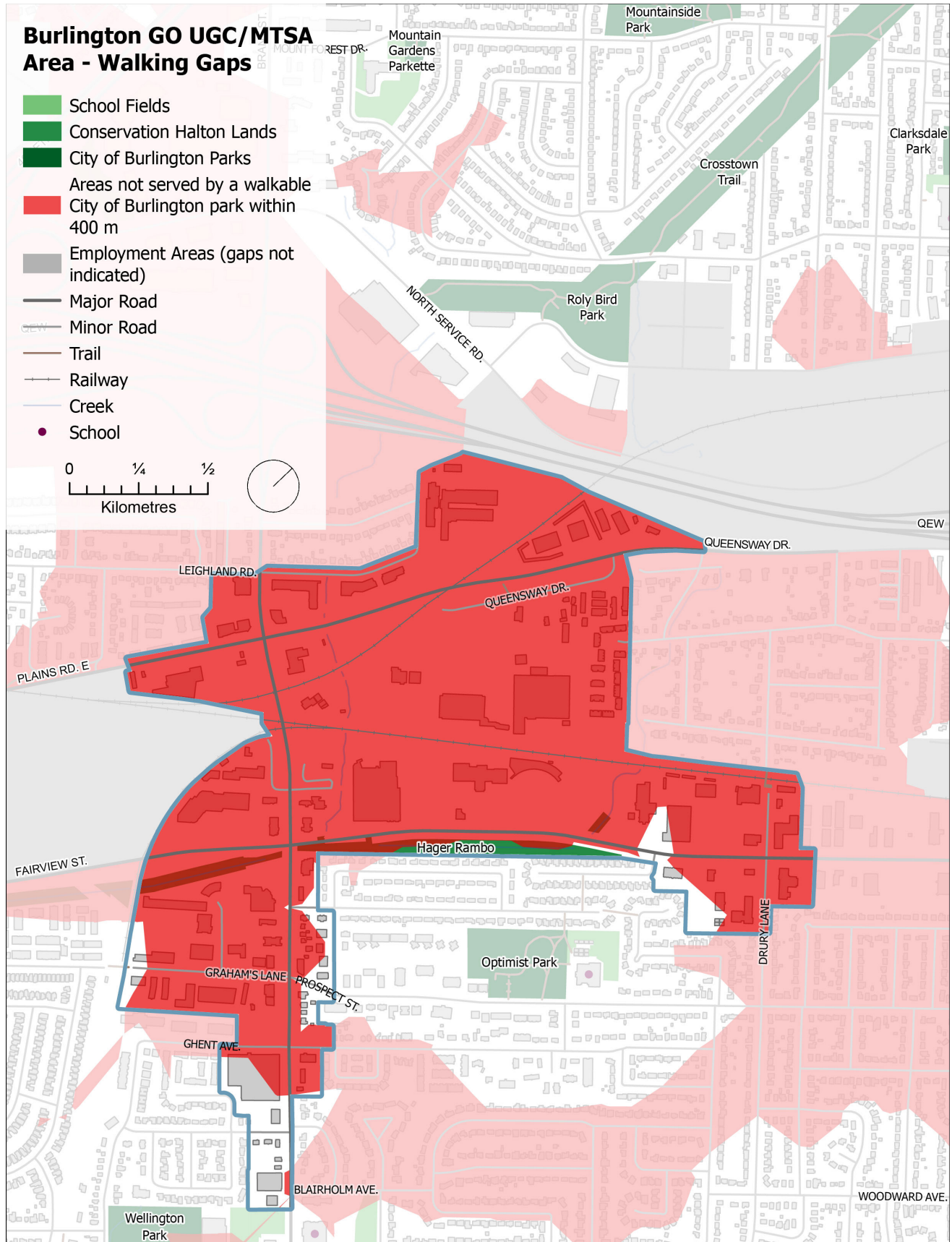


Figure 13: Burlington GO UGC/MTSA Existing Parkland Per Capita

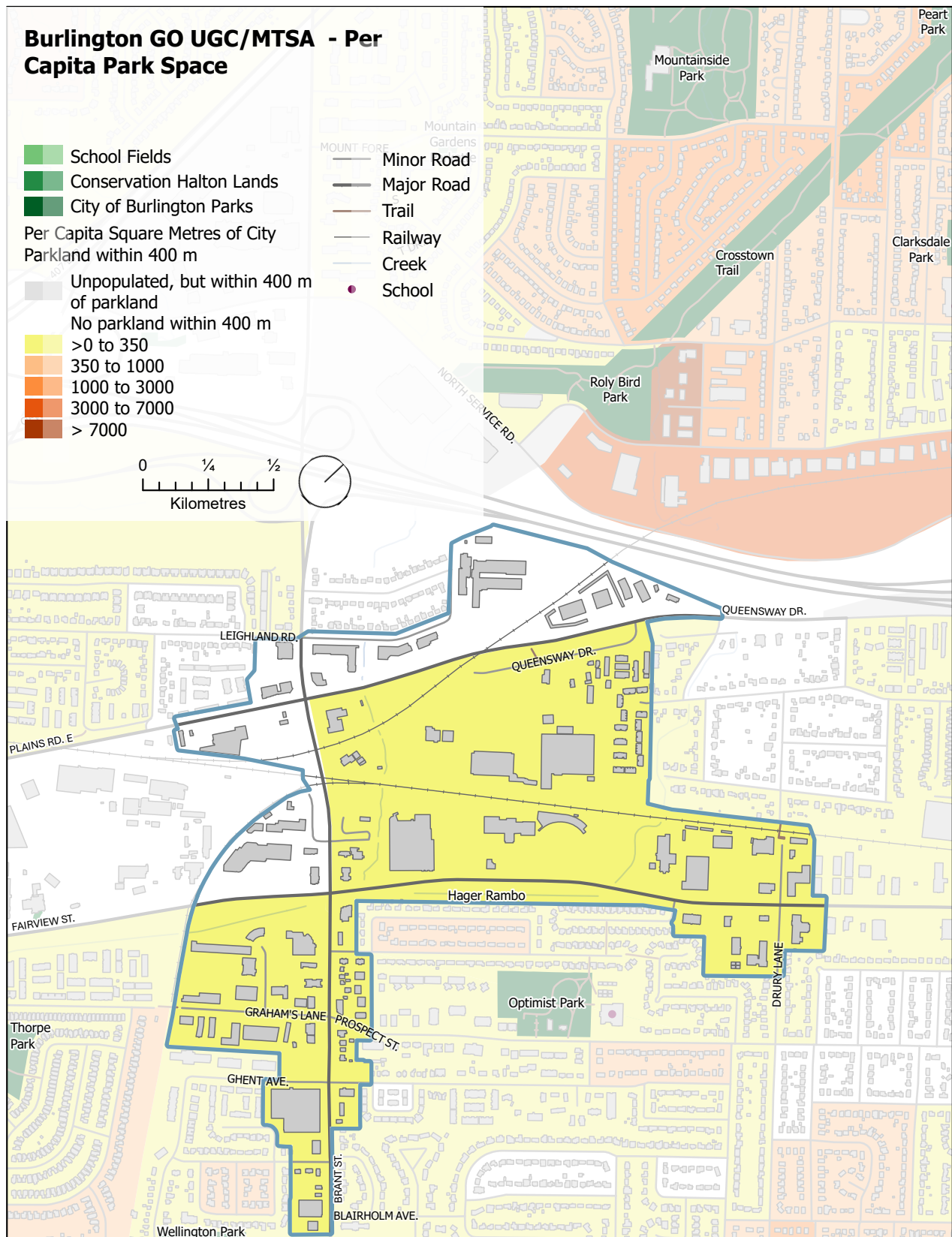


Figure 14: Burlington GO UGC/MTSA Parkland Priority Acquisition Areas

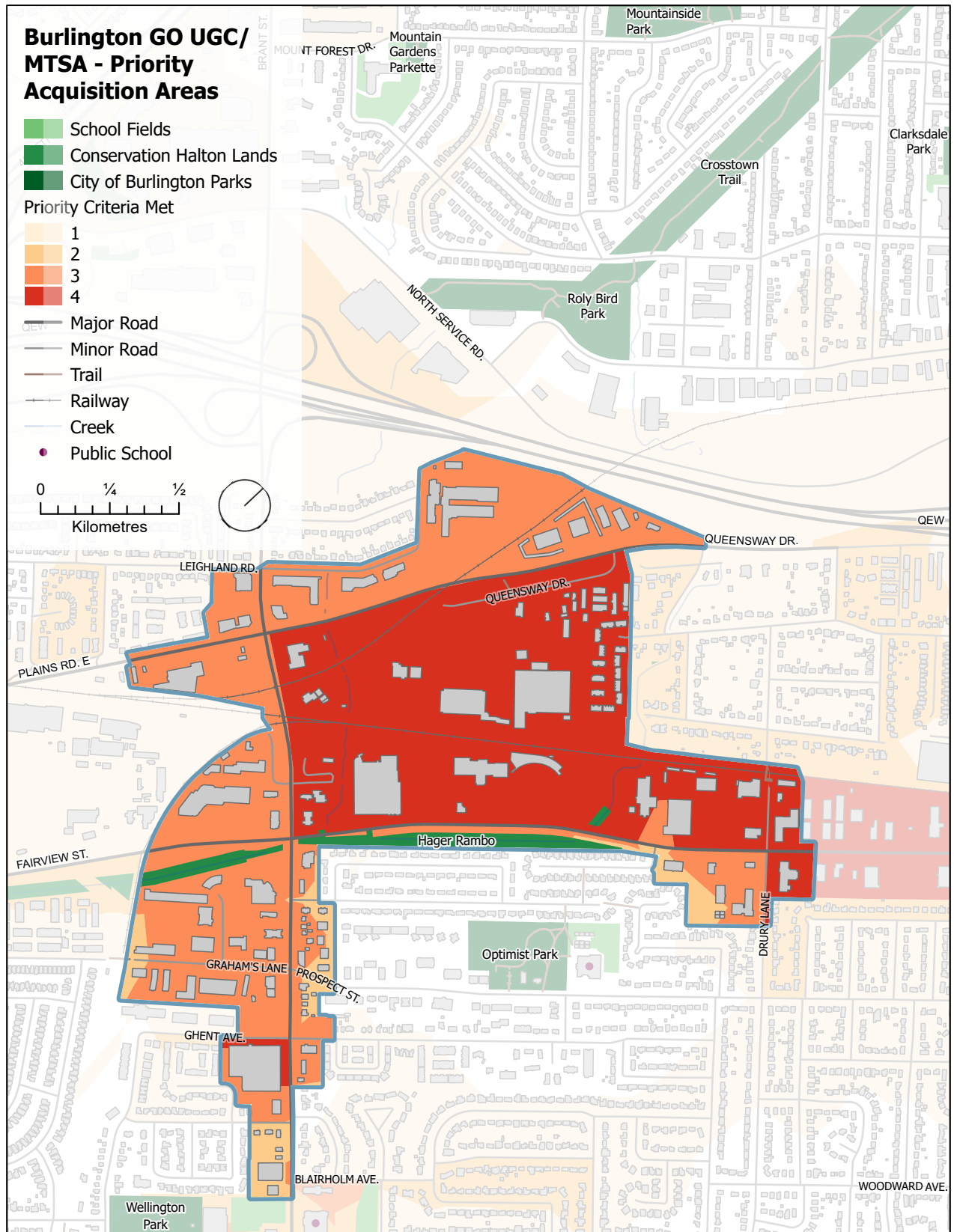
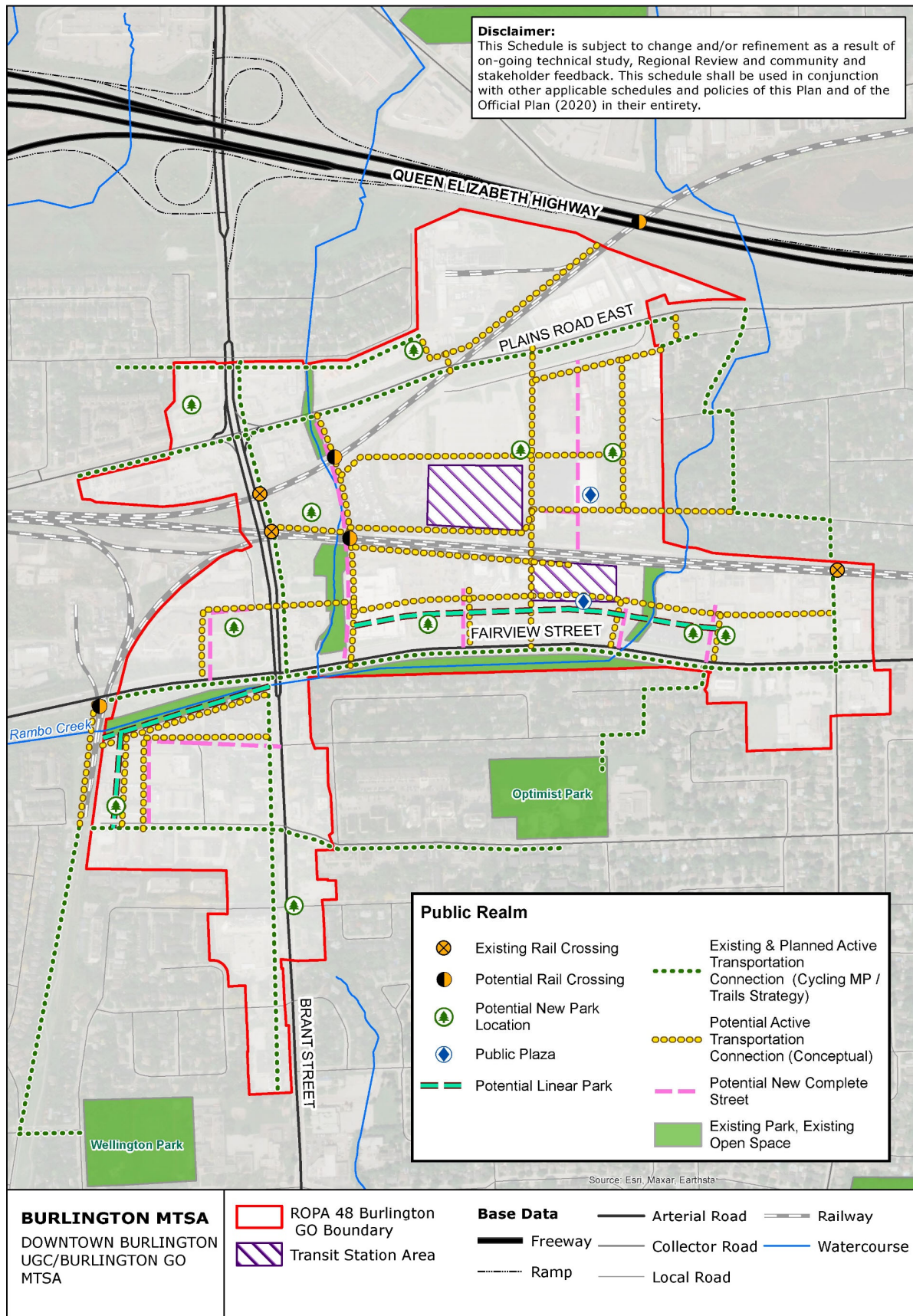


Figure 15: Burlington GO UGC/MTSA Public Realm Concept



Source: Major Transit Station Areas, Area Specific Planning Study & Final Report by Dillon

Aldershot GO MTSA

Current Levels of Service

The Aldershot GO MTSA is currently served by adjacent parkland (within 400m walking distance of the area) that is accessible only for approximately a tenth of current residents. Only those residents that are close to the entrance of Hidden Valley Park have a five minute walk to parkland. Some parkland in the vicinity could be made more accessible as the Aldershot GO MTSA develops. Table 6 illustrates the Aldershot GO MTSA existing service level.

Additional parkland and improved, multi-modal transportation network improvements through MTSA planning and development will be essential to improving park provision and increased accessibility to parks as the area intensifies.

Figure 16 illustrates areas of the Aldershot GO MTSA not within 400m walking distance of a park. Figure 17 shows the square metres of parkland within 400m walking distance per resident in the dissemination block.

Target Future Levels of Service

The Aldershot GO MTSA is forecasted to house a population of 10,000+ and 2,500+ jobs at full build out. At 2041 that population is anticipated to be 7,160 people. Table 7 illustrates the future parkland service levels for the Aldershot GO MTSA.

Table 8 summarizes the maximum estimated dedication for the Aldershot MTSA in each precinct, as per the ASP Planning Study.

Due to parcel fragmentation, to achieve any parks equivalent in size to the area summary totals presented would require further block planning, agreements, consolidation, and other planning and development mechanisms, if a number of smaller parks is not desired.

Given the possible dedication amounts noted, it will be challenging to provide the number of parks envisioned in the area-specific planning study for the Aldershot area. Therefore, alternative means of providing parks and open space should be considered to improve the level of service target for Aldershot, including proactive acquisition, and consideration for strata, POPS, and shared streets as additional spaces in addition to public parks.

To meet a future parkland target service level of 1 hectares per 1000 population in 2041, 6.62 hectares of new parkland will need to be acquired.

Ensuring access to high quality public parks will need to be prioritized, given the intensification of development proposed for the Aldershot GO MTSA. The Area Specific Planning Study for each MTSA, including Aldershot GO, envisions improved multi-modal transportation network improvements and increased connectivity, which will improve resident access to adjacent existing parks, such as Hidden Valley Park, in the future.

While the amount of parkland per population may be constrained due to acquisition challenges as noted above, the supply of parkland target is to be considered

an ambitious goal to be achieved through dedication from development and through other means, such as City purchases and partnerships, as well as improved access and connectivity to Hidden Valley Park.

Priority Acquisition Areas

Figure 18 illustrates that a large portion of the Aldershot GO MTSA is meeting three priority criteria for parkland acquisition. While there is large portions of the MTSA near parkland, accessibility is limited to only a couple of locations. Again, the provision of linear parks and greenways will be important to improving the overall connectivity of parks. The Major Transit Station Areas, Area Specific Planning Study & Final Report public realm concept completed by Dillon Consulting shown in Figure 19 provides the overall precinct plan to support the vision as identified in the Dillon Final report that will ultimately inform the ASP and Official Plan Amendment.

Table 8 demonstrates that if cash-in-lieu is provided rather than land, it will be difficult to meet a service level of 1 hectare of parkland per 1000 people solely from land dedication at time of development.

Table 6: Aldershot GO MTSA existing parkland service levels

TOTAL AREA (HECTARES)	86 ha
NUMBER OF RESIDENTS (2021)	1,100
HECTARES OF PARKS IN POLICY AREA	0.54 ha
PERCENT OF POPULATION WITHIN 400M OF A PARK	11.8%
M² OF PARKLAND PER POPULATION WITHIN POLICY AREA	4.91 m ²

Table 7: Aldershot GO MTSA future parkland target service levels

	FUTURE PARKLAND TARGET LEVEL OF SERVICE
1	100% of residents are within a 400m walking distance of a park
2	Residents have access to 1 hectare per 1000 people
3	100% of residents within 400m of a playground/exercise structure

Table 8: Aldershot GO MTSA Estimated Parkland Dedication Amount

<i>Estimated Parkland Dedication Amount By Rate Type²</i>			
Aldershot GO Precincts	Standard Dedication (Ha)	Alternative Rate (Ha)	Transit Oriented Community Rate (Ha)
Cooke Commons	0.13	0.64	0.28
Emery Commons	0.44	1.57	0.94
Aldershot GO Central	0.79	6.73	1.79
Aldershot Mainstreet	0.63	2.22	1.14
Midrise Residential	0.61	1.45	1.47
MTSA TOTALS:	2.61	12.61	5.63

²Although the alternative rate applies to all the proposed densities in the MTSA (as per the Official Plan, S. 12.1.16.2), it is assumed to not be feasible for all parcels given the amount of land required to be dedicated from development (e.g. nearly one-third to one-half of the available developable land in certain precincts). Therefore, it is assumed that a mixture of available dedication rates would be used to capture maximum feasible amount of parkland dedication. Above illustrates possible ranges for this analysis only.



Figure 16: Aldershot GO MTSA Existing Accessible Parkland Walkability Gaps

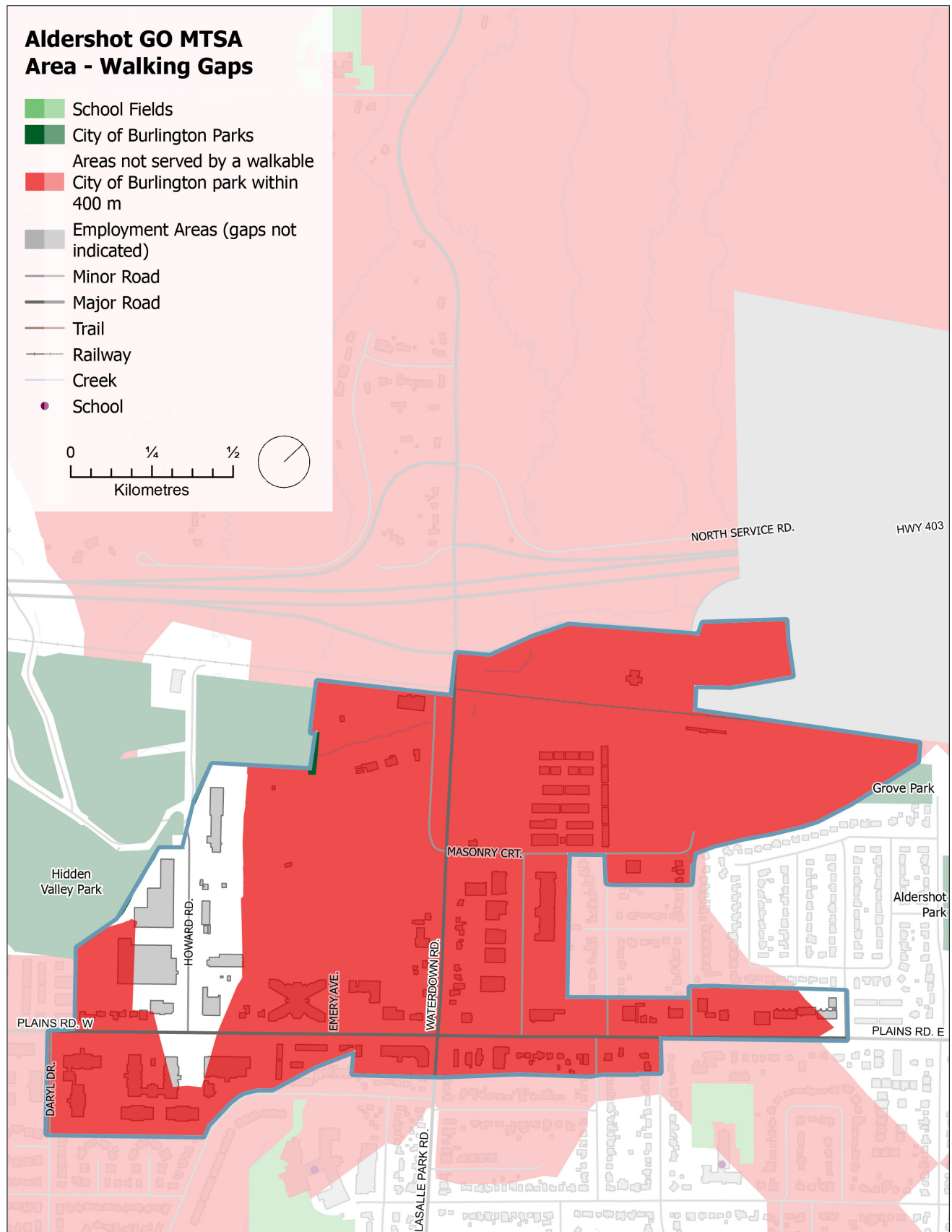


Figure 17: Aldershot GO MTSA Existing Parkland Per Capita

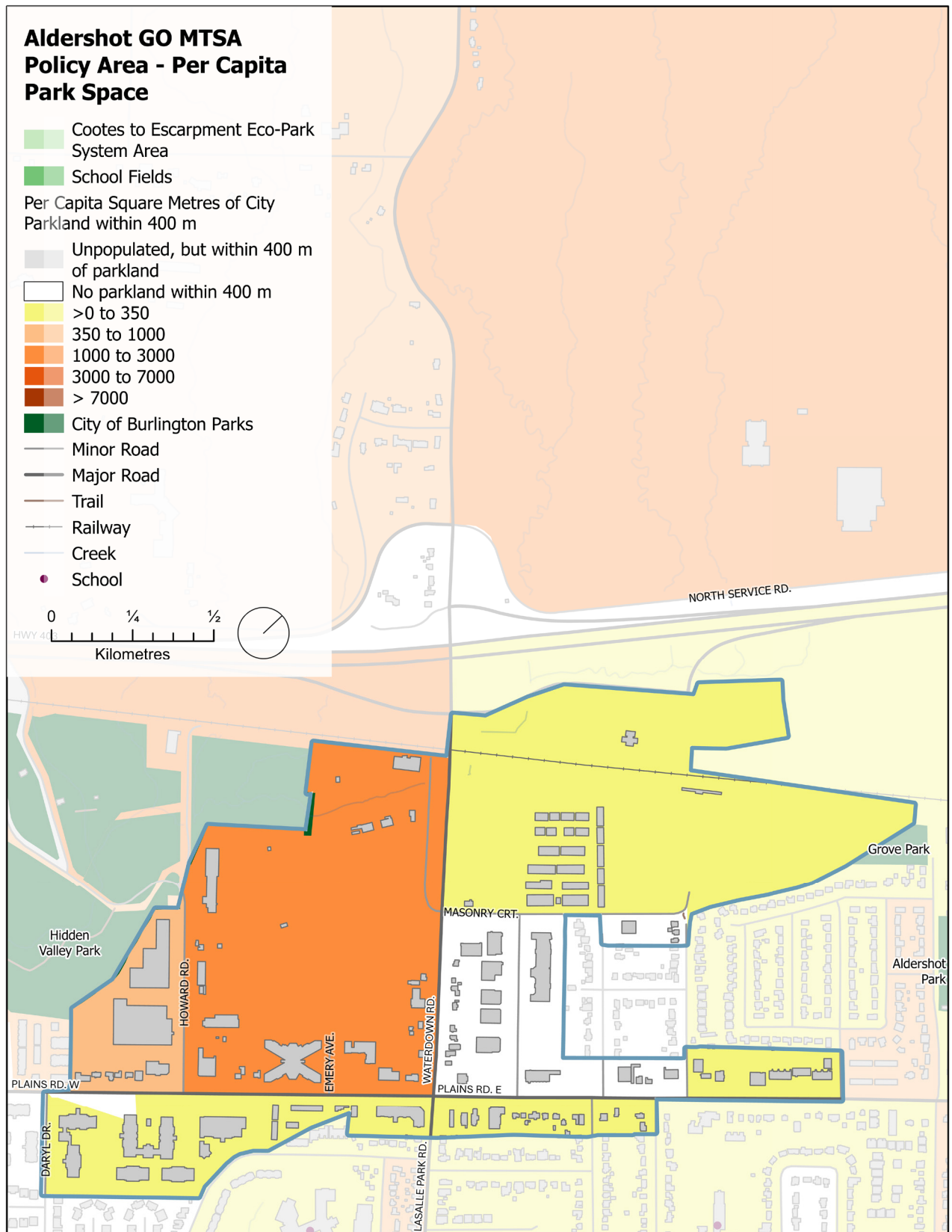


Figure 18: Aldershot GO MTSA Parkland Priority Acquisition Areas

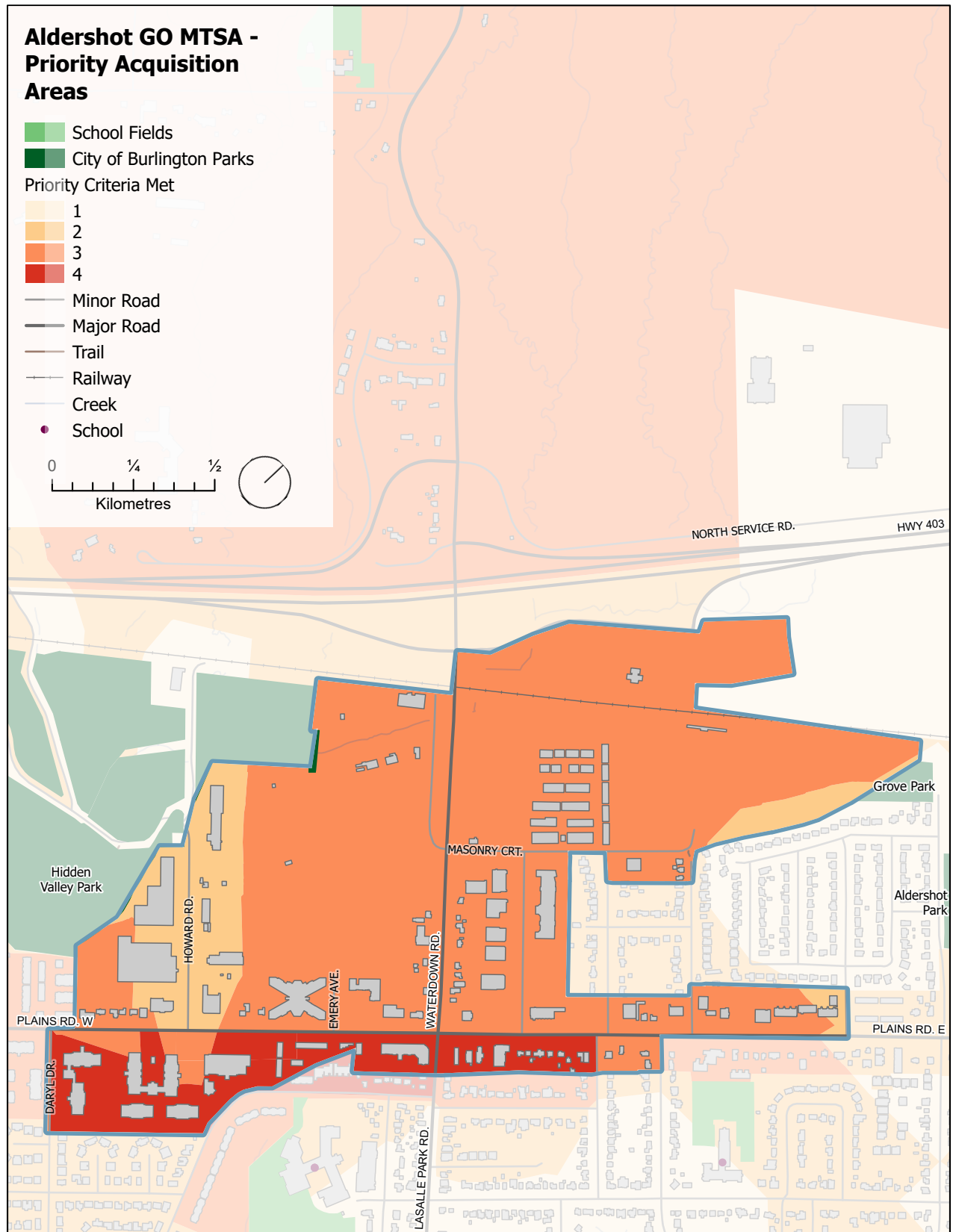
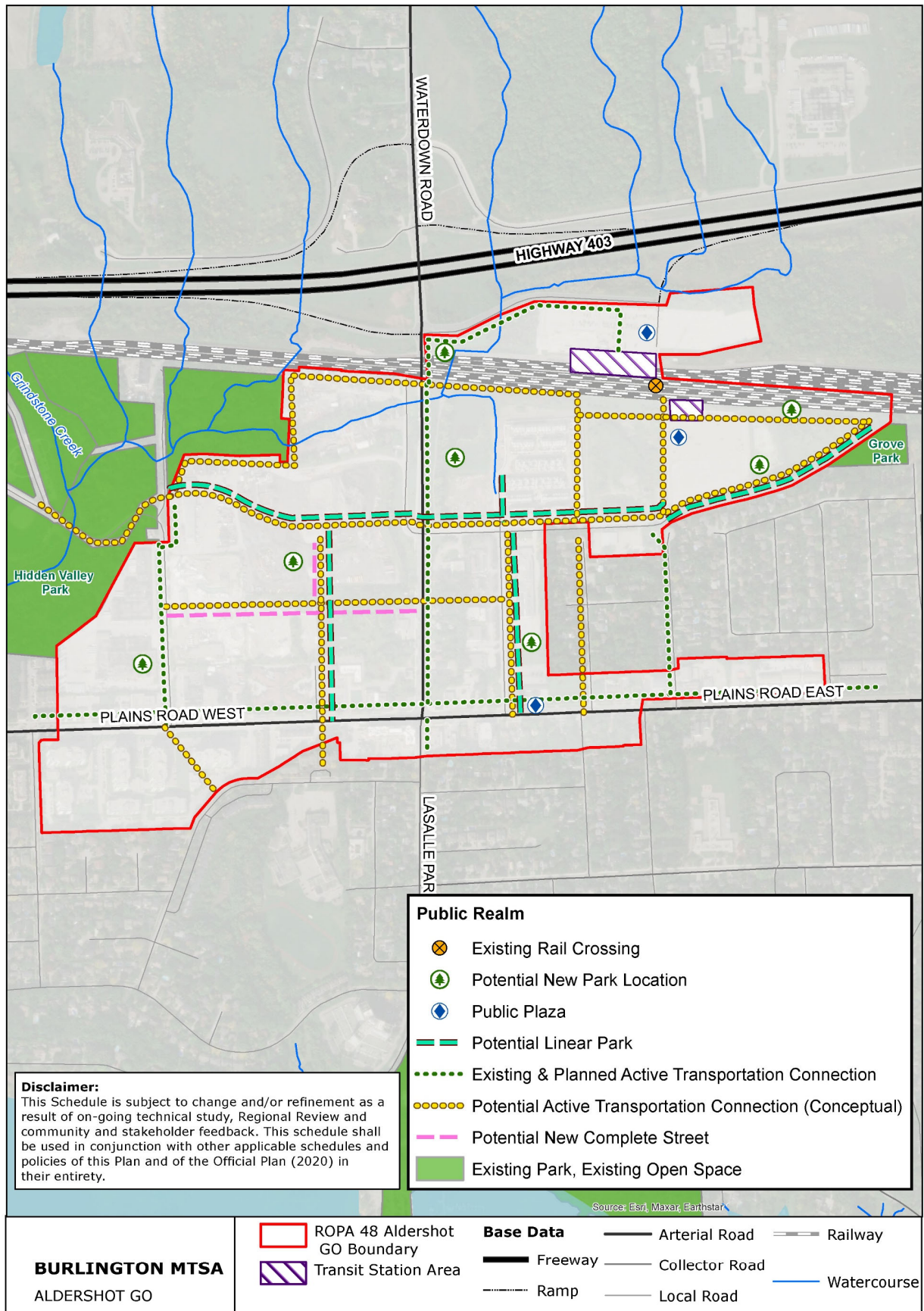


Figure 19: Aldershot GO Public Realm



Source: Major Transit Station Areas, Area Specific Planning Study & Final Report by Dillon

Appleby GO MTSA

Current Levels of Service

The Appleby GO area is currently a well-established employment centre within the city, with many businesses and industrial uses in the area. Consequently, of the three MTSA areas, Appleby is statistically the best served by park space today, with a substantial amount available adjacent to the MTSA boundary and within 400m of the area. This is primarily due to a low number of existing residents within the existing MTSA. However, the significant number of amenities and space available at Sherwood Forest Park is the key driver to this high level of service. Leveraging the abundance of accessible park space will be an important feature to support the existing employment uses and attract new employment and mixed-use development to this MTSA. Table 9 illustrates the Appleby GO MTSA existing service level.

Figure 20 illustrates areas of the Appleby GO MTSA not within 400m walking distance of a park. Figure 21 shows the existing square metres of parkland within 400m walking distance per resident.

Target Future Levels of Service

The Appleby GO MTSA is planned to retain and strengthen its existing function as an employment centre, with the number of jobs within the area forecasted to increase three-fold over the next thirty years to an anticipated 4,210 people. Appleby GO MTSA does also include some significant growth in residential units as well. Along with future park dedication through redevelopment

applications, Appleby should be well suited to support both the daytime needs of workers for gathering and relaxation, as well as the multi-purpose role parks play for nearby residents.

If development proceeds according to plans for the Appleby GO MTSA, parkland through land dedication should be sufficient to properly service resident and employment growth in the area. Additional measures or proactive acquisitions may need to be taken by the City in the Fairview Frequent Transit Corridor precinct, however, as the forecasted park dedication totals may not be sufficient to provide the number of parks and open spaces envisioned for the corridor.

Table 10 indicates the future parkland service level targets. The service level for Appleby is higher than the Burlington GO UGC/MTSA and the Aldershot GO MTSA to account for proximity to Sherwood Forest Park. Sherwood Forest Park provides a larger community recreation function and thus should not completely offset the need for local parkland in the MTSA area. To meet a future parkland target service level of 1.5 hectares per 1000 population in 2041, 2.88 hectares of new parkland will need to be acquired. The Appleby GO MTSA is currently well served with the amount of parkland within the area, and this is projected to continue through build out based on potential parkland dedication amounts. A focus will need to be improved access across different transportation modes to parkland within the MTSA, while continuing to support this area's focus as an

employment centre and attractive place for workers and residents alike. There is potential for all parkland within this MTSA to be acquired through dedication via development.

Priority Acquisition Areas

Figure 22 illustrates that most of the existing residential development is higher priority area for parkland. This is primarily due to projected growth in the MTSA and the decline of square metres of parkland per person. The priority acquisition map highlights that although it seems like Appleby GO MTSA is well served, there remains to be parkland acquisition requirements as future development occurs. The Appleby GO priority acquisition map demonstrates a clear example that the priority acquisition mapping is to used as a starting point to determine the highest priority location for parkland. Knowing the area north of the railway tracks will remain employment lands, focus can be given to other locations on the map where the four criteria have been met.

Table 11 on the following page illustrates the estimated parkland dedication that may be possible in the Appleby GO MTSA using the potential land dedication rates, assuming no cash-in-lieu is provided. Table 11 demonstrates that it may be possible to achieve a greater portion of land in this area the other MTSA areas due to the current low density, employment type land uses in the area and larger parcel sizes.

Figure 23 is showing the public realm concept developed in and included as part of the Major Transit Station Areas, Area Specific Planning Study Interim Report.

Table 9: Appleby GO MTSA existing parkland service levels

TOTAL AREA (HECTARES)	179 ha
NUMBER OF RESIDENTS (2021)	1,140
HECTARES OF PARKS IN POLICY AREA	3.44 ha
PERCENT OF POPULATION WITHIN 400M OF A PARK	71%
M² OF PARKLAND PER POPULATION WITHIN POLICY AREA	30.18 m ²

Table 10: Appleby GO MTSA future parkland target service levels

	FUTURE PARKLAND TARGET LEVEL OF SERVICE
1	100% of residents are within a 400m walking distance of a park
2	Residents have access to 1.5 hectares per 1000 people
3	100% of residents within 400m of a playground/exercise structure

Table 11: Appleby GO MTSA Estimated Parkland Dedication Amount

<i>Estimated Parkland Dedication Amount By Rate Type³</i>			
Appleby GO Precincts	Standard Dedication (Ha)	Alternative Rate (Ha)	Transit Oriented Community Rate (Ha)
Mid-Rise Residential	0.21	0.43	0.42
Fairview Frequent Transit Corridor	0.73	4.01	1.56
Urban Employment	1.00	0	5.00
General Employment	0.83	0	4.13
Appleby GO Central	0.57	5.29	1.28
Appleby GO Central - Employment Only	0.22	0	1.57
MTSA TOTALS:	3.57	9.73	13.96

³Although the alternative rate applies to all the proposed densities in the MTSA (as per the Official Plan, S. 12.1.16.2), it is assumed to not be feasible for all parcels given the amount of land required to be dedicated from development (e.g. nearly one-third to one-half of the available developable land in certain precincts). Therefore, it is assumed that a mixture of available dedication rates would be used to capture maximum feasible amount of parkland dedication. Above illustrates possible ranges for this analysis only.

Figure 20: Appleby GO MTSA Existing Accessible Parkland Walkability Gaps

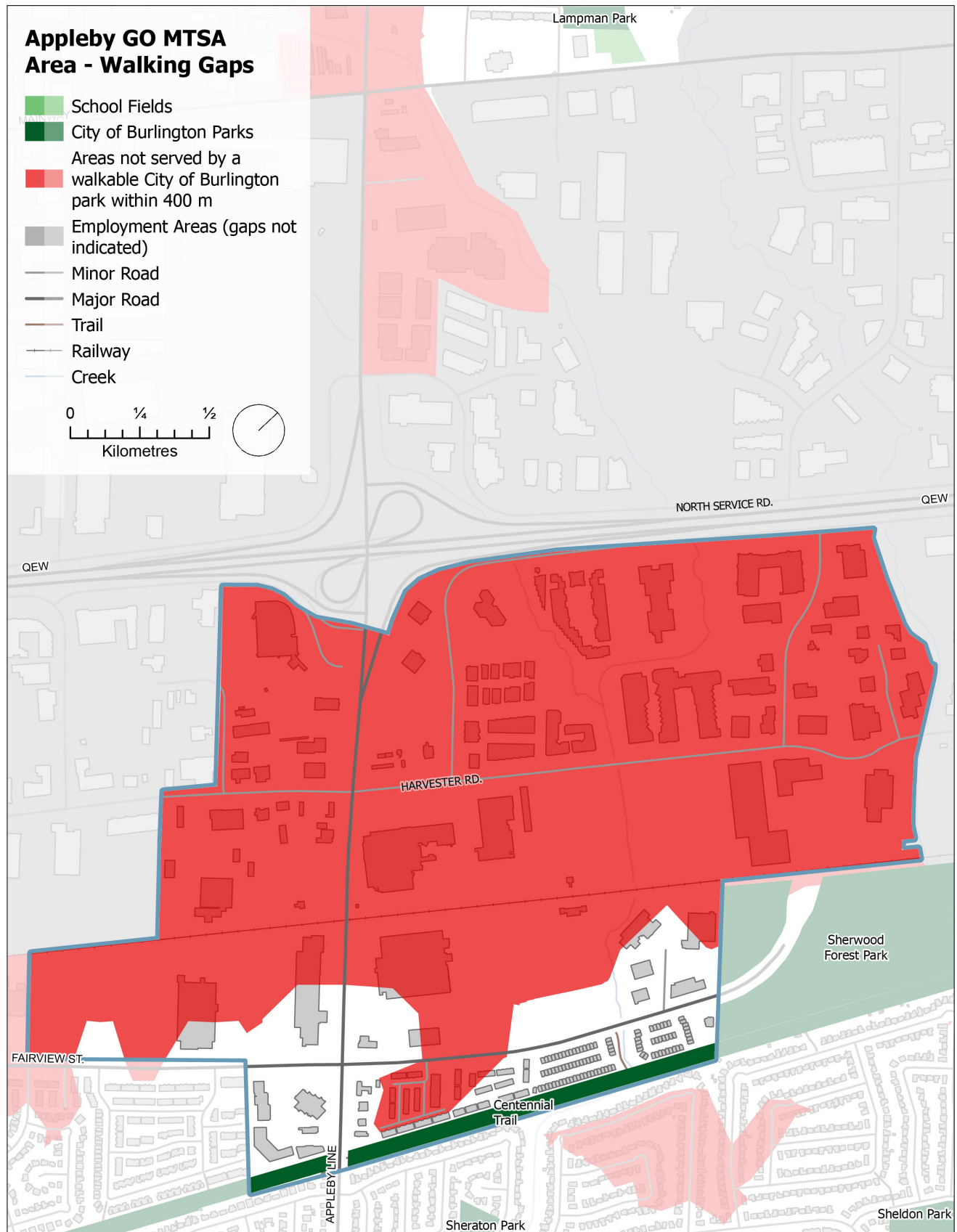


Figure 21: Appleby GO MTSA Existing Parkland Per Capita

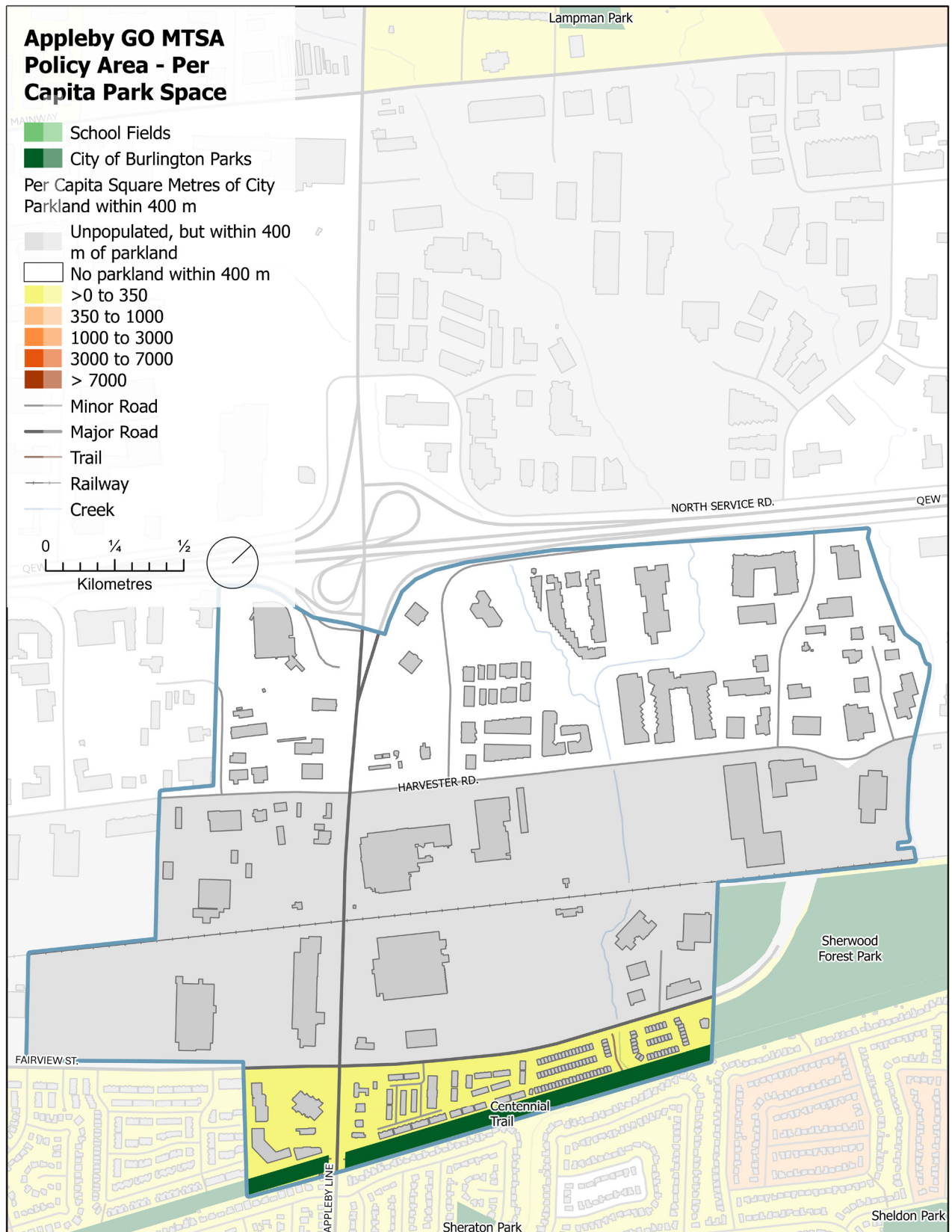


Figure 22: Appleby GO MTSA Parkland Priority Acquisition Areas

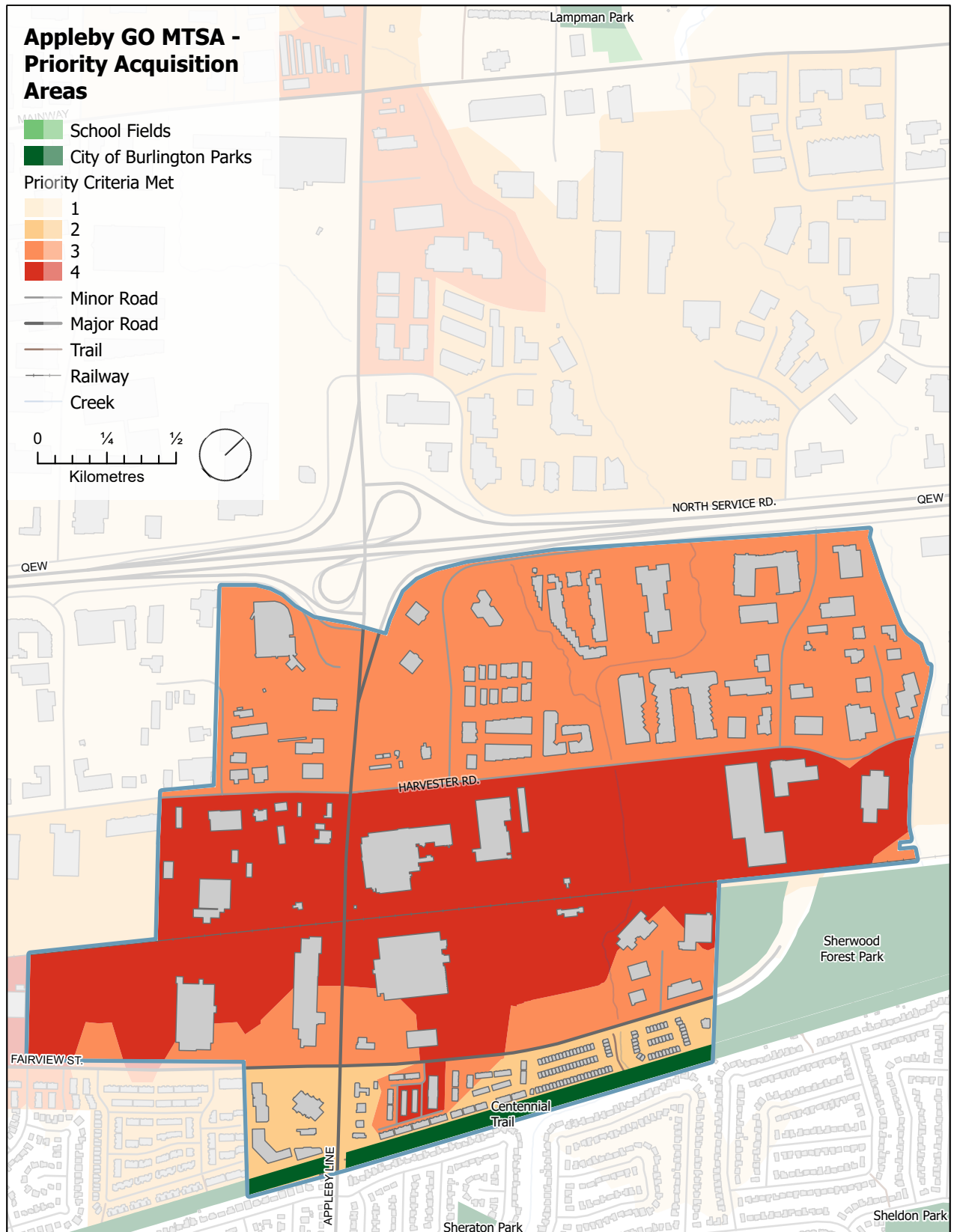
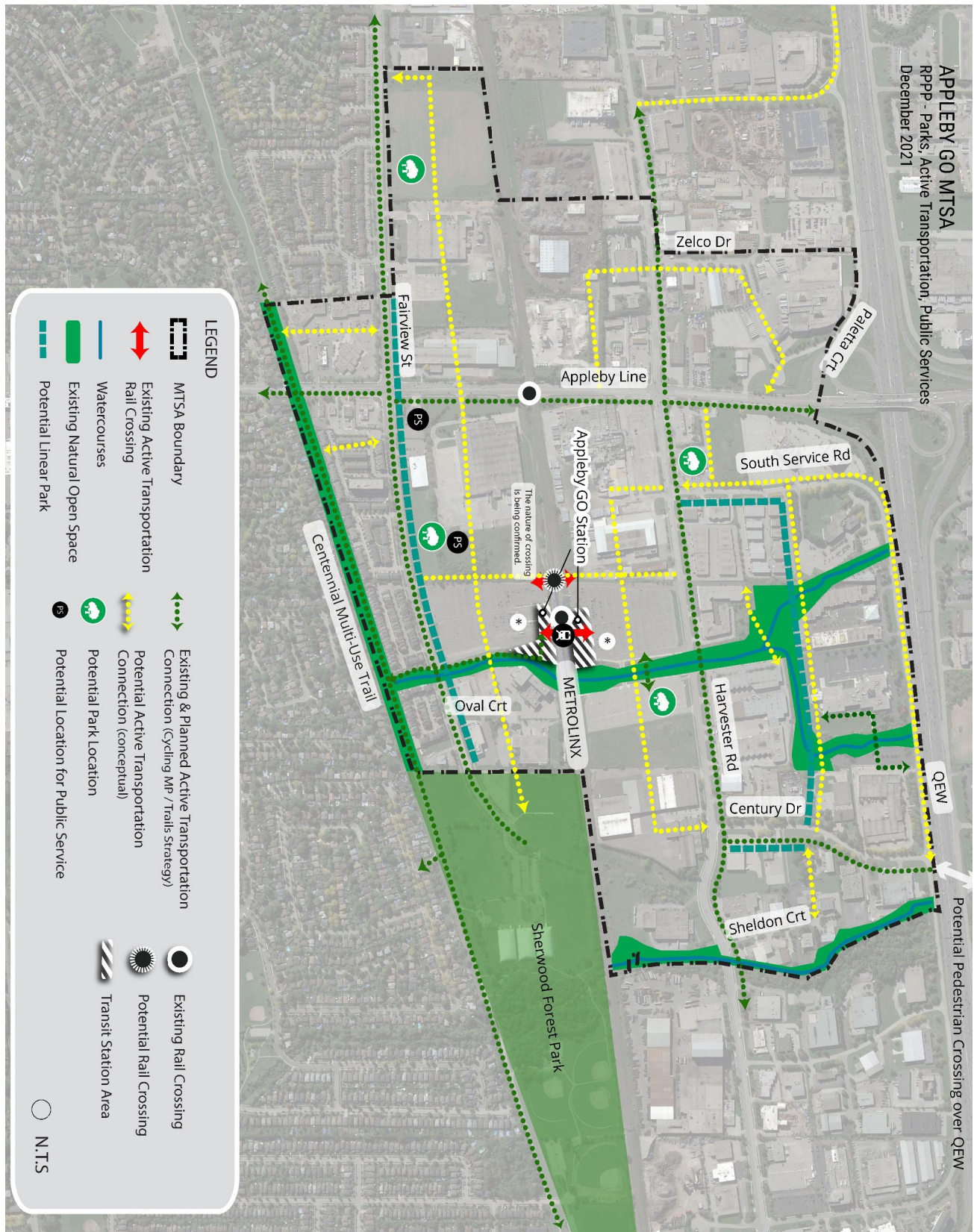


Figure 23: Appleby GO Public Realm



Source: Major Transit Station Areas, Area Specific Planning Study Interim Report by Dillon

2.5.3 Downtown Urban Centre

Current Levels of Service

The Downtown Urban Centre represents the city's most densely populated area. It is also the area where many non-residents travel to to use Spencer Smith Park on the waterfront. This area must rely on sports fields outside of the area with the exception of the small Lion's Park field.

While park acquisition has been identified in key locations in the City's Official Plan, the area will be significantly constrained to improve upon the amount of parkland per person moving into the future. Table 12 indicates the Downtown Urban Centre's existing parkland service level.

Figure 24 illustrates areas of the Downtown Urban Centre not within 400m walking distance of a park. Figure 25 shows the existing square metres of parkland within 400m walking distance per resident.

Target Future Levels of Service

The Downtown Urban Centre is anticipated to have a population of 12,340 people in 2041 gaining approximately 4,000 residents. Table 13 indicates the future parkland target levels. Similar to Appleby GO MTSA, the Downtown Urban Centre has a large amount of parkland that draws people from outside of the immediate area. Parks along the waterfront serve a larger catchment and therefore to account for this, the service target has been set at 1.2 hectares to accommodate future parkland needs to provide services for the local community.

To meet a future parkland target service level of 1.2 hectares per 1000 population in 2041, 1.81 hectares of new parkland will need to be acquired. This assessment supports Official Plan policies which promote comprehensive block planning to properly site new parks, as well as consideration for POPS within the downtown to supplement public parkland dedication. Given the focal point of growth and redevelopment within the Downtown Urban Centre, additional and alternative parkland acquisition will likely be required.

Without further lot consolidation or agreements among developers and the City, it will be challenging to accomplish the Official Plan's direction to acquire urban squares and parks within the downtown with a minimum size of 0.1 to 0.5 hectares through land dedication alone. To achieve these size minimums, additional purchase or partnerships by the City would be required throughout most of the Downtown.

Priority Acquisition Areas

Figure 26 illustrates that there are pockets of the Downtown Urban Centre that meet the four acquisition criteria and should be the highest priority. Other priorities should include the acquisition of parks as informed by the Official Plan such as the specific locations along Brant Street and areas along the waterfront.

Table 12: Downtown Urban Centre current parkland service levels

TOTAL AREA (HECTARES)	104.4 ha
NUMBER OF RESIDENTS (2021)	8,640
HECTARES OF PARKS IN POLICY AREA	13 ha
PERCENT OF POPULATION WITHIN 400M OF A PARK	81.16%
M² OF PARKLAND PER POPULATION WITHIN POLICY AREA	15.05 m ²

Table 13: Downtown Urban Centre future parkland target service levels

	FUTURE PARKLAND TARGET LEVEL OF SERVICE
1	100% of residents are within a 400m walking distance of a park
2	Residents have access to 1.2 hectares per 1000 people
3	100% of residents within 400m of a playground/exercise structure

Figure 24: Downtown Urban Centre Existing Accessible Parkland Walkability Gaps

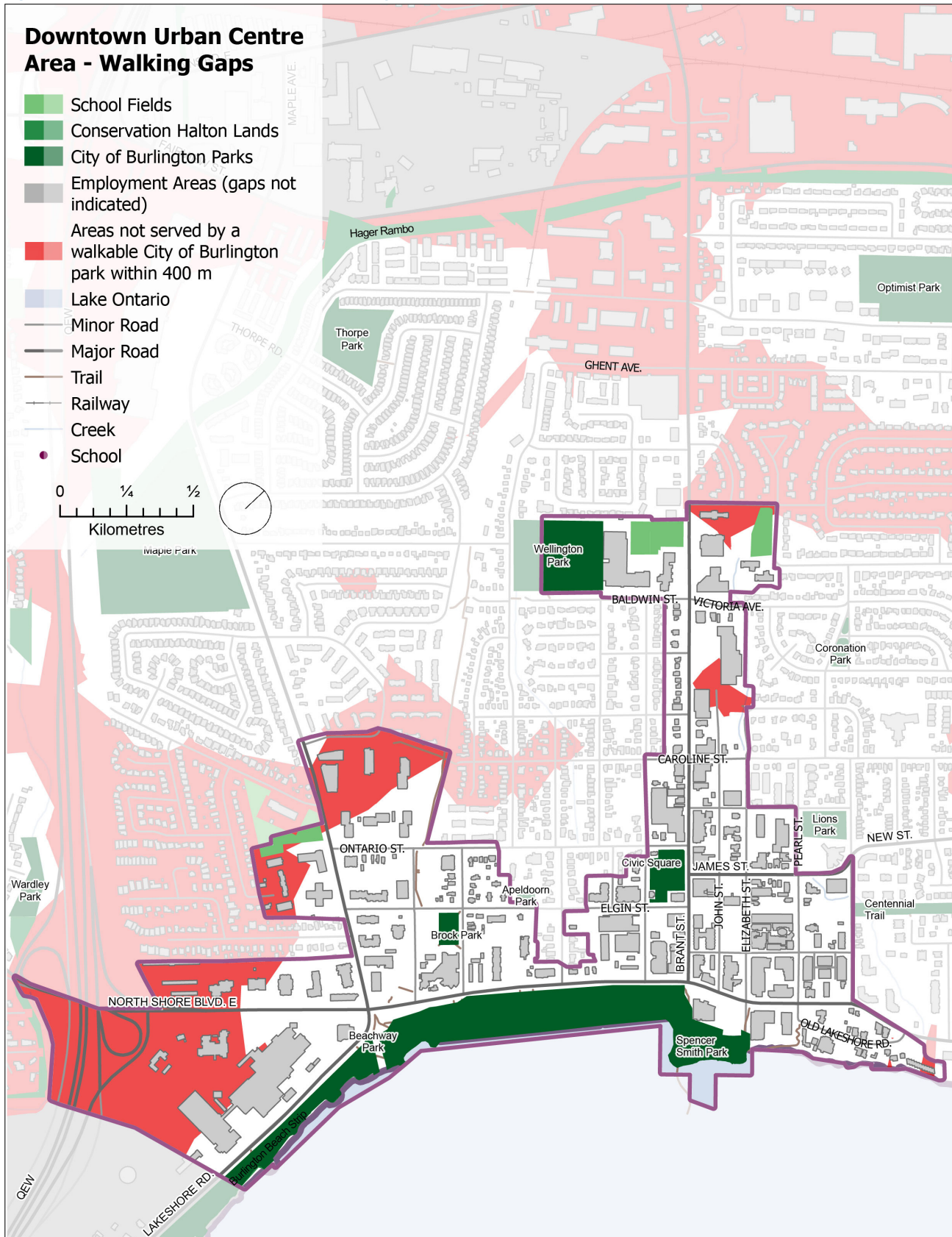


Figure 25: Downtown Urban Centre Existing Parkland Per Capita

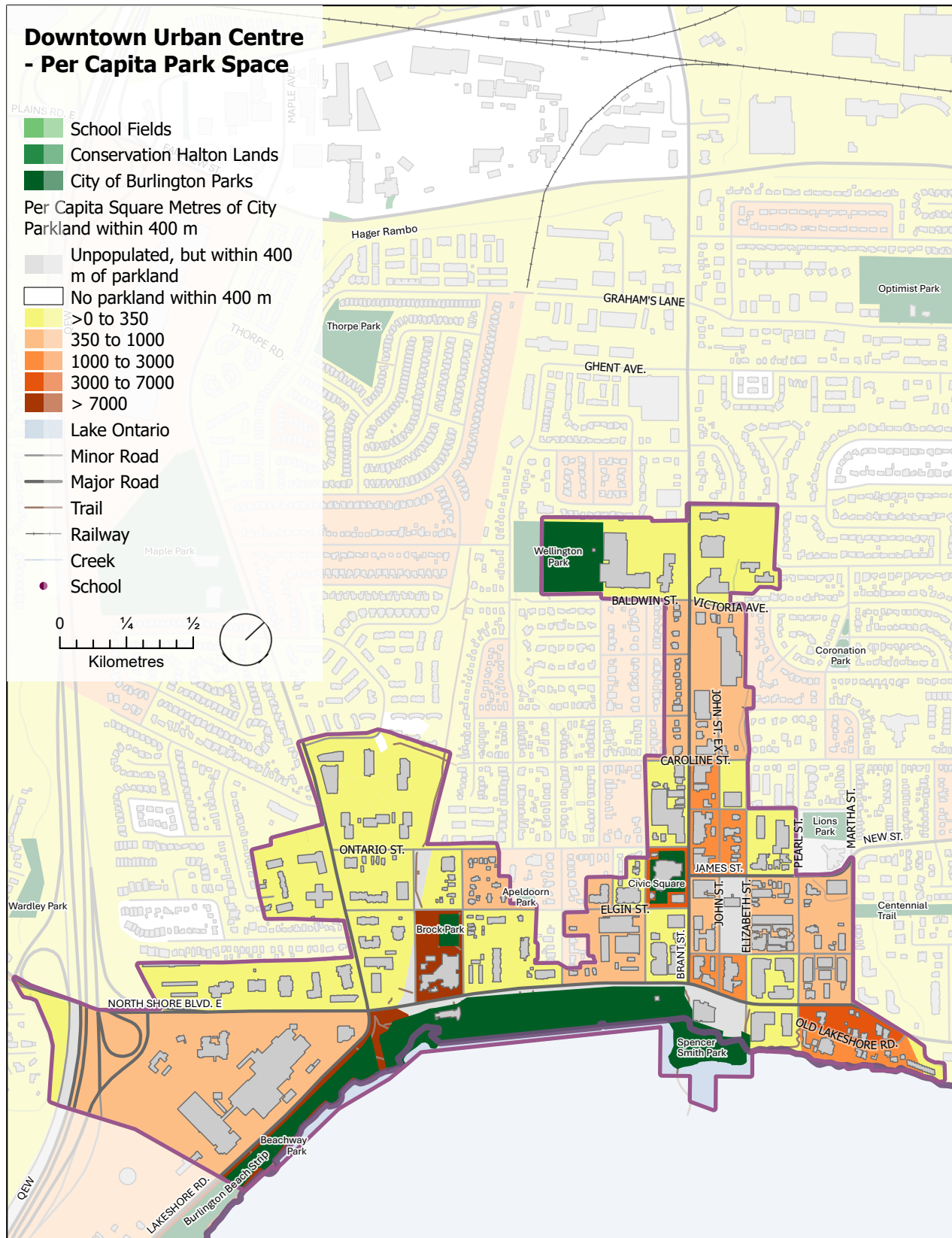
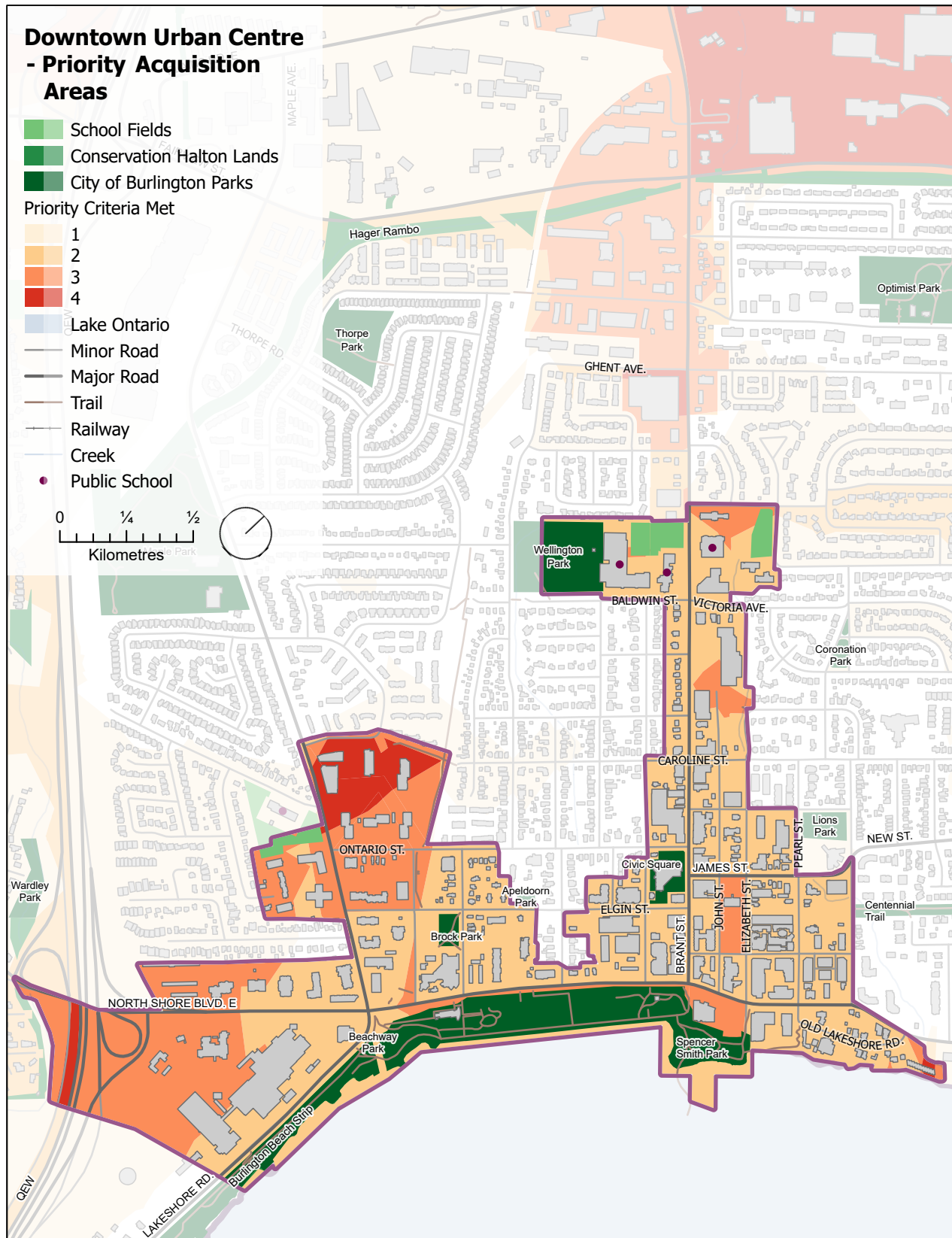


Figure 26: Downtown Urban Centre Priority Acquisition Areas



2.5.4 Uptown Urban Centre

Current Levels of Service

The Uptown Urban Centre is located along Appleby Line, north of the QEW and currently includes a mix of residential and non-residential areas including the Millcroft Shopping Centre. Residential development is located on the east side of Appleby Line while non-residential uses are located on the west side of Appleby Line. The Uptown Urban Centre is designated a Primary Growth Area in the Burlington Official Plan.

Table 14 provides the existing service level for the Uptown Urban Centre. Almost all of the residential area is within 400m of existing parkland as shown in Figure 27, however a large portion of the parkland in this area is the Orchard Woodlot Park that provides no active park space and is part of the City's Natural Heritage System. Immediately adjacent to this policy area is the Millcroft Park but there is no connectivity to the park from this area due to the railway tracks. Figure 28 illustrates the amount of parkland per population in the area. Some areas of the Uptown Urban Centre have little to no population which distorts this measurement in this area.

Target Future Levels of Service

A population of 6,710 people is anticipated in the Uptown Urban Centre by 2041 with most of the new residential growth occurring in a mid to high rise mixed use built form. Table 15 indicates the parkland service level targets for this area. This will require additional parkland primarily on the west

side of Appleby Line. A target service level of 2 hectares per 1000 people is recommended to ensure adequate parkland is provided west of Appleby Line. To meet this future parkland target service level an additional 1.64 hectares of land will be need to be acquired.

Priority Acquisition Areas

Figure 29 highlights the highest priority locations are in the current commercial and employment areas. In the future, establishing a pedestrian/cyclist crossing of the railway tracks to Millcroft Park should be a high priority as part of any redevelopment of the Millcroft Shopping Centre to create better connectivity to commercial services and to maximize the use of Millcroft Park.

Table 14: Uptown Urban Centre existing parkland service levels

TOTAL AREA (HECTARES)	159.63 ha
NUMBER OF RESIDENTS (2021)	5,450
HECTARES OF PARKS IN POLICY AREA	11.78 ha
PERCENT OF POPULATION WITHIN 400M OF A PARK	94.2%
M² OF PARKLAND PER POPULATION WITHIN POLICY AREA	21.61 m ²

Table 15: Uptown Urban Centre future parkland target service levels

	PARKLAND TARGET LEVEL OF SERVICE
1	100% are within a 400m walking distance of a park
2	Residents have access to 2 hectares per 1000
3	95% of residents within 400m of a playground/exercise structure
4	95% of residents in 600m of a multi-use field

Figure 27: Uptown Urban Centre Existing Accessible Parkland Walkability Gaps

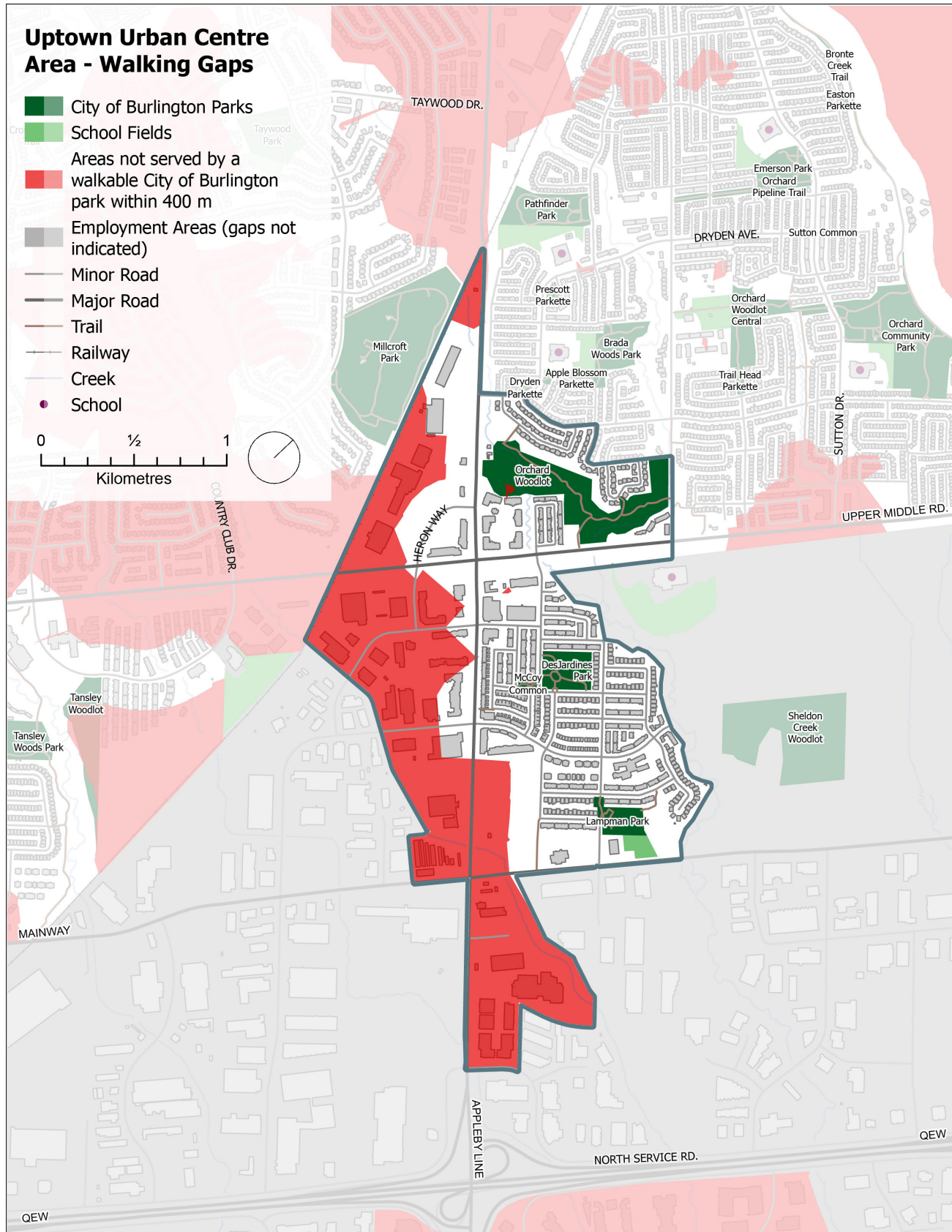


Figure 28: Uptown Urban Centre Existing Parkland Per Capita

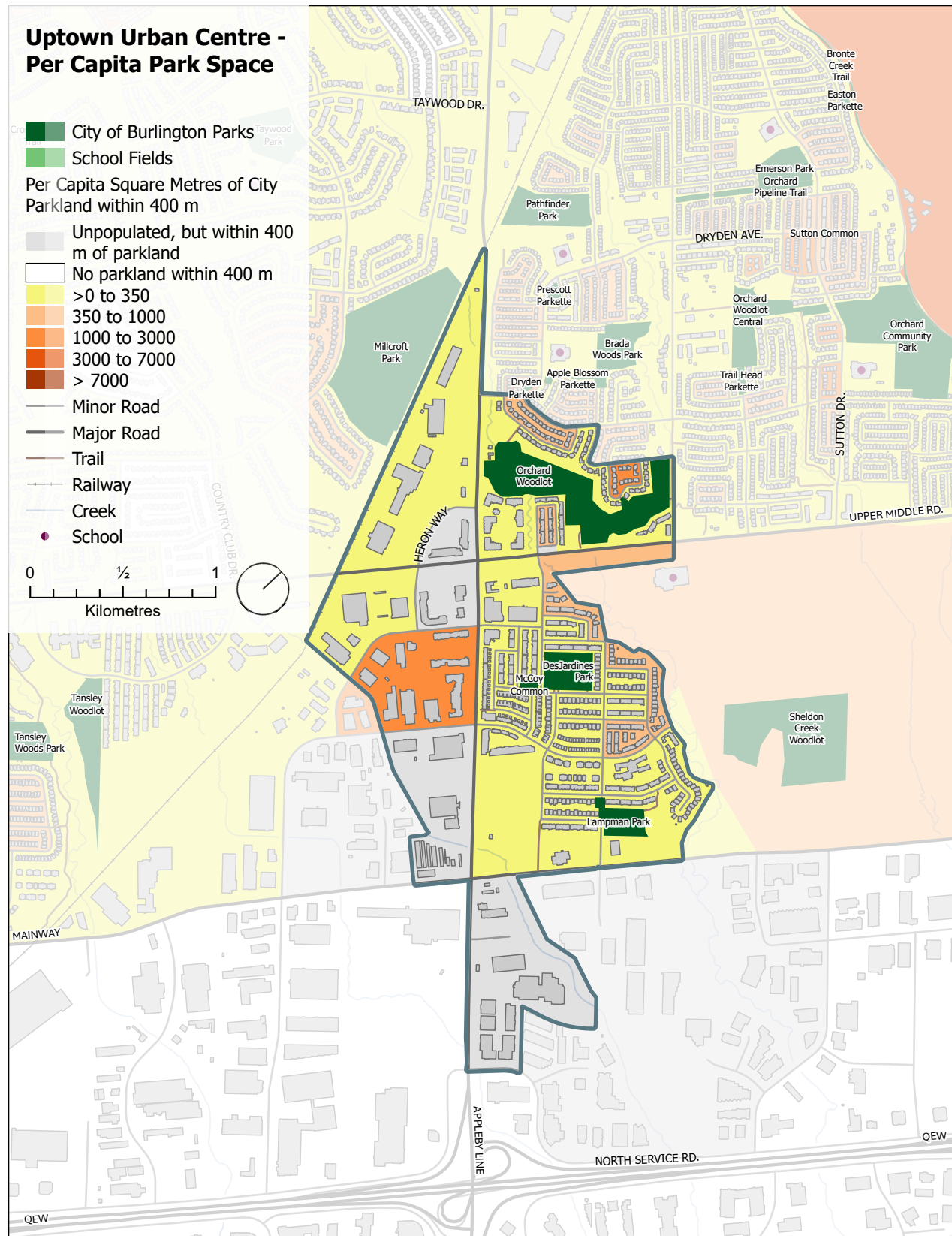
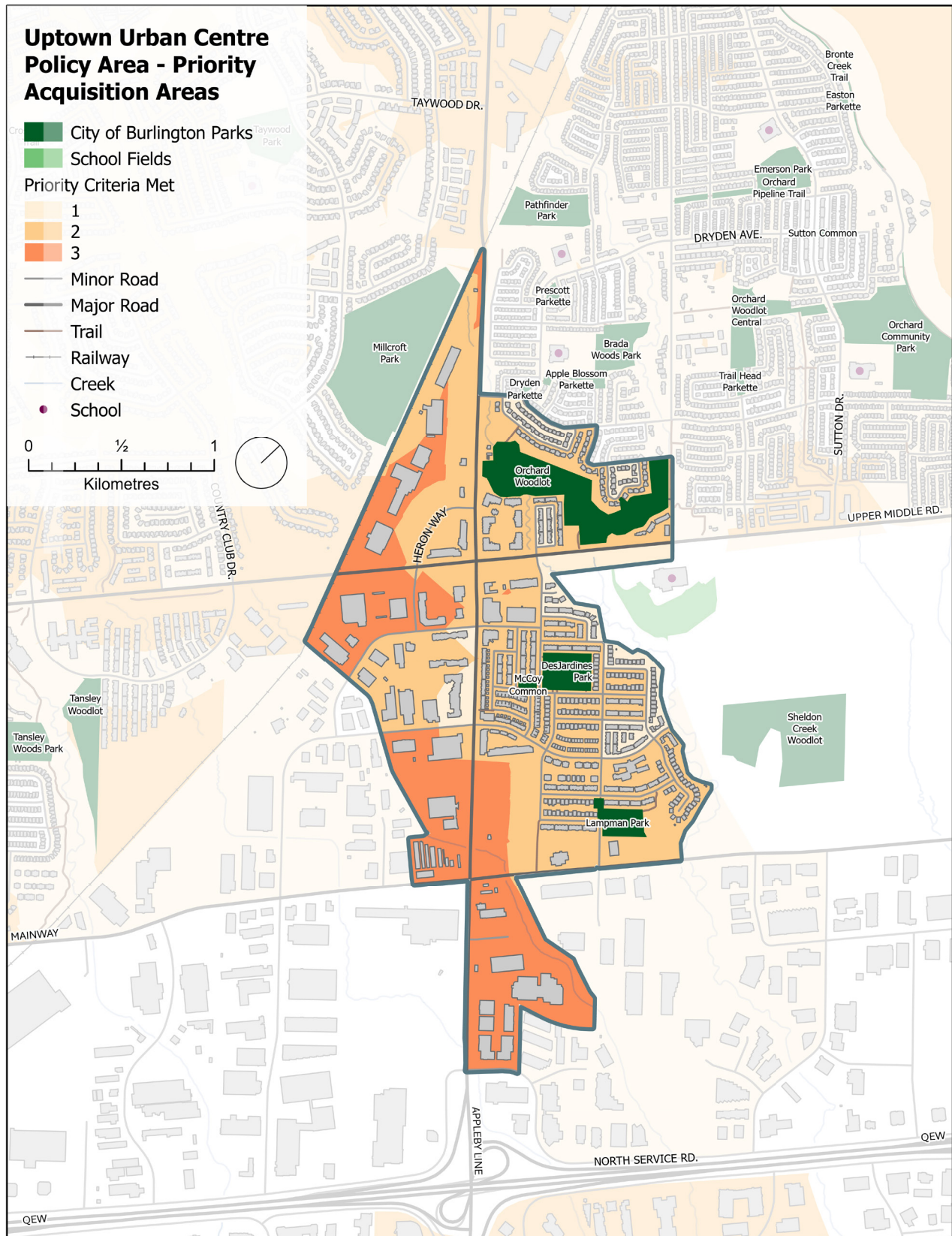


Figure 29: Uptown Urban Centre Priority Parkland Acquisition Areas



2.5.5 Corridors

Current Levels of Service

The Plains Road and Fairview Road corridors contain a relatively small population with a corresponding small amount of parkland. These two corridors have traditionally been mostly non-residential and therefore parkland dedication has not been a priority in this area. Burlington's Official Plan 2020 has identified the corridors as Secondary Growth Areas, these areas will transition over many years to mixed use development in a mid-rise form. The existing population within the corridors is anticipated to triple over the next 20-30 years to an anticipated 12,920 people. The corridors will also link together the three MTSA areas creating an increased need for linear connections either in the form of linear parkland or on street pathways. Table 16 illustrates the existing parkland service level. Figures 30 and 31 illustrate the existing five minute walkability to parkland in the corridors. Figures 32 and 33 highlight the per capita park space. Along the corridors there are large sections that have no population.

Target Future Levels of Service

The priority in the corridors will be improving upon the connectivity and urban design of the connections rather than acquiring large amounts of parkland. Given the narrow corridor and the adjacency to the employment lands, parkland dedication along the corridor would be more suitable for cash-in-lieu except in key locations

where new parkland could service residents from all sides of the park. The future parkland service level is identified in Table 17.

Priority Acquisition Areas

Figures 34 and 35 highlight large areas of the corridors are of the highest priority. As stated above the focus along the corridors should be the development linear parks and greenways and connecting to larger parks outside of the corridors.



Table 16: Corridors existing current parkland service levels

TOTAL AREA (HECTARES)	204.8 ha
NUMBER OF RESIDENTS (2021)	3,970
HECTARES OF PARKS	1.77 ha
PERCENT OF POPULATION WITHIN 400M OF A PARK	37.9%
M² OF PARKLAND PER POPULATION	4.46 m ²

Table 17: Corridors future parkland target service levels

	PARKLAND TARGET LEVEL OF SERVICE
1	100% of residents are within a 400m walking distance of a park
2	Residents have access to 0.2 hectares per 1000
3	100% of residents within 400m of a playground/exercise structure
4	95% of residents within 600m of a playfield/multi-use field

Figure 30: East Corridor Existing Accessible Parkland Walkability Gaps

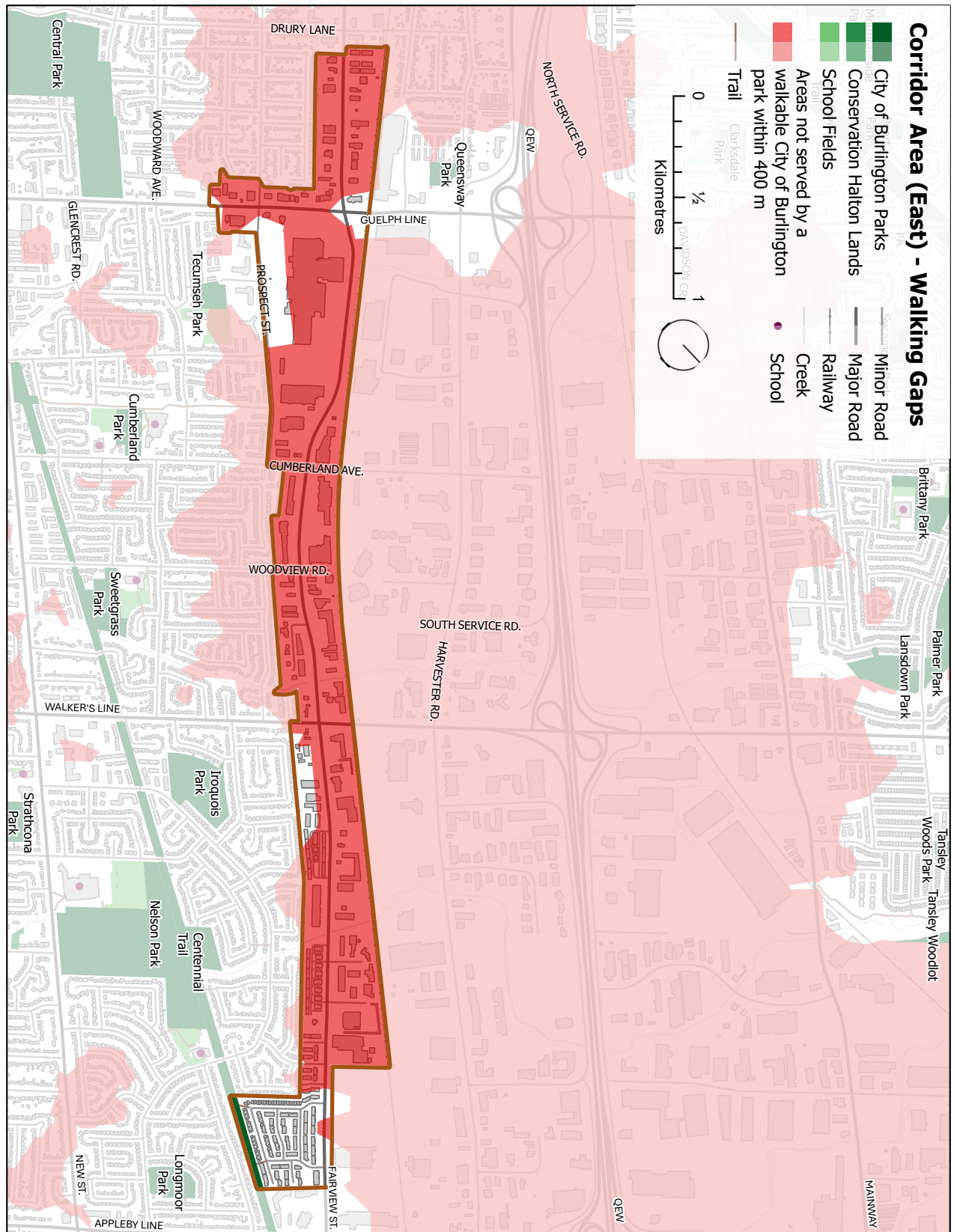


Figure 31: West Corridor Existing Accessible Parkland Walkability Gaps

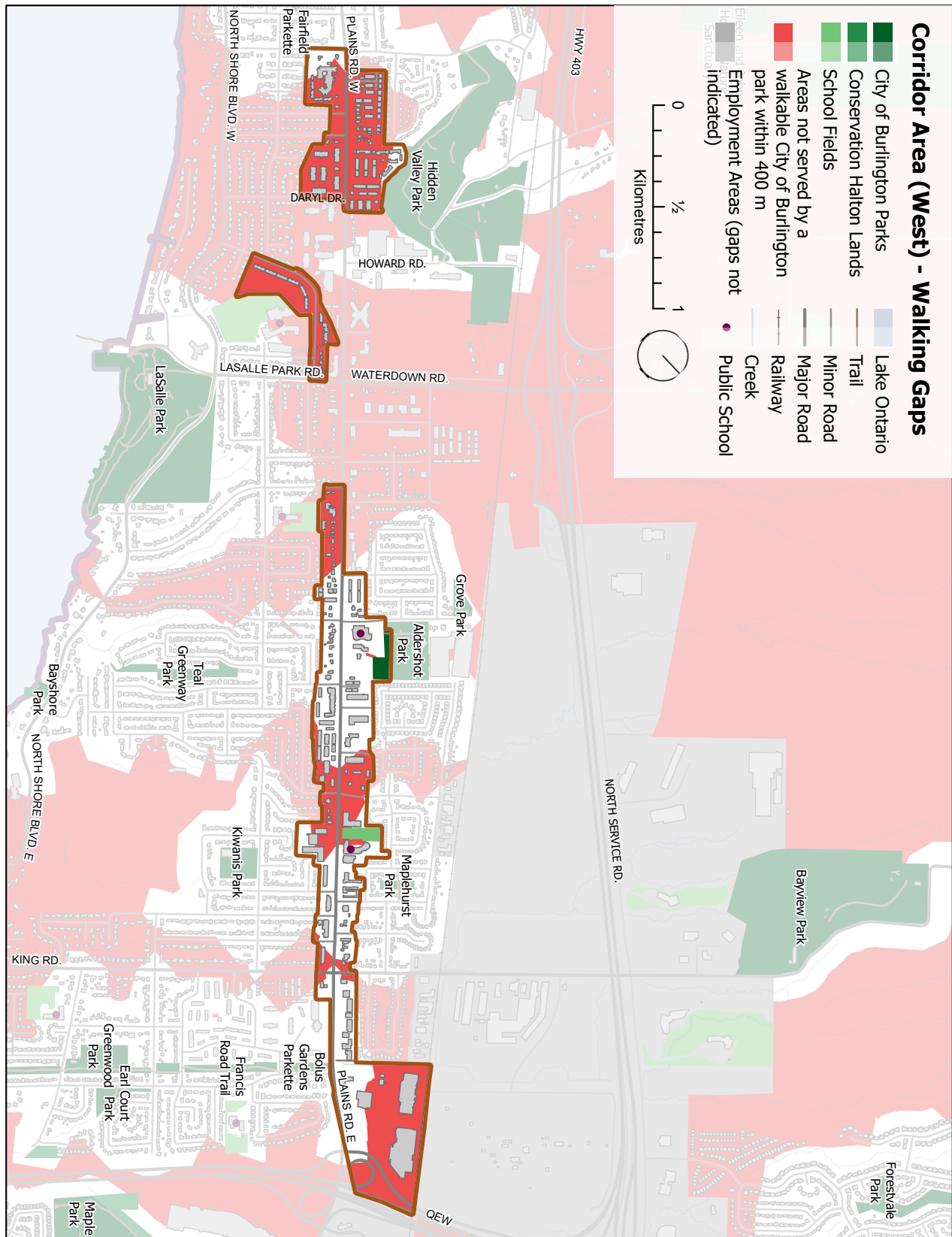


Figure 32: East Corridor Existing Parkland Per Capita

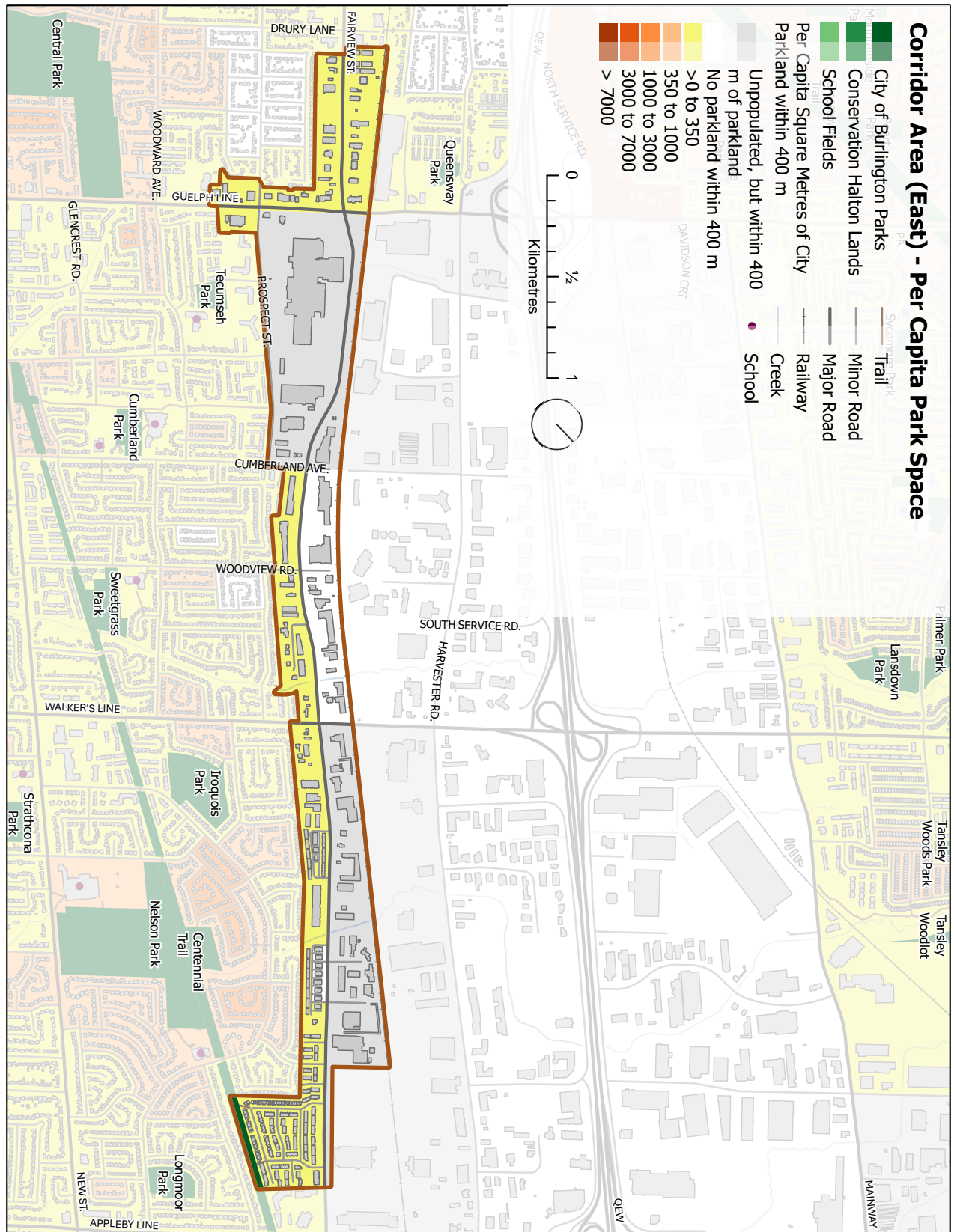


Figure 33: West Corridor Existing Parkland Per Capita

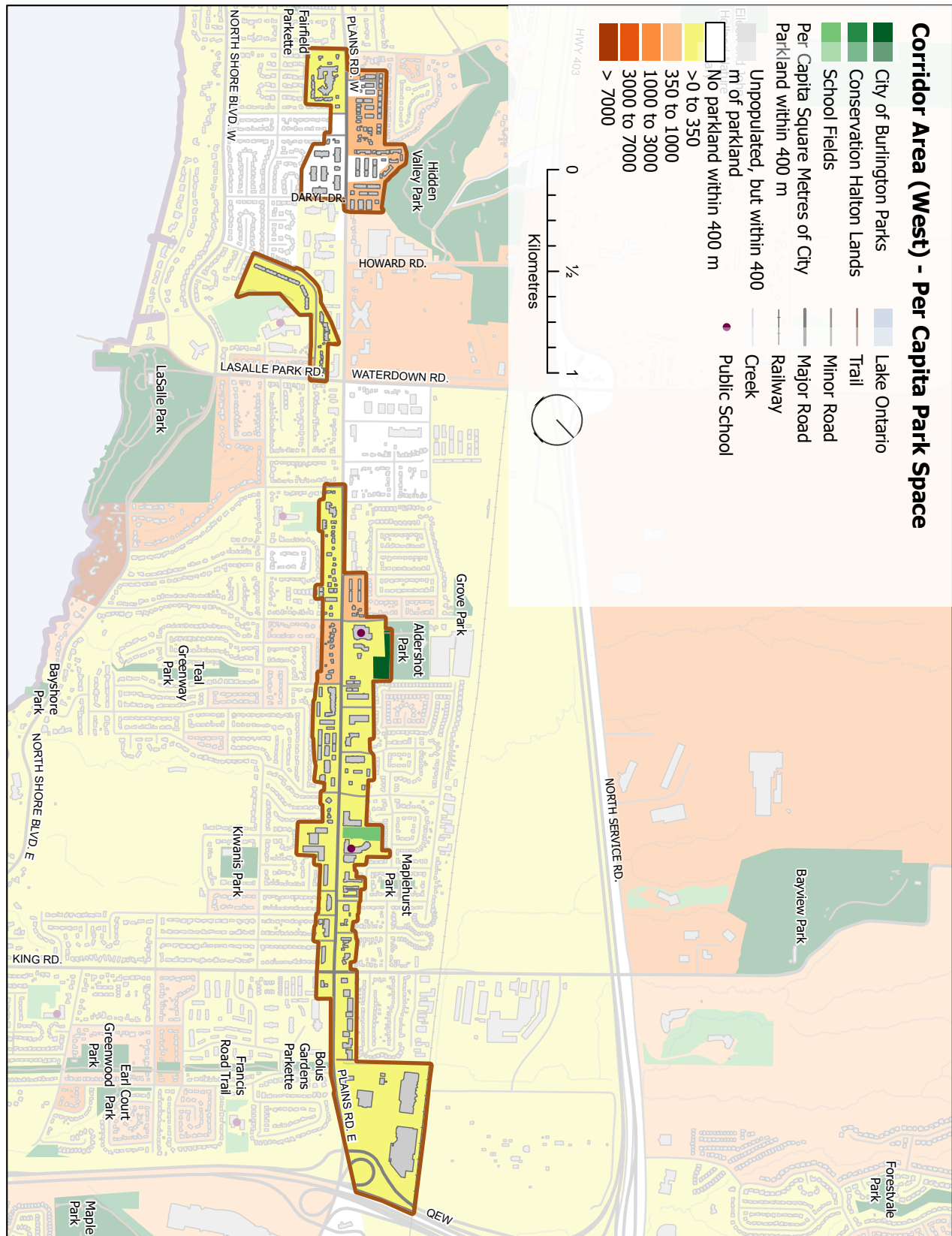


Figure 34: East Corridor Priority Parkland Acquisition Area

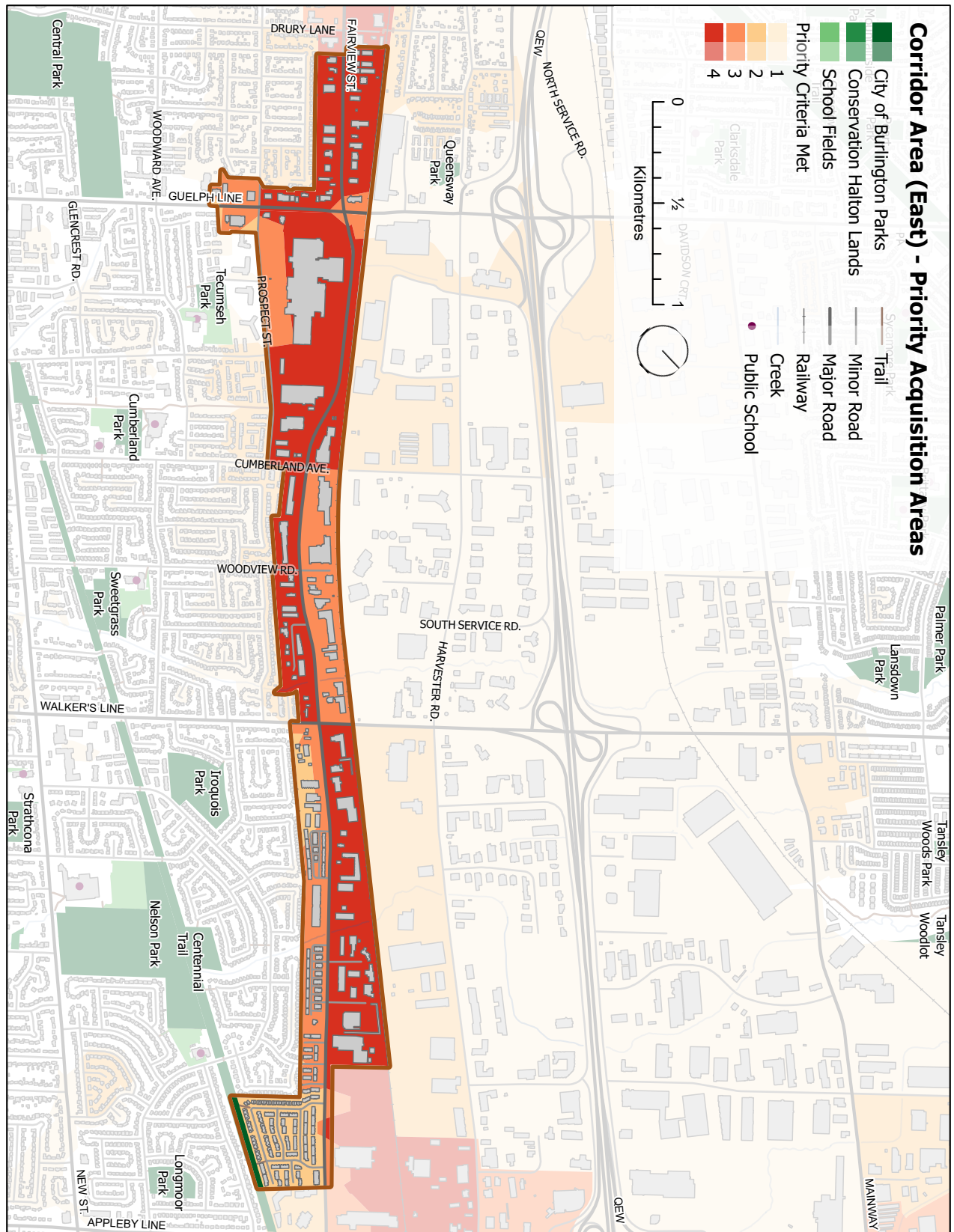
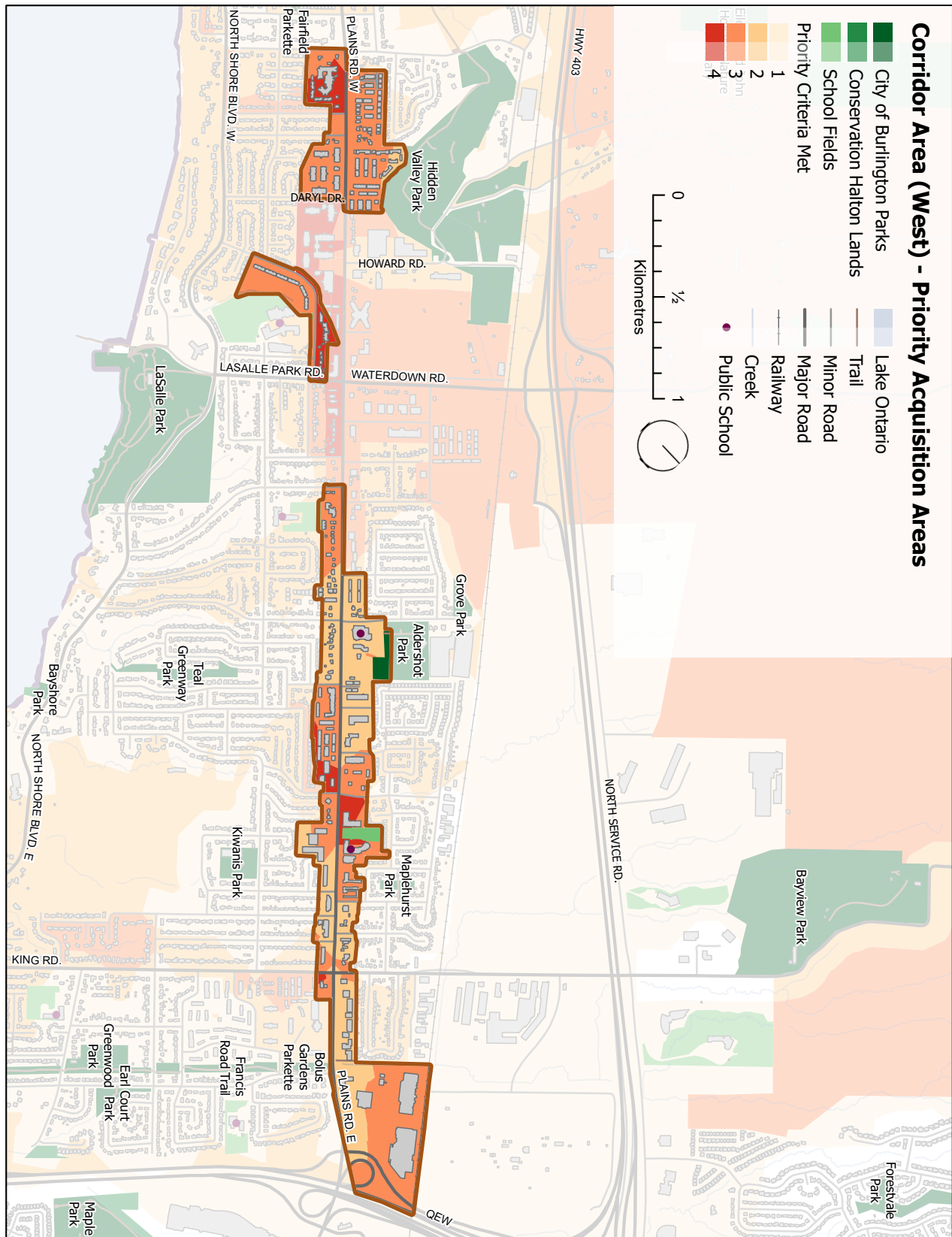


Figure 35: West Corridor Priority Parkland Acquisition Area



2.5.6 Designated Greenfield Areas

Current Levels of Service

Designated greenfield areas are new and recently completed communities. Parkland within these communities has occurred through the dedication of parkland at the time of development in accordance with the Planning Act and the park dedication bylaw resulting in the 5% parkland dedication for residential development. The Designated Greenfield Areas are mostly built out or planning is already underway. Table 18 illustrates the existing service level for the Greenfield Area.

Figure 36 illustrates existing areas not within 400m walking distance of a park. Approximately half of the greenfield area is not within 400m walking distance. Figure 37 shows the existing square metres of parkland within 400m walking distance per resident in the dissemination block.

Target Future Levels of Service

In Designated Greenfield Areas the goal of achieving the 5% parkland dedication in land should be maintained. The designated greenfield areas are not expected to see much growth over the next 20 to 30 years as a result of the area already having been developed. Table 19 identifies the future target service levels for the area. To meet a future parkland target service level of 1 hectares per 1000 population in 2041, 4.16 hectares of new parkland will need to be acquired.

Priority Acquisition Areas

The priority in the Designated Greenfield Areas should be acquiring land dedication from the remaining development in the best location possible to service the most people and ensuring the future road pattern provides the most connectivity possible. Other opportunities, however minor, to improve the connectivity through the provision of additional sidewalks and pathways should also be explored.



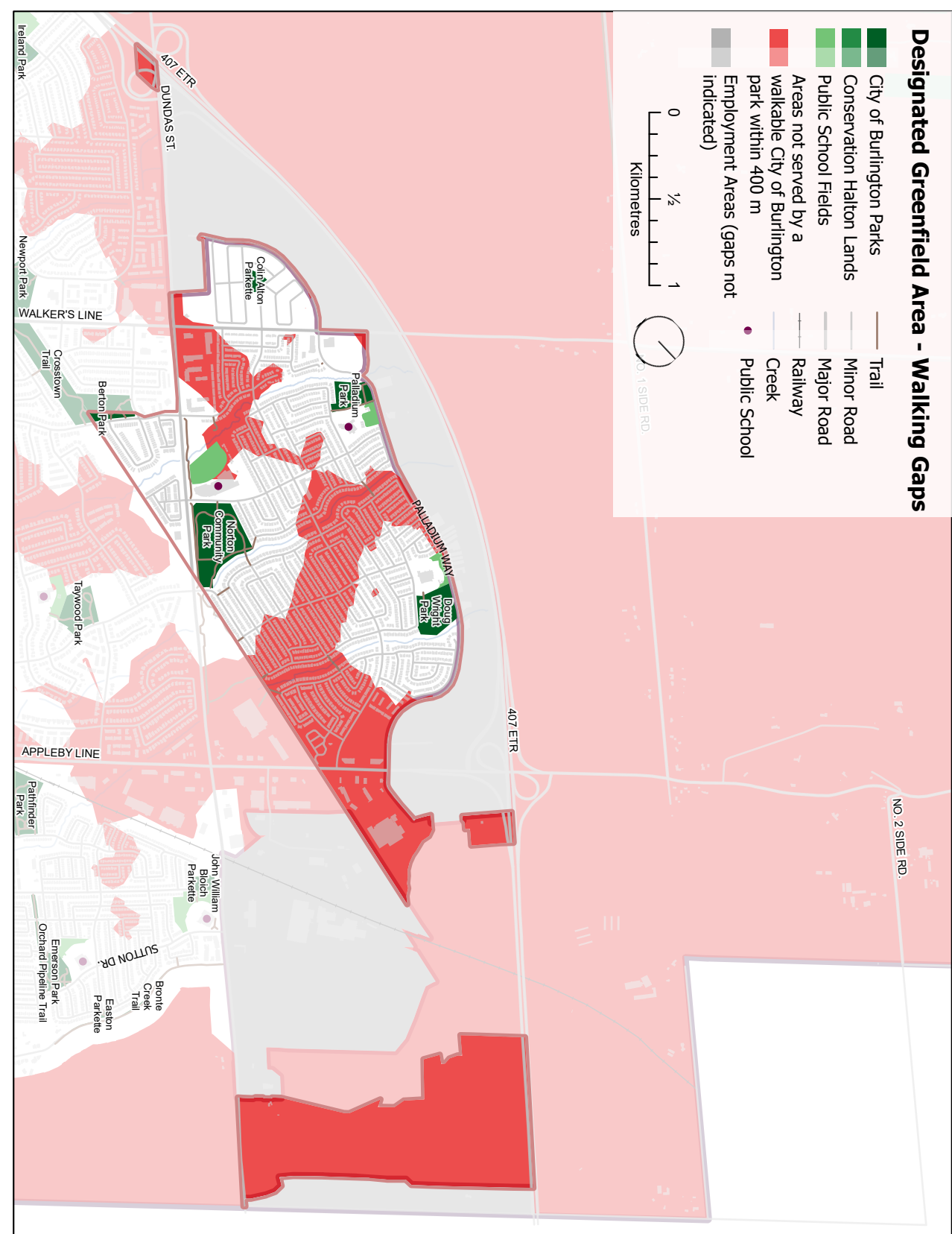
Table 18: Designated Greenfield Areas current parkland service levels

TOTAL AREA (HECTARES)	305.54 ha
NUMBER OF RESIDENTS (2021)	12,400
HECTARES OF PARKS IN POLICY AREA	13.31 ha
PERCENT OF POPULATION WITHIN 400M OF A PARK	54.29%
M² OF PARKLAND PER POPULATION WITHIN POLICY AREA	10.73 m ²

Table 19: Designated Greenfield Areas future parkland target service levels

	PARKLAND TARGET LEVEL OF SERVICE
1	95% are within a 400m walking distance of a park
2	Residents have access to 1 hectare per 1000
3	60% of residents within 400m of a playground/exercise structure
4	60% of residents within 600m of a playfield/multi-use field

Figure 36: Designated Greenfield Area Existing Accessible Parkland Walkability Gaps



Designated Greenfield Area - Per Capita Park Space

Legend:

- City of Burlington Parks
- Conservation Halton Lands
- Public School Fields
- Per Capita Square Metres of City
- Parkland within 400 m
- Unpopulated, but within 400 m
- m of parkland
- No parkland within 400 m
- Trail
- Minor Road
- Major Road
- Railway
- Creek
- Public School

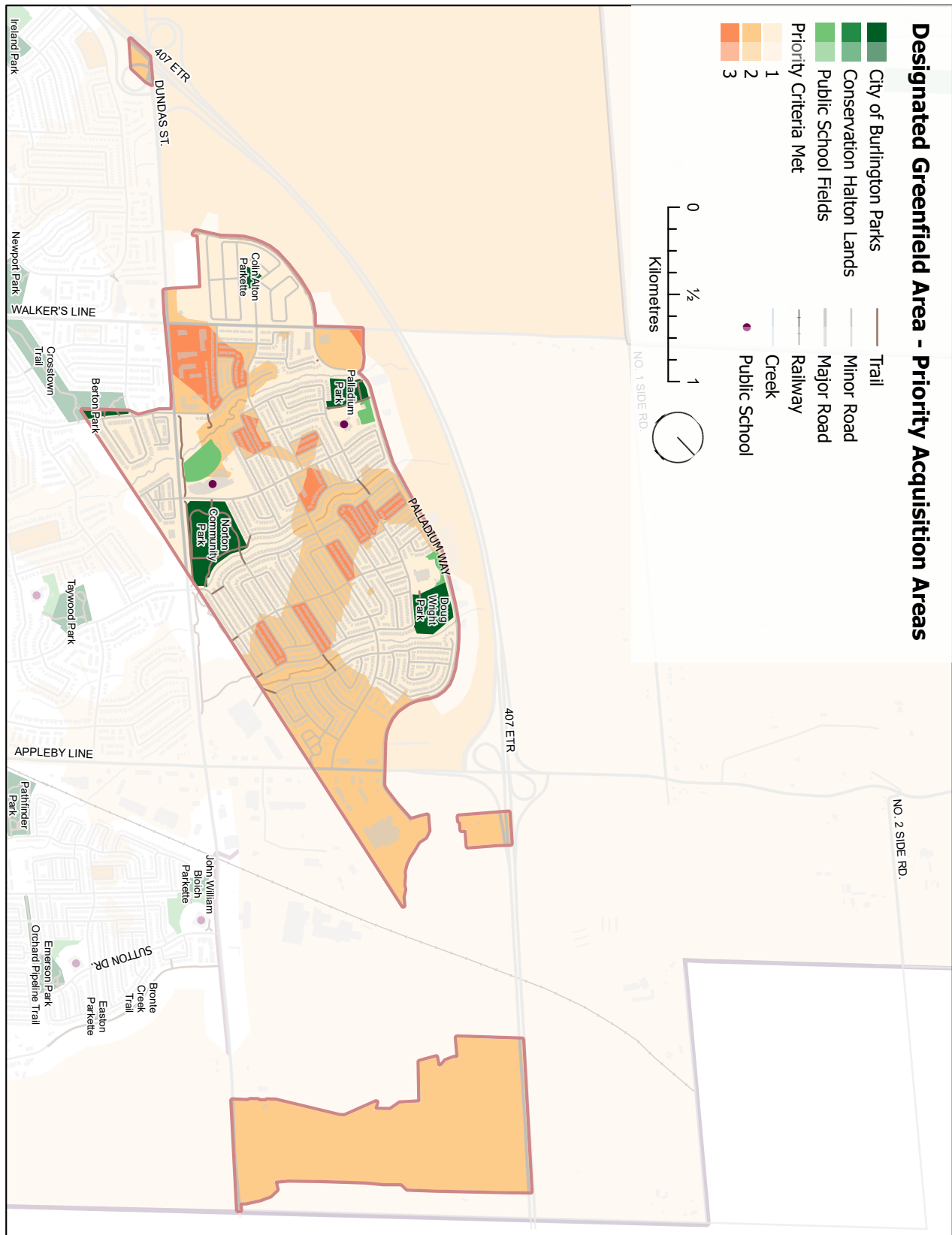
Per Capita Square Metres of City:

- > 0 to 350
- 350 to 1000
- 1000 to 3000
- 3000 to 7000
- > 7000

Scale: 0 1/2 1 Kilometres

Map Labels: Ireland Park, Newport Park, Walker's Line, Crossstown Trail, Taywood Park, Appleby Line, Painter's Park, Emerson Park, Orchard Pipeline Trail, Easton Parkette, Bionie Creek Trail, Sutton Dr., John, William Bloch Parkette, Cedar/Milton Parkette, Palladium Park, Norton Community Park, Doug Wright Park, Palladium Way, 407 ETR, NO. 1 SIDE RD., NO. 2 SIDE RD.

Figure 38: Designated Greenfield Area Acquisition Priority Map



2.5.7 Remaining Built Up Areas

Current Levels of Service

The remaining built up areas include the established neighbourhoods north and south of the QEW, including the uptown urban centre and the residential area of Aldershot. These areas primarily consist of low density residential development with community serving commercial, employment and institutional uses. This area of the city consists of neighbourhoods that have been constructed throughout the last century and earlier and therefore neighbourhoods are going through different population lifecycles. Areas within the remaining built up areas contain greater parkland hectares and connectivity to parkland than others. The majority of parkland within the city can be found in this area providing a range of local parks to more regional and destination parks and along with them a variety of playground and recreational amenities. Park usage is likely to vary significantly within this policy area due to the varying demographics in proximity to parkland and the amenities available at each park. Table 20 provides a summary of the existing parkland service level.

Figure 39 illustrates within certain neighbourhoods the walkability to parkland within 400m is more challenging than in other neighbourhoods. Figure 40 shows the existing square metres of parkland within 400m walking distance per resident in the dissemination block.

Target Future Levels of Service

Remaining built up areas are anticipated to receive a large portion of population growth over the next 20-30 years with an anticipated population of 164,020 by 2041. This growth however will be spread over a large area and will limit the ability to achieve meaningful parkland dedication in any given area as a result of new development. Opportunities to improve connectivity and function of park space should be a primary goal within this area. School closures may also present another opportunity to increase the existing public usable park space and maintain playground amenities. Areas adjacent to the corridors and MTSAs would also be target areas within the remaining built up area to look at non-traditional methods of parkland acquisition.

Table 21 provides a summary of the future parkland service targets. As a result of development not necessarily being concentrated in particular areas, a decrease in parkland service level in the form of hectares per 1000 is anticipated. However, the opportunity to improve upon the accessibility of parkland within walking distances should be considered a priority. In some areas this may be best created through improved and new path and trail connections. In other areas it may be a result of new parkland acquired or created.

Priority Acquisition Areas

Figure 41 indicates the Aldershot area should be the highest priority neighbourhood for addressing parkland service level deficiencies due to future anticipated growth. Due to challenges in the Remaining Built Up Areas in acquiring new parkland a large focus should be placed on improving connectivity to existing parks and ensuring each park space is providing an effective function for residents.



Table 20: Remaining Built Up Areas current parkland service levels

TOTAL AREA (HECTARES)	5,658.71 ha
NUMBER OF RESIDENTS (2021)	150,880
HECTARES OF PARKS IN POLICY AREA	433.46 ha
PERCENT OF POPULATION WITHIN 400M OF A PARK	71%
M² OF PARKLAND PER POPULATION WITHIN POLICY AREA	28.73 m ²

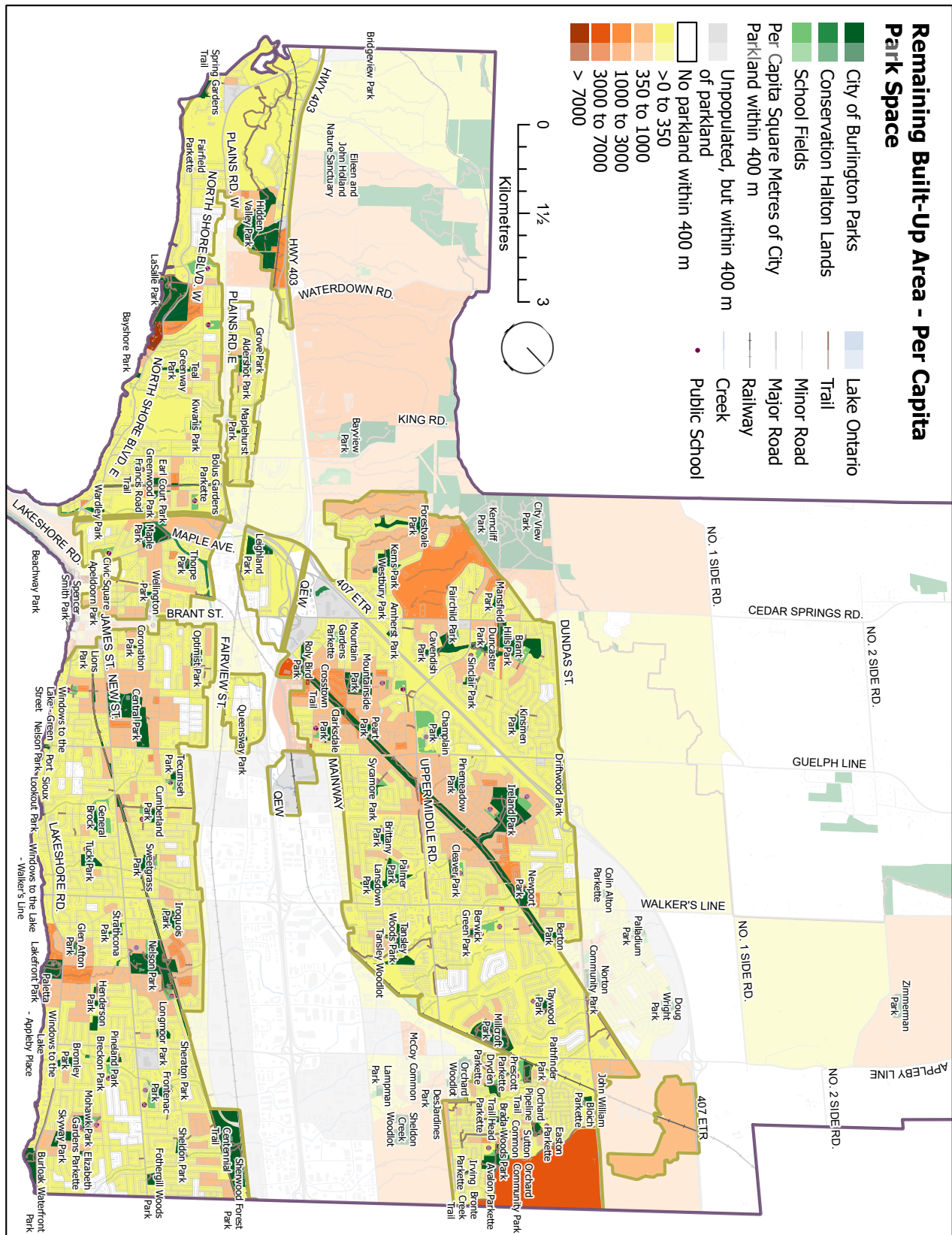
Table 21: Remaining Built Up Areas parkland target service levels

	PARKLAND TARGET LEVEL OF SERVICE
1	85% are within a 400m walking distance of a park
2	Residents have access to 2.8 hectares per 1000
3	85% of residents within 400m of a playground/exercise structure
4	80% of residents in 600m of a playfield/multi-use field

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Figure 40: Remaining Built-Up Area Existing Parkland Per Capita



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2.5.8 Employment Areas

Current Levels of Service

The employment lands generally follow the QEW/403 highway corridor and constitute light industrial, business parks and logistics warehousing. These lands will be protected as employment lands into the future with no residential uses. The City in alignment with the non-residential park dedication by-law has primarily taken cash-in-lieu of land for parkland dedication. Most of the employment area contains no parkland. The vast majority of parkland that is located in the Employment Area is the Burlington Beach lands. Table 22 summarizes the existing parkland service level in the Employment Area. Figure 42 illustrates that virtually all of the Employment Area is not within a 400m walk to a park and Figure 43 illustrates the per capita park space. Most of the Employment area is either unpopulated or there is no parkland within the dissemination block.

Employment areas are generally areas of the city where the priority is to take cash-in-lieu of parkland dedication. Park space within employment areas is usually disconnected from residential areas and services a low percentage of residents. Many industrial and office developments also have the ability to provide green amenity space on their own property for the enjoyment of employees lessening the need to provide public parkland to service the employees in the area.

For the reasons above there is no general parkland dedication target to be achieved in

the employment areas. Parkland dedication in employment areas is to be determined on a case by case basis. If there is an identified priority to improve predetermined park and trail connectivity, or for a large community or regional park, parkland dedication shall be taken. Otherwise cash-in-lieu will be the default position.

Figure 44 has been provided to demonstrate most locations within the Employment Area meet only one priority acquisition criteria.

Table 22: Employment Areas current parkland service levels

TOTAL AREA (HECTARES)	1,920.5 ha
NUMBER OF RESIDENTS (2021)	10
HECTARES OF PARKS IN POLICY AREA	22.22 ha
PERCENT OF POPULATION WITHIN 400M OF A PARK	13.55%
M² OF PARKLAND PER POPULATION WITHIN POLICY AREA	22,220 m ²

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Figure 43: Employment Area Existing Parkland Per Capita

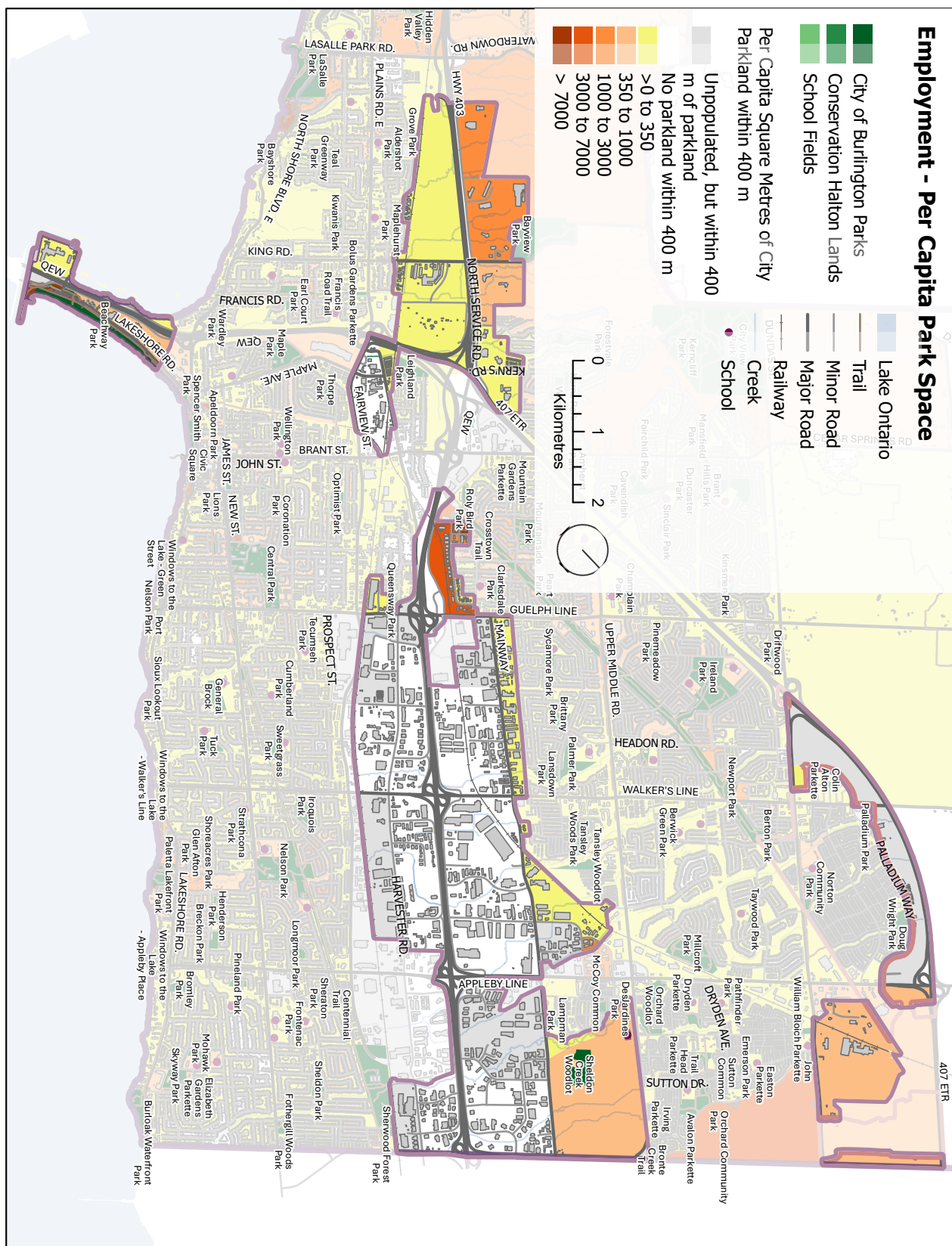
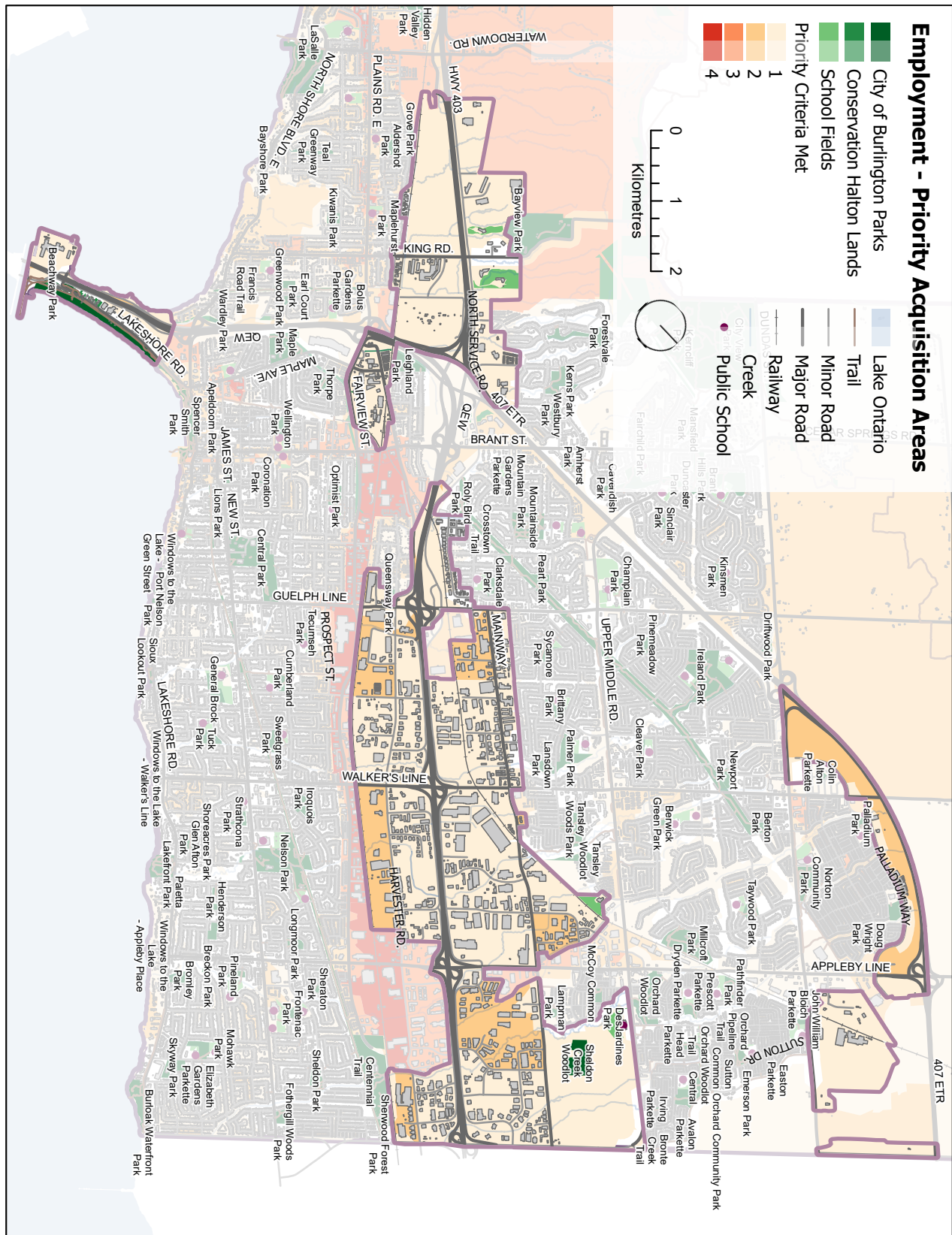


Figure 44: Employment Area Parkland Priority Acquisition Areas



2.5.9 Rural Areas

Current Levels of Service

The rural area of Burlington contains a mixture of agricultural lands, the Niagara Escarpment and associated forested areas, and hamlet/rural subdivision areas. This area is generally described as being north of Highway 407 east of Guelph Line and north of Dundas Street west of Guelph Line. This area is to remain as a rural area in the City's Official Plan and is anticipated to receive very little growth over the next 20-30 years. Table 23 provides a summary of the existing parkland service level.

Due to the low population as well as the rural and agricultural function of the area, there are only a handful of City owned parks within the rural area, with a park located in Lowville and Kilbride to service the concentration of people in these areas. Outside of the hamlets of Lowville and Kilbride, access to parks is primarily by private vehicle. Conservation Halton lands and private recreation in the form of golf courses play a significant role in the park and open space system in the rural area. Mount Nemo is a large park that is owned and operated by Conservation Halton. The Cootes to Escarpment EcoPark System is also mainly located within this policy area and includes lands owned by groups outside of the City and Conservation Halton such as the Bruce Trail Conservancy.

Figure 45 illustrates, not surprisingly, that most of the rural area is not within 400m walking distance of a park.

Target Future Levels of Service

The rural area is anticipated to have a population of 7,510 people by 2041 reflecting an increase of approximately 2,000 people with most of the anticipated growth to occur in the North Aldershot area.

Table 24 provides the future parkland service targets. The requirement for parkland dedication in rural areas should be determined through the development of secondary plans. Most rural subdivisions don't require parkland dedication due to the large lot sizes within the subdivisions. Other methods are available to the City to acquire and protect natural and woodlot areas through the development process. In rural areas, the opportunity to leverage partnerships with Conservation Halton, the Bruce Trail Conservancy and others to create regional trail connections should be a priority in the rural area. In the Kilbride community, parkland dedication should be taken as land for all subdivisions.

Parkland dedication in the rural area should be achieved in a manner that does not unnecessarily strain future operating budgets and strategically targets areas of the highest priority. If a need is not demonstrated for land in a particular area, cash-in-lieu should be considered in the rural area.

The City has a unique opportunity within the rural areas to acquire quarry and aggregate lands to create large park and open spaces for a multitude of recreational purposes. There are many great examples of old quarry lands that have been converted to parkland

including the Royal Botanical Gardens as an example. Partnerships with aggregate operators can provide a benefit beyond the acquisition of land, these partnerships can also lead to capital cost sharing in the construction of the park as part of the obligation to rehabilitate the lands. The Nelson Quarry is already an example of a willing partner. A partnership with Canada Brick should also be explored in the future in North Aldershot. As with any partnerships, the City will need to ensure its requirements are met, however opportunities to acquire such large tracts of land are rare.

Priority Acquisition Areas

Figure 47 illustrates that a lack of existing City parkland and some growth in certain areas may need future park consideration.

Currently, the Region's Official Plan has determined that urban expansion into North Aldershot is not supported and the area is to remain as rural and the Natural Heritage System. Should more urban type growth eventually be permitted in the North Aldershot area as a result of legislative changes, it would be expected that parkland would be dedicated at the time of subdivision. Connecting the Bruce Trail and providing better overall connectivity should be the main goal in the rural area where applicable.

Table 23: Rural Areas current parkland service levels

TOTAL AREA (HECTARES)	9,932.96 ha
NUMBER OF RESIDENTS (2021)	5,750
HECTARES OF PARKS IN POLICY AREA	189.70 ha
PERCENT OF POPULATION WITHIN 400M OF A PARK	10.42%
M² OF PARKLAND PER POPULATION WITHIN POLICY AREA	329.91 m ²

Table 24: Rural Areas future parkland target service levels

	PARKLAND TARGET LEVEL OF SERVICE
1	12% are within a 400m walking distance of a park
2	Residents have access to 4 hectares per 1000
3	10% of residents within 400m of a playground/exercise structure
4	5% of residents in 600m of a playfield/ multi-use field

Figure 45: Rural Area Accessible Parkland Walkability Gaps

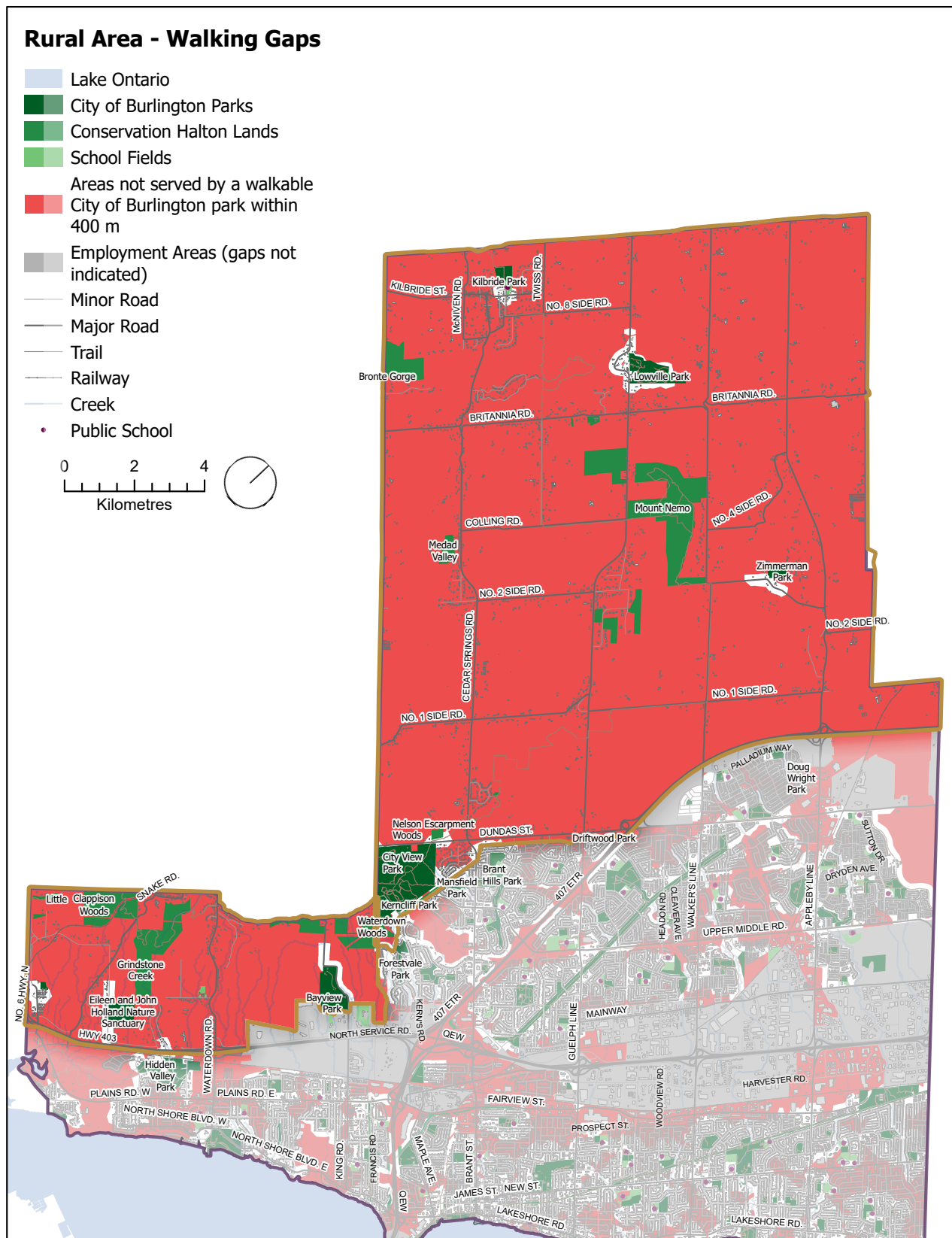


Figure 46: Rural Area Existing Parkland Per Capita (2021)

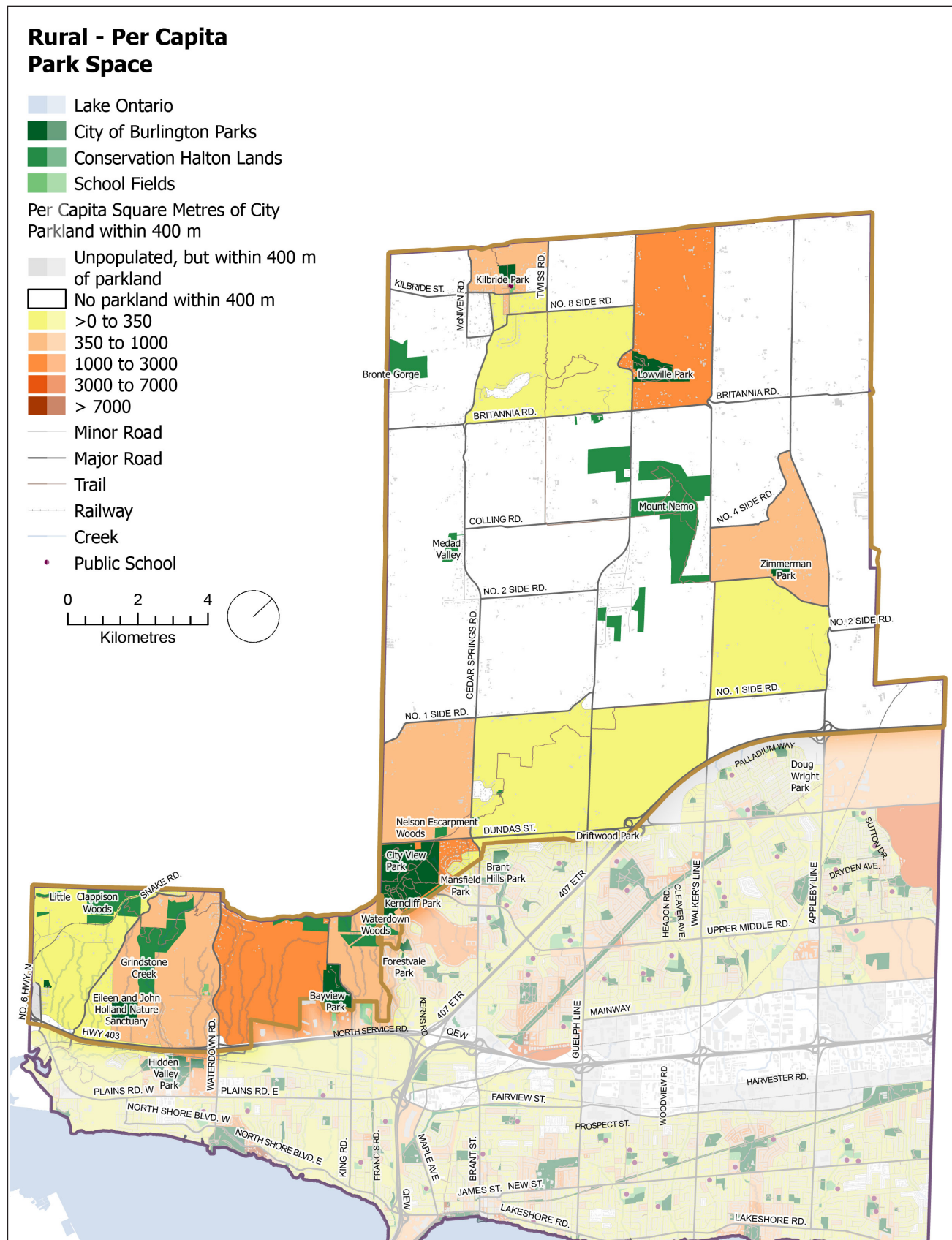
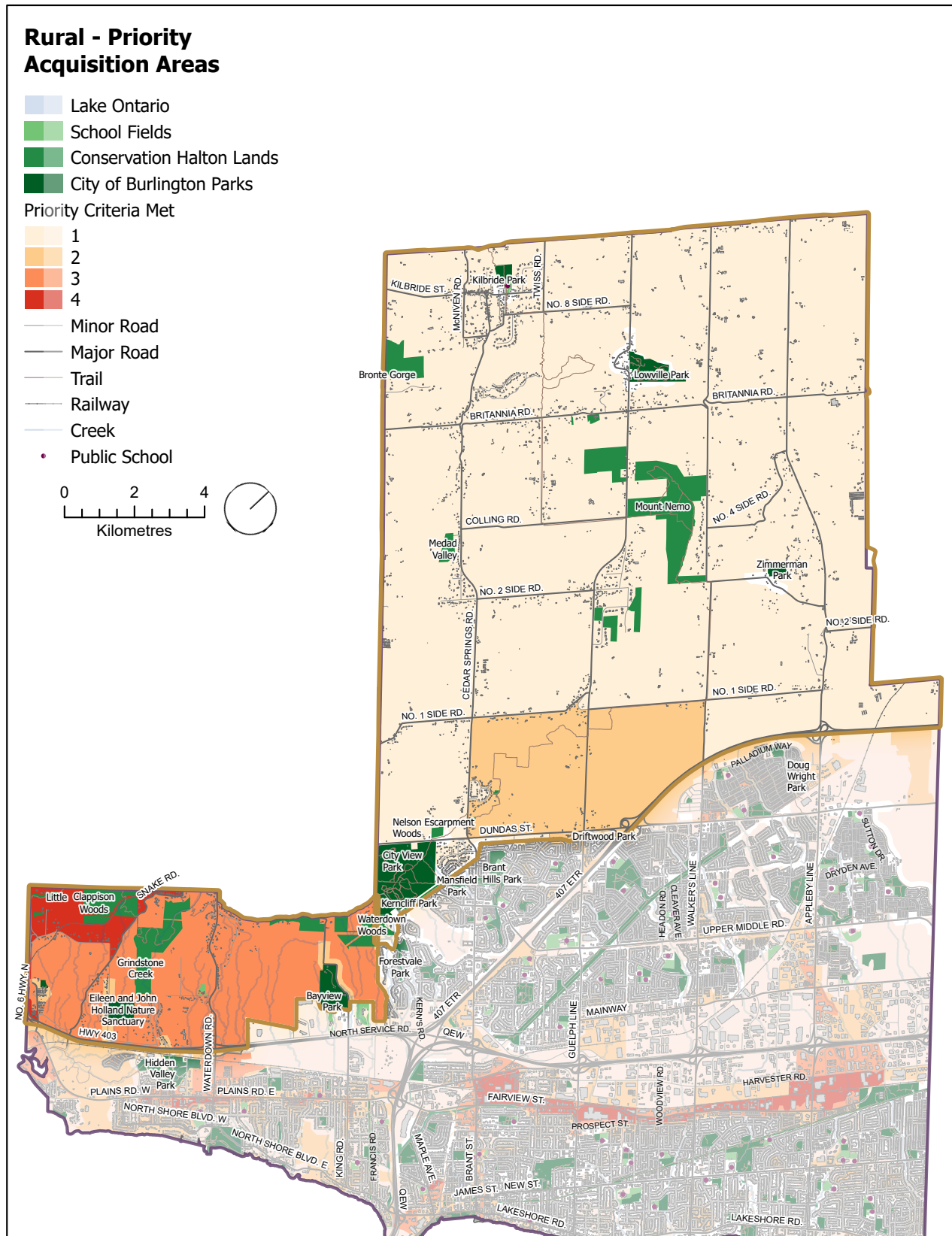


Figure 47: Rural Area Parkland Priority Acquisition Areas



2.6 Parkland Gaps & Infrastructure Needs

Through the determination of current service levels and adjusting for added population identified in the growth projections, gaps were identified in accessibility/walkability, amount of parkland in certain areas and overall future diamond and rectangular field need. The identification of infrastructure gaps such as missing sidewalks were also included in the analysis. Through additional parkland, paths, trails and sidewalks, service levels could be improved to help achieve the parkland target levels of service.

2.6.1 Parkland Gaps and Priority Areas

Tables 25 and 26 on the following pages identify the future parkland required based on the future parkland service level targets identified at a citywide level and identified for each individual policy area where residential development is expected. Citywide, 104 hectares of new parkland is required to be added by 2051 to meet the identified future service level target of 3 hectares per 1000 people. Table 26 illustrates the service level targets for the individual policy areas and resulting land requirements to achieve those targets by 2041. The 2041 targets are framed to provide local parkland needs for each policy area.

Indicated in section 2.5.1 of this report, to meet recreational service needs, it is estimated that 18 new diamonds and 15

new rectangular sports fields are required by 2041 representing approximately 36 hectares in land requirements to maintain existing service levels. An additional 14 hectares would be required for recreational diamond/field needs by 2051.

Providing all new field and diamond needs on new parkland is not reasonable moving forward. It is expected that some of the new field and diamond requirements could be met through other methods such as upgrading existing fields and diamonds with lights or to a standard that would accommodate increased use by a greater range of users. Where new sports parks are needed, they may have to be located further away from densely populated areas due to the limited ability to acquire large tracts of land where the anticipated growth is to occur.

When looking at the future parkland need from an individual policy area, the total amount of land required is 51.48 hectares by 2041. It should be noted that where a service level target has been met, it does not automatically convey that no further parkland dedication and/or acquisition is required. The City should always strive for land dedication in residential areas and other strategic plan or Official Plan goals may require the dedication of land above and beyond the future service level targets.

To meet these targets the City will need to be proactive in the acquisition of land and look to potentially new or rarely used tools to acquire parkland in order to meet its service needs.

2.6.2 Infrastructure Gaps

Burlington's urban area is bisected by many creeks, three major highways, utility corridors, and two rail lines. Facilitating the crossing of these features by infrastructure will support a well-connected path and trail system. This could include new stand-alone pedestrian and cycling infrastructure and improved pedestrian and cycling connections on existing bridge and underpasses.

In some areas of Burlington there is a lack of on-street sidewalks providing connectivity to parkland and other community services. To access most parkland in Aldershot by foot, a person must travel on the side of the street. Over time and based on priority of redevelopment activity and in alignment with the IMP, a program could be created to construct a set number of linear metres of new sidewalks each budget cycle.



Table 25: Future Parkland Required - Based on Future Citywide Service Level Target

POLICY AREA	EXISTING PARKLAND (HA)	CURRENT/ ANTICIPATED POPULATION	SERVICE LEVEL TARGET	TOTAL PARKLAND AT SERVICE LEVEL TARGET(HA)	ADDITIONAL PARKLAND REQUIRED (HA)
Citywide (Year 2021)	691.5	186,948	3.7 hectares per 1000 people	691.5	-
Citywide (Year 2051)	691.5	265,160	3 hectares per 1000 people	795.5	104

Table 26: Future Parkland Required - Based on Future Policy Area Service Level Targets

POLICY AREA	EXISTING PARKLAND (HA)	ANTICIPATED POPULATION	SERVICE LEVEL TARGET	TOTAL PARKLAND AT 2041 SERVICE LEVEL (HA)	ADDITIONAL PARKLAND REQUIRED (HA)
Burlington GO/UGC MTSA	0.4	8,160	1 hectare per 1,000 people	8.16	7.76
Aldershot GO MTSA	0.54	7,160	1 hectare per 1,000 people	7.16	6.62
Appleby GO MTSA	3.44	4,210	1.5 hectares per 1,000 people	6.32	2.88
Downtown Urban Centre	13	12,340	1.2 hectare per 1,000 people	14.81	1.81
Uptown Urban Centre	11.78	6,710	2 hectares per 1,000 people	13.42	1.64
Corridors	1.77	12,920	0.2 hectares per 1,000 people	2.58	0.81
Designated Greenfield Areas	13.31	17,470	1 hectare per 1,000 people	17.47	4.16
Remaining Built Up Areas	433.46	164,020	2.8 hectares per 1,000 people	459.26	25.8
Rural Areas	189.7	7,510	4 hectares per 1,000 people	30.04	0*
TOTALS	667.4	240,050	-	559.22	51.48

*If land dedication or cash-in-lieu of land is required by legislation through the development application process, the City will still require dedication to meet their overall park, recreation and open space requirements.

2.6.3 Natural Open Space Considerations

In Burlington, natural open spaces may be dedicated through parkland dedication, as environmentally protected areas. Natural open space areas can provide multiple benefits such as wildlife corridors, habitat protection areas, tree canopy protection, reducing heat island effects, water filtration, etc. Natural open space areas can also contribute to climate resiliency and psychological and physical health. A large component of the natural open space system is within Cootes to Escarpment EcoPark System, illustrated on the following page.

The Cootes to Escarpment EcoPark System is a collaboration among government agencies, that today collectively protect nearly 2,200 ha of open space and nature sanctuary between Cootes Paradise Marsh, Hamilton Harbour and the Niagara Escarpment, within the cities of Hamilton and Burlington. The EcoPark System, and the Cootes Paradise Marsh in particular, contains some of the most important sensitive ecological habitat and amount of biodiversity in the province and country. Protected areas within the EcoPark System within Burlington include areas primarily comprised of natural heritage, trails and associated amenities, and more active park and recreation areas, such as City View Park, Bayview Park and the Tyandaga Golf Course.

Since 2007, nine local government and not-for-profit agencies, including the City of Burlington, have been working together with a shared vision to protect and help connect these lands through land securement, stewardship, education and other actions outlined in the EcoPark System 2021-2030 Strategic Plan. Each partner owns and manages their own land that is located within the EcoPark System. The Parks Provisioning Master Plan project includes a high-level assessment of potential opportunities to connect or add to the existing protected EcoPark System areas within Burlington, with priority given to the City's goals to improve trail connectivity and provide parks within the system that also provide active and passive recreation services in addition to natural heritage protection.

Continuing acquisition of natural open space areas to improve city-wide park connectivity and improve the EcoPark System through the North Aldershot area is an identified opportunity that can leverage partnerships with other organizations such as Conservation Halton and the Bruce Trail Conservancy. Through the Management Plans prepared for the EcoPark System, gaps in connectivity have been identified in the Waterdown – Sassafras Woods Heritage Lands, Burlington Heights Heritage Lands, Lower Grindstone Heritage Lands, and the Clappison – Grindstone Heritage Lands.

Figure 48: Cootes to Escarpment EcoPark System Vision Map



3 | Implementation Tools

3.1 Decision Making

The acquisition of parkland will be determined through strategic park planning and the availability of funding. To ensure transparent and consistent decision making, the use of a parkland decision matrix is recommended to determine the prioritization of parkland acquisition. The decision matrix is meant to be followed after determining and updating parkland service levels. The decision matrix includes two streams of decision-making. One stream follows the development process

and is focused on determining where and how developers should contribute to the parkland dedication requirements. The second stream is focused on the City's active acquisition of parkland through land purchase. The decision-making matrix is illustrated in Figures 49 and 50.

Opportunistic parkland acquisition should always occur even when there may not be an immediate demonstrated priority for the land at the time. The continued population growth beyond the projected timeframe of this report will continue to add pressure to Burlington's park system.

Figure 49: Development Stream Decision Making Matrix

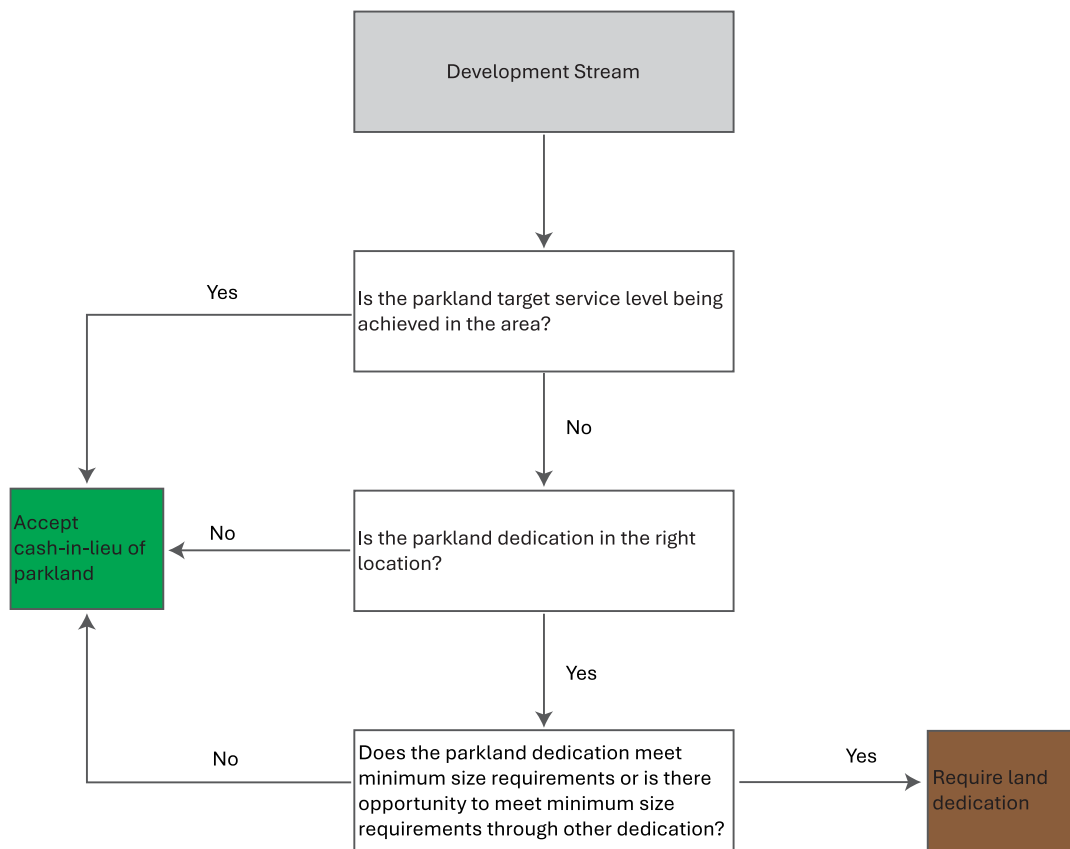
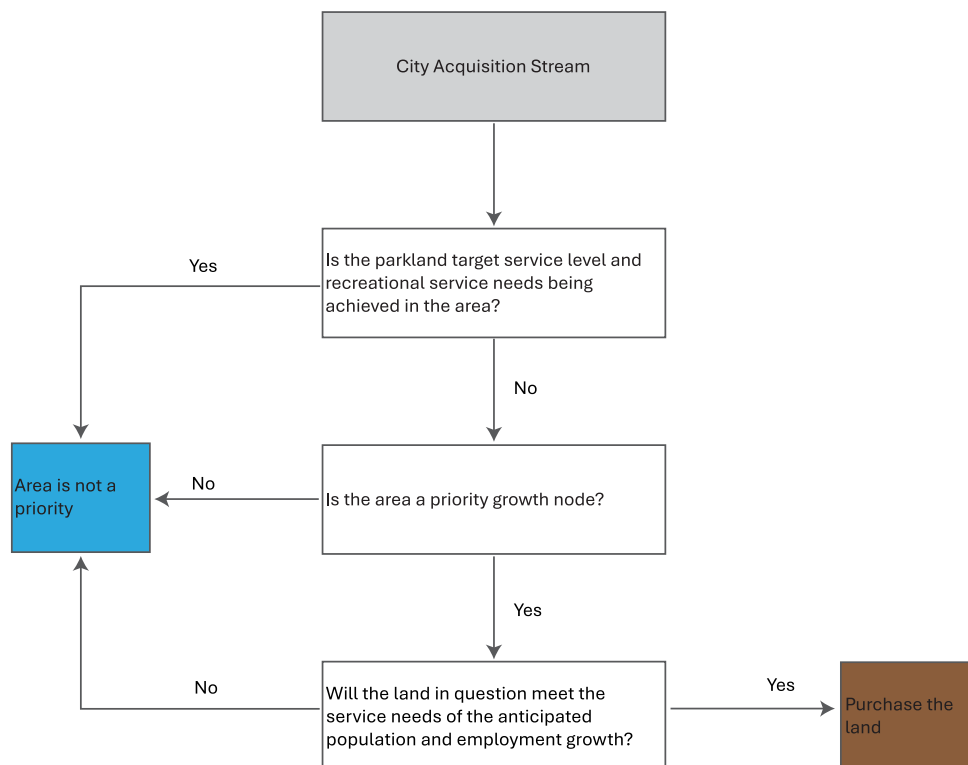


Figure 50: City Acquisition Stream Decision Making Matrix



3.2 Land Acquisition and Dedication Tools

3.2.1 POPS and Strata Parks

Bill 23 now requires municipalities to accept privately owned public space (POPS) in lieu of public dedication. If the City is not in agreement with the POPS proposed by the developer, the City may appeal to the Ontario Land Tribunal (OLT).

The City of Burlington has existing experience with providing publicly accessible parkland through a privately owned public space (POPS) agreement. Most municipalities in the Greater Toronto and Hamilton Area prior to Bill 23, would only selectively, under unique circumstances, allow POPS to be credited as parkland. Most municipalities would allow POPS at any time if no credit for parkland was being given.

There has been a growing body of academic research highlighting some of the challenges encountered with POPS, specifically with regards to perceptions of ‘public-ness’, inclusion (i.e. who is able to use the space), safety, and quality. Burlington has been using placemaking and urban design guidelines to provide guidance to POPS development.

The two biggest risks with POPS replacing public land as parks, is ensuring public access is maintained and the space is providing the necessary open space and recreation service to the community. A challenge with POPS that will have to be

overcome is ensuring what has been agreed upon at the beginning of the development process is what is delivered at the end of construction. To alleviate this issue, it is suggested an agreed upon method is developed with the development industry to determine the final parkland dedication breakdown following construction.

Strata parks refers to multiple owners on a single parcel of land or building, typically with some jointly owned areas. With regards to parks, strata ownership most typically takes the form of a public park being developed on top of a privately or separately owned structure, such as an underground parking garage, freeway tunnel, or stormwater storage infrastructure. Similar to POPS, several comparable municipalities permit strata parks to be considered where parkland provision need is highest. Policies regarding strata parks most often note the need to consider the risks and challenges inherent in the strata model given different ownership, including maintenance, access (especially if park is not to be accessible from the ground plane), and development challenges (e.g. construction timing, utility conflicts, lifecycle management). A strata park has not been developed in Burlington to date.

A challenge with both POPS and strata parks is the ability to plant vegetation and set footings in the ground for recreational activities. This is due to a concrete structure such as a parking garage usually located underground. Building the underground structure deeper adds more costs to a development, therefore the top of the

structure is normally located close to grade providing minimal depth for top soil and footings for basketball poles as an example.

The parkland dedication criteria contained in Appendix 1 has been developed to help provide guidance for developers around the provision of POPS and strata parks.

3.2.2 Off-Site Dedication

Very few comparable municipalities allow off-site land dedication as a credit towards on-site dedication. Off-site dedication opportunities are likely to be rare for most developers, however off-site dedication is a valuable tool that the City should allow.

The intent of Section 42 of the Planning Act is to provide land for parks, recreation and open space that contributes to healthy and vibrant communities. Therefore the goal of the City should be to take land instead of cash-in-lieu when given the opportunity. Ideally land dedication should occur at the location of development, however this may not be practical or desirable in some cases. A developer may be able to offer another piece of land in a different location where the City is interested in assembling land. Even if the land to be provided is not necessarily in an area of high priority, the land may be used as leverage in the future to acquire other land or more regional recreational uses could be provided on the land where location is less of an issue.

Off-site dedication will have inherent challenges like any other tool. Since the land is not part of the development

application, a separate rezoning application will likely be required to apply the appropriate land use.

3.2.3 Other Acquisition and Dedication Tools

The list below identifies the existing tools that Burlington currently uses in the acquisition of parkland. Some of the listed tools will become more important to the acquisition of land and may be utilized in a new manner such as expropriation. Expropriation in a voluntary manner should be explored in the MTSA and Downtown Centre areas where regular land dedication from development may be difficult to achieve a desired park location or required amount of parkland. The City could then form agreements where developers pay back the cost of the land through their parkland dedication.

Another tool that should be explored is the Community Planning Permit System. It is a land use planning tool that can help municipalities acquire infrastructure or park acquisition or monetary contribution in exchange for offering a more streamlined and transparent approval process for an area.

Burlington's existing tools that have been used to provide parkland:

1. Parkland dedication via development process (e.g. new active parkland)
2. Open space dedication (e.g. natural heritage conveyance)
3. Purchase new land (e.g. City View Park)

- 4.** Purchase surplus school sites (e.g. Robert Bateman High School lands)
- 5.** Purchase by Halton Region to expand existing City parks (e.g. Beachway & Burloak Park)
- 6.** Land Exchange (e.g. Palmer Park)
- 7.** Private Donation (e.g. Eileen and John Holland Nature Sanctuary)
- 8.** Reciprocal Agreements (e.g. playgrounds on school sites)
- 9.** Lease (e.g. between the City and the Crown for Leighland Park)
- 10.** Privately Owned Public Space (e.g. CLV Developments)
- 11.** Master Park License Agreement (e.g. Centennial Multi-Use Trail)
- 12.** Easements (e.g. Some hydro corridors)
- 13.** Management Agreement (e.g. Kerncliff Park)
- 14.** License to Occupy Crown Land (e.g. Trail on Federal Land)
- 15.** Expropriation

4 | Recommendations & Strategic Actions

4.1 Recommendations and Strategic Actions

To achieve the City's goal of having homes within a five minute walk of a park, strategic actions and recommendations have been developed. Strategic actions have been provided in this section of the PPMP and recommendations have been included in Council Report EICS-02-23 to help guide the City towards success in meeting the parkland service level goals outlined in this report.

As with trying to achieve any goal, continuous assessment will be required to determine the best course of action and this report is meant to be updated on a regular basis by staff to ensure service level targets are achievable and still applicable as the city continues to grow.

The strategic actions in this section have been categorized into short, medium and long term with short term being defined as actions to implement over the next 2-4 years, medium term as over the next 5-10 years and long term as beyond 10 years. These actions are recommendations that the City should focus on to achieve the parkland future target service levels. These actions should continue to grow and evolve as legislation changes, demographics of the city change and technology evolves.

4.1.1 Short Term

Short term actions are items that could be reasonably completed over the next four years and would provide clarity and expectations surrounding parkland dedication. These short-term actions would also start to build the foundation to achieve the longer term target service levels. There is no identified priority within the short-term actions, it is anticipated that some actions may be easier to achieve or opportunities will present themselves over the course of the next four years.

1. Approve parkland dedication criteria – Parkland dedication criteria would complement the parkland dedication bylaw and outline the land attributes required for public land dedication, private open space and parkland acquisition objectives.
2. Work strategically with other departments and initiatives such as the Integrated Mobility Plan to actively improve the connectivity of parkland within the city.
3. Seek funding opportunities from other levels of government to improve park access and connectivity. Ex. Funding for bridge structures.
4. Through the review of the Parks, Recreation and Cultural Assets Master Plan identify the parkland priorities that can be achieved in conjunction with recreation and cultural priorities.
5. Identify lands with limited development potential that may be suitable for park use.

6. Support linear parks as part of parkland dedication provided they:
 - Are not provided at the expense of parkettes and neighbourhood parks,
 - Provide sufficient space for development of the pathways and associated amenities (benches),
 - Facilitate or enhance connectivity between neighbourhoods and communities,
 - The connection could not have otherwise been made through the transportation network and facilitate improved connections to the transit system.
7. Where possible, complete comprehensive block planning in high growth urban areas in alignment with approved plans and studies, to ensure parks are properly sited within redevelopment areas, and land dedication is appropriately coordinated to support functional park space.
8. Working with legal, finance, real estate and Community Planning staff, develop a proactive strategy to acquire land in the MTSA and Urban Centres for parkland.

4.1.2 Medium Term

Medium term actions will likely span across multiple years and will take time to execute and realize the benefits.

1. Partner with the school boards to expand and/or create new shared park opportunities that would benefit both the City and the school boards.
2. Collaborate with Conservation Halton and the Bruce Trail Conservancy to actively acquire parkland that could benefit and serve the mandate of all three organizations, and continue to improve park, trail, and natural area connectivity.
3. Streamline parkland acquisition processes so the City can be ready to act when new opportunities for parkland acquisition become available.
4. Seek out philanthropic contributions to add parkland and open space within the city.
5. Improve connectivity by extending the pathway and cycling network on utility right-of-ways through expanded or new partnerships.
6. Investigate opportunities for acquisition of surface parking and derelict buildings to convert to parkland in the urban area.
7. Investigate opportunities to proactively purchase land in undeveloped areas and finance through future incremental tax revenue.

4.1.3 Long Term

Long term actions require additional planning and in some cases the preparation of potential master plans. These actions tie into larger strategies and usually take multiple years to execute.

1. Partner with the school boards to understand potential school closure criteria and potential closure locations, in order to assess possible future purchases for park and City use.
2. Purchase excess school sites when the opportunity arises to secure expanded parkland or to hold in reserve as potential parcels to swap with developers for parkland.
3. The City will strive to achieve the target service levels for the different planning policy areas within the city, as identified in Section 2 of this report.
4. Form partnerships with aggregate site owners and operators to explore the viability of quarry rehabilitation to public parkland.
5. Ensure all parks are planned, maintained and developed in accordance with the intended classification.



5 | Measuring Success

Ongoing monitoring is necessary to track the success of parkland acquisition and its impact to achieving the identified target service levels in this report. Annual or bi-annual monitoring will allow the City to adjust priority areas over the course of this plan. Table 27 outlines the indicators and corresponding metrics to be measured to track service level targets.

Table 27: Indicators and metrics to measure success

INDICATOR	METRIC	UNIT MEASUREMENT
Access to parkland	Number of people within 400m walking distance of a park	Percent of people within catchment
Parkland capacity	Park area per person	Hectares per 1000 people
Parkland functionality	Percent of people within 400m walking distance of a playground	Percent of people within catchment
	Percent of people within 400m walking distance of a multi-use field	Percent of people within catchment
	Number of diamonds per person	Ratio of 1 diamond to number of people
	Number of rectangular sports fields per person	Ratio of 1 rectangular sports field to number of people

6 | Glossary

Greenfield Development: New development on a previously undeveloped site.

Land Dedication: The method of government land acquisition through subdivision and development applications where land is transferred in accordance with applicable legislation to the City or other government.

Multi-Use Field: an open relatively flat manicure grass area where informal play of kicking or throwing a ball may occur.

Natural Areas/Open Space: Areas containing natural vegetation designated as undevelopable land and is not formally designated as a park.

Neighbourhood: a self-defined geographic area within the city where people describe as where they live.

Park/Parkland: Property owned, leased or managed by the City of Burlington and is formally designated as a park.

Primary Growth Area: is the identified highest priority area to accommodate the city's forecasted growth, be the predominant location for tall buildings, receive the greatest growth infrastructure investment.

Privately Owned Publicly Accessible Open Space (POPS): an area of private land specifically designed and reserved for use by the general public for active or passive recreational use. The ownership and maintenance resides with the private

land owner.

Secondary Growth Area: are areas expected to transition over the next 20 to 30 years and will generally provide a lower density and built form than Primary Growth Areas.

O2

Appendix B: Parkland Dedication Criteria

March 2023

Council Report ES-02-23

In conjunction with this Park Provisioning Master Plan, the City of Burlington's Parkland Dedication Bylaws provide the legal mechanism that enables the City to take defined amounts of either land or cash-in-lieu for parkland purposes. In determining when and where parkland should be taken, there are many factors that the City considers. The most important consideration is meeting the parkland and recreation service needs of the community. Lands that are dedicated and/or acquired must be in a landform and condition to provide the service needs. General parkland criteria has been developed and included in this Appendix to help provide clarity and certainty around the City's requirements for land dedication and acquisition during development applications or City purchases. This criteria has been developed based on the information known at this time, however new information that arises concerning Bill 23 may require future modifications to the criteria outlined.

General Criteria

1. **OFFICIAL PLAN** – New parks should be consistent with and satisfy Official Plan policies, related expressions of Council and all applicable approved City documents.
2. **STREET FRONTAGE** - Except for Linear Parks & Greenways and Ecological Parks, parks should provide a minimum of 50% block frontage onto adjacent street(s) to allow visibility and natural surveillance. A minimum of one pedestrian and one vehicular access point should be from a local road where applicable.
3. **SIZE AND SHAPE** - The shape and configuration of a park should be provided in a regular (square and rectangular) form to allow for flexible and viable programming. Exceptions include Linear Parks & Greenways.
4. **LOCATION** - Where possible, parks should be in close proximity to school blocks, and other civic services (eg. recreation and leisure facilities) to maximize opportunities for facility sharing (e.g. parking, playfields)
 - a. Parkland should not be located adjacent existing or proposed noxious (harmful, poisonous or unpleasant) uses (e.g. garbage storage facility). Refer to all applicable, city, regional, provincial and federal land use guidelines and documents.
 - b. Parkland should be provided in a location that can provide access points from multiple directions.
 - c. Parkland should not be dedicated abutting provincial highways and rail lines; an exception could be park dedicated as a transit plaza. Additional exceptions may be permitted for destination, community, linear & greenways and ecological parks on a site

by site basis. Where permitted, the applicant should provide appropriate buffering to the satisfaction of City staff.

d. On-street parking will not be supported adjacent new parkland.

5. **SITE ASSESSMENT** - Prior to parkland dedication and conveyance by the City, the submission of a Phase 1 Environmental Site Assessment, a Phase 2 Environmental Site Assessment (if applicable) and a Record of Site Condition must be submitted to the City, to ensure the proposed parkland is clean and free of contaminants.

<https://www.halton.ca/Repository/Halton-Region%E2%80%99s-Database-Search-for-Environmental>

6. **SITE CONSTRUCTION** - Land that is to be dedicated as a park should not be used for construction staging or stockpiling of material unless otherwise permitted by the City.
7. **GRADING** - Where parkland is to provide a playfield or sports field, the programmable portion of the park block should be within range of a 2-4% slope to limit the need for retaining walls and the consumption of open space to accommodate grade changes or drainage enhancements. Where retaining walls or similar structures are required to provide viable programming in proposed park blocks, they should be installed entirely on adjacent property.
8. **RESTRICTIVE LANDS** - Lands required for drainage and shoreline protection purposes, lands susceptible to flooding, steep valley slopes, hazard lands and other lands unsuitable for programmable park use, shall not be accepted as parkland conveyance unless otherwise permitted by the City for viable passive recreation purposes (eg. trails).
9. **PARK BASE** – The applicant will be responsible for the design, construction and installation of the required park base improvements/conditions as determined by City staff at the sole cost of the applicant.
10. **DEVELOPMENT APPROVAL** – Where applicable, the applicant shall submit a park block facility fit plan as part of the development approval process. The plan should represent that the park block can be viable to provide for the prescribed amenities as directed by City staff through the approval process.

- 11. URBAN FOREST** – Proposed parkland should be consistent with the goals as set out in the latest version of the City’s Urban Forest Master Plan.

Additional Criteria for POPS, Strata and Encumbered Lands:

- 12.** Land(s) must meet zoning by-law requirements.
- 13.** Fill and/or soil should be proposed at viable depths (1.8m min.) to accommodate structural footings as per the Ontario Building Code and to support tree planting where applicable to specific site design.
- 14.** Land(s) must be at grade and accessible/visible from existing or proposed road right-of-ways or other City owned property. Lands with non AODA compliant grade differences or roof tops will not be considered for parkland credit.
- 15.** Where underground utilities/servicing are proposed on lands considered for parkland credit, all underground utilities/servicing should be amalgamated in a shared concrete sleeve and/or corridor to reduce conflicts during construction. The proposed location of utilities/servicing should be coordinated with City staff through the development approval process.
- 16.** Land(s) should be considered in locations to compliment and/or expand on existing/ proposed parks, open spaces and other planned public spaces where possible. Also consider locations that may highlighting views and heritage structures. Look to integrate design as much as possible.
- 17.** Land(s) should be considered in locations that maximize sunlight and reduce shadow from buildings on the same and adjacent properties.
- 18.** Land(s) adjacent to ground level residential units or service/delivery entrances on the same or adjacent properties should not be considered for parkland credit. Lands adjacent existing or proposed parking lots may be considered. Where permitted, the applicant should provide appropriate buffering to the satisfaction of City staff.

- 19.** Land(s) containing at or above ground infrastructure (vents, grates, etc.) that may cause physical and/or noise obstructions should not be considered for parkland credit.
- 20.** Land(s) containing drainage infrastructure should tie into internal (private) resources unless otherwise directed by City staff.



SUBJECT: Cootes to Escarpment EcoPark System Pilot Ecological Corridor Program update

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Engineering Services Department

Report Number: ES-06-23

Wards Affected: all

File Numbers: 502-02-54

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Recommendation:

Receive and file engineering services department report ES-06-23, Cootes to Escarpment EcoPark System Pilot Ecological Corridor Program update; and

Authorize the Executive Director of Environment, Infrastructure & Community Services to execute an agreement with Royal Botanical Gardens to recover funds for City projects under the Parks Canada EcoPark System Pilot Ecological Corridor Program, to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

PURPOSE:

Vision to Focus Alignment:

- Support sustainable infrastructure and a resilient environment
- Building more citizen engagement, community health and culture

Background and Discussion:

The Cootes to Escarpment EcoPark System (EcoPark System) is a voluntary alliance of nine government and not-for-profit agencies collaborating to protect, connect and enhance ecologically significant lands between the Niagara Escarpment and Cootes Paradise Marsh. These lands, located at the western end of Lake Ontario in Hamilton and Burlington are recognized for their biodiversity, cultural significance, and

recreational value. This is a complex, biologically diverse, while fragmented landscape that is home to the only remaining terrestrial ecological corridor between the Niagara Escarpment and Lake Ontario wetlands at Cootes Paradise Marsh.

EcoPark System partners include the Bruce Trail Conservancy, Conservation Halton, Halton Region, City of Hamilton, Hamilton Conservation Authority, Hamilton Naturalists' Club, City of Burlington, McMaster University, and Royal Botanical Gardens (RBG). While managing their lands individually, the partners have been collaborating on this initiative since 2013, currently operating under the Cootes to Escarpment EcoPark System 2022-2026 Memorandum of Understanding (MOU).

The MOU defines the EcoPark System's governance structure, which consists of Governing Council for strategic decisions, Management Committee for tactical level decisions and a Secretariat to carry out the day-to-day operations. The MOU also stipulates annual payments required from each of the partners to support the Secretariat, which is managed by RBG as the implementing partner. The combined annual payments support one full-time staff member and operating expenses, with other initiatives supported by various grants as available.

The Cootes to Escarpment 2021-2030 Strategic Plan (Strategic Plan) outlines goals and objectives to achieve the long-term vision for the EcoPark System, which is to create a permanently protected natural lands sanctuary within this biologically diverse landscape.

Parks Canada National Program for Ecological Corridors

In April 2022, the federal government announced a National Program for Ecological Corridors to be led by Parks Canada. The program will support the conservation, maintenance, and restoration of ecological corridors which play an important role in the natural environment by

- Preserving biodiversity,
- Addressing impacts of climate change,
- Protecting and restoring ecosystems, and
- Contributing to the recovery of species at risk.

Parks Canada will seek to collaborate with other levels of government, partners, experts, and stakeholders to develop criteria and map areas where these corridors will have the greatest positive effects on biodiversity conservation in key areas across Canada. This will include working with Indigenous partners to ensure that the program is informed by Indigenous knowledge and contributes to reconciliation through support for Indigenous-led stewardship.

With an investment of \$60.6 million over five years, supported by the historic \$2.3 billion investment in Canada's natural legacy announced in Budget 2021, the program will enable organizations to develop strong ecological connections between protected and conserved areas to benefit the environment and all Canadians.

Parks Canada Ecological Corridors Pilot Program

In September 2022, Parks Canada advised that one of the first initiatives to be funded by the Parks Canada National Program for Ecological Corridors is a series of ecological corridor pilot programs, to support the conservation of ecological corridors with targeted initiatives across Canada. These pilots are to begin in early 2023 and continue for 12 to 16 months with a priority to complete 'in the ground' projects, demonstrating early success with measurable outcomes. Parks Canada will use key learnings from the pilots to shape the criteria for the future full program that is planned to follow at a future date.

Parks Canada identified the EcoPark System as a potential candidate for the pilot program. It was evident that the goals of the Parks Canada National Program for Ecological Corridors align directly with the vision for the EcoPark System. An EcoPark System pilot (Pilot) would help to advance the goals of the Strategic Plan and provide immediate funding for key initiatives on partner-owned lands.

EcoPark System Pilot Proposal

Following consultation with EcoPark System partners through Management Committee, a proposal for a Pilot was developed and submitted to Parks Canada. The proposal captures projects and initiatives proposed by each of the partners, categorized into five components:

- 1) **Exploring Landowner Engagement and Participation** through outreach to private landowners and others, coordinating, planning, and organizing habitat enhancement projects and celebrating achievements,
- 2) **Assessing and Taking Advantage of Land Securement Opportunities** that could bring suitable land that has corridor functionality under the protection of partner agencies through purchase, donation, or other means,
- 3) **Enabling Habitat Restoration** on EcoPark System partner properties that have functions within corridors, such as invasive species management, trail decommissioning, plantings of native species, wildlife directional fencing and barrier mitigation, and signage supporting responsible recreational use, and
- 4) **Engaging and Building Relationships with the Indigenous Community** with a focus on urban natural lands through, for example, inviting First Nations participation in restoration projects.

- 5) Program management and **evaluation against the goal of improving corridors** by identifying objective criteria that indicate whether a habitat and ecological corridor are improving and strengthening.

A draft budget for the Pilot was developed, in the amount of \$3.5 million that includes overall support for the EcoPark System and improvements on partner-owned lands, which will benefit all partners of the alliance. The budget includes a breakdown of costs for proposed initiatives to support each of the component areas including:

- Hiring dedicated staff for the duration of the Pilot including a Project Manager and Indigenous Engagement Coordinator,
- Potential land acquisition of several properties known to be available for purchase,
- Hiring consulting expertise to support planning for future land purchase opportunities, to identify priority ecological corridors and other initiatives,
- 'In the ground' works including tree planting, habitat restoration and protection, and
- Staff support for project management, outreach, engagement, and other initiatives.

City of Burlington Pilot Project

As a component of the \$3.5 million budget, a project at City View Park has been approved within the Pilot. The project will include enhancement of a 7-hectare area within the park at the top of the Escarpment, that is designated as an ecological restoration zone. The initial restoration effort completed in 2012 will benefit from improvements under the Pilot toward the long-term goal, which is to create a healthy woodland forest. This is a significant restoration effort that will expand the existing ecological corridor along the Escarpment.

The scope of the proposed project is to conduct monitoring to evaluate the success of the restoration to date and to prepare recommendations for enhancements that further advance the creation of the expanded ecological corridor. This could include additional tree planting, tree protection, maintenance, and other improvements to support the initial restoration effort. This work will support the Vision to Focus priority goal to increase the tree canopy city wide. The estimated budget for this work is approximately \$30,000 with the opportunity to expand the scope to additional phases, subject to future funding.

Other initiatives at City properties within the EcoPark System that could be included in the Pilot are improvements at the Eileen and John Holland Nature Sanctuary, including removal of invasive species and tree planting. This work is currently indicated for consideration if funds become available, should other proposed projects not proceed.

Funding Agreement

Following submissions of further detailed information, Parks Canada approved the budget requested for the proposed initiatives within the five component areas. The announcement was made publicly on January 26, 2023, in Toronto by the Minister of Environment and Climate Change. RBG, as the implementing partner has been assigned to manage the funds. A contribution agreement between RBG and Parks Canada was executed in January 2023.

Sub-agreements between RBG and each of the EcoPark System partner agencies will be prepared as a mechanism to reimburse funds to the partner agencies for selected projects on their lands. The City will work with RBG to complete the terms of the agreement between the City and RBG. Subject to final review of the terms by the City's Legal Department, the agreement will be executed to allow the funding to be directed to City of Burlington for initiatives under the Pilot, which to date include the City View Park project in the amount of approximately \$30,000.

Financial Matters:

Total Financial Impact

The project costs for any initiatives under the Pilot will be funded by Parks Canada as outlined in the contribution agreement. Any costs for City of Burlington projects will be reimbursed to the City from RBG through the partner sub-agreement. Staff time to manage the project will be required and is provided as an in-kind contribution to the overall initiative.

Source of Funding

Not applicable.

Other Resource Impacts

Staff will continue to support the EcoPark System with representation on Governing Council, Management Committee and sub-committees as required. Additional staff time will be required to manage the City View Park project and any other initiatives on City lands throughout the duration of the Pilot.

Climate Implications

The EcoPark System as it exists today, includes nearly 2,200 hectares of protected natural lands and open space, within the growing urban areas of Burlington and

Hamilton. These natural lands contribute to mitigating the risks of climate change in many ways including:

- Helping to reduce flood risk by allowing water to infiltrate into soils to reduce runoff,
- Increasing biodiversity through protection and habitat improvements,
- Improving air quality through filtering of pollutants, and
- Regulating temperature by cooling from tree cover.

The continued commitment by the City of Burlington to the EcoPark System is an important step in meeting the City's goals for climate action locally.

Engagement Matters:

The Pilot proposal for the EcoPark System was developed collaboratively among the partner agencies, in consultation with Parks Canada. A communications plan has been prepared for the Pilot including internal communications and broader outreach/engagement with the community to help to advance the projects identified under the Pilot, while raising awareness of the EcoPark System. Key points of communication include:

- Updates to Governing Council,
 - Check-ins with Parks Canada,
 - Stakeholder information sessions,
 - Media releases, and
 - Reporting.
-

Conclusion:

The Pilot is a significant funding opportunity that will help advance the goals and objectives of the EcoPark System as outlined in the Strategic Plan. The partner sub-agreement will allow for funds to be directed from the Pilot through RBG to the City for projects on City owned lands within the EcoPark System. The success of the Pilot will position the EcoPark System as a strong candidate for the future multi-year program, which would help to secure longer term external funding for the EcoPark System.

Respectfully submitted,

Ingrid Vanderbrug

Senior Landscape Architect

905-335-7600, ext. 7832

Notifications:

Tom Wiercioch, Coordinator, Cootes to Escarpment EcoPark System

twiercioch@rbg.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.



Motion Memorandum

SUBJECT: Options for Enhanced Windrow Clearing
TO: **Community Planning, Regulation & Mobility Cttee.**
FROM: Mayor Marianne Meed Ward and Councillor Paul Sharman
Date to Committee: March 28, 2022
Date to Council: April 18, 2022

Motion for Council to Consider:

Direct the Director of Roads, Parks and Forestry to explore costs and options for enhanced city wide windrow removal program, including:

- Revised cost and criteria in the existing Windrow Clearing Program
- Increase the program from the current maximum of 200 homes to minimum 500
- Other relevant options; and

Report to Environment Infrastructure & Community Services with costs, options (including those ruled out) and any recommendations by Q3 advance of 2024 budget deliberations.

Reason:

The Mayor and Councillors' offices have received a significant volume of complaints from residents about windrow clearing this year, partly due to the wet and heavy snow creating large chunks at the end of driveways when the plow has passed. Residents have shared that the size and weight of the windrows made it difficult if not impossible to leave their homes as they were blocked in and unable to easily remove the windrows.

Residents have privately and on social media suggested a range of options to address the issue.

This staff direction is in response to community input, to explore the feasibility and cost of these options, or others that staff may be aware of, and report back to council to allow council to make an informed choice during budget about whether or not to deploy any/all of the available options.

The city has an existing windrow clearing program provided for persons who are physically unable to clear the windrows left at the bottom of their driveway by the road plow. The program is limited at 175 spots, with demand for more. Staff will occasionally increase that to about 200. The program is funded approximately 50% by the tax levy with a service fee of \$61.84 plus HST per driveway.

There is an opportunity to review the cost and criteria and include any additional costs in the 2024 Budget.

There is also an option to review available machinery and consider any additions to the fleet during 2024 budget discussions.

Outcome Sought:

By asking staff to provide costs and options related to enhanced windrow clearing, council will be able to make an informed choice about which options are most feasible, and include any associated costs or revenues in the 2024 budget. This will respond to community input asking for additional research around what can be done to improve windrow clearing.

Vision to Focus Alignment:

- ☐ Increase economic prosperity and community responsive city growth
- ☒ Improve integrated city mobility
- ☐ Support sustainable infrastructure and a resilient environment
- ☒ Building more citizen engagement, community health and culture
- ☒ Deliver customer centric services with a focus on efficiency and technology transformation

Motion Seconded by: Councillor Paul Sharman, Ward 5
Share with Senior Staff ☒

Approved as per form by the City Clerk,

Reviewed by the City Manager - In accordance with the Code of Good Governance, Council-Staff Relations Policy and an assessment of the internal capacity within the City to complete the work based on a specific target date (quarter/year).

Comments:

City Clerk: Approved as per form.

City Manager: Approved



Motion Memorandum

SUBJECT: Development and Implementation of a City-wide Short-Term Accommodation (STA) Compliance/Licensing Program

TO: **Mayor and Members of Council**

FROM: Councillor Shawna Stolte, Ward 4

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Motion for Council to Consider:

Direct the Executive Director of Community Planning Regulation and Mobility and the Director of By-Law Compliance to work with departmental and legal services staff to undertake a review by Q4 2023 of the framework/policy of zoning, business licensing and resourcing requirements for the development and implementation of a City-wide Short-Term Accommodation (STA) compliance/licensing program.;

Direct the City Manager and Chief Financial Officer to work with departmental and legal services staff to fund additional research on municipal leading practices and other supports as may be identified.;

Direct the Executive Director of Community Planning Regulation and Mobility and the Director of By-Law Compliance in the undertaking of the development of the STA by-law program, include the following elements:

- Research on leading GTHA and other municipal practices related to STA by-laws, regulations, compliance and licensing regimes;
- Establish a Community Task Force to assist in the development of options and recommendations for a 'Made in Burlington' STA by-law, compliance and licensing regime;
- Identify potential zoning requirements through Comprehensive Zoning By-law Review; and
- Identify any ongoing resource requirements in the multiyear 2024-2028 budget forecast.

Direct the City Manager and Chief Financial Officer, in conjunction with the establishment of the governance structure of the new Innovation and Digital Transformation Reserve Fund, to identify as a 2023 workplan priority, the allocation of dedicated project funds

towards advancing process change and technology improvement related to the STA regulation, compliance and licensing regime with any additional impacts to AMANDA and the administrative penalty system (APS).; and

Subject to Council consideration and approval of the above, direct the Director of the By-law Compliance to integrate the above work into the 2023/24 workplan of the department based on a target date for implementation of Q3 2024 for the STA framework, and report back to Council with a prioritized list of Staff Directions that have been directed toward the department through the 2024 budget process.

Reason:

The housing market throughout Ontario has been very competitive with increased market pricing. The housing market has forced homeowners to seek other avenues to draw additional revenue/income to assist them with home ownership. STA's provide homeowners the ability to leverage their property for additional revenue from short-term rentals. The internal review of this matter will be broad, including but not limited to the following items:

- Overall, it is apparent that short-term accommodations are a multifaceted matter and raise issues that need further exploration;
- Key aspects of the staff research and jurisdictional scan will focus on the evolution and challenges/opportunities of this new market;
- Trends observed in other cities shows a very dynamic market, with high turnover in terms of both STA units and their operators. The consensus among policy-makers is that the STA matter is complex and difficult to regulate;
- Key objective for this review is to improve neighbourhood fit by ensuring personal accountability for the dwelling unit and STA's and
- To protect the long-term rental housing market by prohibiting STA's as investment properties and limiting the STA use of secondary dwelling units.

Outcome Sought:

With greater needs for various forms of housing and to ensure the health and safety of occupants and adjoining residents, refocus staff's continuous improvement initiatives towards the STA framework, and;

To seek staff's input on the resources and supports necessary to address the STA framework. Related directions/outcomes will be contingent on the hiring/onboarding of the Director of By-law Compliance and related manager and supervisor as these are all net new FTE's and were approved in the 2023 Budget.

Vision to Focus Alignment:

- ☐ Increase economic prosperity and community responsive city growth
- ☐ Improve integrated city mobility
- ☐ Support sustainable infrastructure and a resilient environment
- ☒ Building more citizen engagement, community health and culture
- ☒ Deliver customer centric services with a focus on efficiency and technology transformation

Motion Seconded by: Councillor Kelvin Galbraith, Ward 1
Share with Senior Staff ☒

Approved as per form by the City Clerk,

Reviewed by the City Manager - In accordance with the Code of Good Governance, Council-Staff Relations Policy and an assessment of the internal capacity within the City to complete the work based on a specific target date (quarter/year).

Comments:

City Clerk: Approved as per form.

City Manager: Approved



Motion Memorandum

SUBJECT: Approval of Lakeside a la Carte expansion in 2023

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Mayor Marianne Meed Ward, Councillor Lisa Kearns Ward 2, Councillor Angelo Bentivegna Ward 6

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Motion for Council to Consider:

Direct the Director of Recreation, Community and Culture to amend the Events Listing for 2023 and approve the expansion to the annual Lakeside a la Carte Festival event.

Reason:

Requests for major changes to existing events or new events over 1,000 people require a community consultation and local Ward Councillor's approval. The 2023 event application for Lakeside a la Carte did not include a request for an additional date but organizers notified events staff in February of their desire to expand their event program. Staff advised that any new event requests or those seeking expansion to their events in Spencer Smith Park this year would be paused pending a further discussion with Council in April of 2023 to discuss the Vision of Festivals and Events in Burlington. However, organizers of the Lakeside a la Carte event have requested a reconsideration to allow for an additional day of programming.

Lakeside a la Carte is an annual fundraiser presented by the Rotary Club of Burlington Central and is scheduled on August 13, 2023 in Spencer Smith Park and this year, organizers have requested to run an additional ticketed event on the Friday night (Aug. 11, 2023) to feature live music in a dinner & dance format with catering provided by Denninger's and beverages by Nickelbrook Brewing with all proceeds being directed back into the community. This is a ticketed event that features local food and drink sampling with all proceeds directed back to community programs. The event begins setting up on Friday for a Sunday offering. As such, the space is already occupied on Friday. Permitting another event would make best use of this area, while showcasing local businesses and raising money for charity.

Consultation on this expansion occurred with the Burlington Restaurant Association (BRA) and the Burlington Downtown Business Association (BDBA) regarding the impact of the expansion. Two restauranteurs sit on the BDBA board and were part of the consultation. They have given permission to share this information with committee. Their input was to be very supportive of the expansion, for the following reasons:

- Rotary Club of Central Burlington (the host of the event) has always been very supportive of the BRA membership and included BRA Members and showcased them at Lakeside event.
- Over 40% of the restaurants participating this year are downtown operators. Several have commented that the exposure at Lakeside a la Carte has translated into sales at their restaurants.
- Organizers have reached out to BDBA retailers like Scrivener's Men's Apparel to arrange a gift certificate for their silent auction.
- Rotary has a strong reputation for investing proceeds locally (Carpenter Hospice/Burlington Food Bank)

The BDBA said they are pleased to learn that this effort may result in an additional evening of programming and will lend its support to the request for an additional evening of programming.

Council will discuss the vision of festivals and events in Burlington at a workshop on Monday, April 17. This item will go to council for final approval the next day, Tuesday, April 18. As such, council will have the benefit of that conversation before making a final decision on this request.

Outcome Sought:

To support the event expansion in 2023.

Vision to Focus Alignment:

(check those that apply)

- ☒ Increase economic prosperity and community responsive city growth
- ☐ Improve integrated city mobility
- ☐ Support sustainable infrastructure and a resilient environment
- ☐ Building more citizen engagement, community health and culture
- ☒ Deliver customer centric services with a focus on efficiency and technology transformation

Motion Seconded by:
Share with Senior Staff ☒

Approved as per form by the City Clerk,

Reviewed by the City Manager - In accordance with the Code of Good Governance, Council-Staff Relations Policy and an assessment of the internal capacity within the City to complete the work based on a specific target date (quarter/year).

Comments:

City Clerk: Approved per form

City Manager: Approved



Motion Memorandum

SUBJECT: Relocating of 2023 Food Truck Festival
TO: Community Planning, Regulation & Mobility Cttee.
FROM: Councillor Lisa Kearns, Ward 2
Date to Committee: March 28, 2023
Date to Council: April 18, 2023

Motion for Council to Consider:

Direct the Director of Recreation, Community and Culture to work with the Food Truck Festival event organizer to find an alternative location to Spencer Smith Park for the 2023 Festival.

Reason:

The Food Truck Festival is currently scheduled in Spencer Smith Park on July 21 – 23, 2023. At this time, the event has received conditional approval under Delegated Authority to the Supervisor of Festivals & Events who can approve returning events that are in good standing and have no reported violations or safety issues.

Conditional approval is granted to event organizers as a first step to confirm their requested date(s) and location with the understanding that a final contract will be issued once all regulatory requirements have been fulfilled.

This event is a free festival featuring 40 food trucks, a main stage and children's activity village. and this year will raise funds for St. Joseph's Hospital Foundation (previously, this event raised funds for Sick Kids Hospital.) A fundraising opportunity has been extended to guests of the event in support of Joseph Brant Hospital Foundation, however a quantified and direct contribution would be preferred. The event has been held in downtown since 2017 with the exception of 2020 and 2021 during Covid when all events were cancelled.

Report RCC-06-22 **Future direction on events in Burlington** was brought to EICS on April 7th, 2022 with a conclusion to "emerge from the pandemic and the community starts to engage in events again, it is timely to clarify the vision for events in Burlington along with decision criteria required to guide the future types and quality of events being delivered across Burlington. Staff look forward to having a facilitated discussion with Committee on the future of events."

At this time, the Burlington Downtown Business Association and local Restaurant Association Chair delegated at the EICS meeting held on April 7, 2022 requesting that the event be moved out of downtown citing concerns about the direct competition this event poses to downtown area businesses after a fragile road to recovery post-pandemic. The co-delegators also noted that 55% of Community-Led Events occurred in Ward2, particularly the downtown/waterfront and sought improved geographic distribution. The event organizer was also present and delegated at this meeting.

Council did not provide a staff direction to move or cancel the event and it proceeded to be held in 2022 as scheduled.

On delivery of the events summary CIP in 2023, the BDBA/BRA expressed similar concerns regarding the location of this event and has requested it be re-located out of the downtown. The BDBA Board issued a Motion at its meeting of March 01, 2023 having the BDBA Board of Directors consider this issue once again. In partnership with the BRA it was agreed that “our joint position is that we **do not support the approval** of this event at Spencer Smith Park in summer 2023.” It should be noted that this is not a blanked statement on food trucks and that event equity is a guiding principle in consideration of the membership.

Outcome Sought:

The intent is to have Burlington event staff work with the Food Truck organizers to find a suitable location for their 2023 event that is not in the downtown core of Burlington.

Vision to Focus Alignment:

(check those that apply)

- ☒ Increase economic prosperity and community responsive city growth
- ☐ Improve integrated city mobility
- ☐ Support sustainable infrastructure and a resilient environment
- ☐ Building more citizen engagement, community health and culture
- ☒ Deliver customer centric services with a focus on efficiency and technology transformation

Motion Seconded by:
Share with Senior Staff ☐

Approved as per form by the City Clerk,

Reviewed by the City Manager - In accordance with the Code of Good Governance, Council-Staff Relations Policy and an assessment of the internal capacity within the City to complete the work based on a specific target date (quarter/year).

Comments:

City Clerk: Approved

City Manager: Approved



Motion Memorandum

SUBJECT: Kennel/Pet Boarding Compliance & Licensing Regime

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Councillor Rory Nisan, Ward 3

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Motion for Council to Consider:

Direct the Director of By-law Compliance to create a regulatory and licensing regime for kennel/pet-boarding facilities, and integrate the work into the 2023/24 workplan of the department to present necessary bylaw amendments or a new bylaw to Council in Q1 2024.

Reason:

Residents may be surprised to learn that Burlington is the only municipality in Halton which does not regulate kennel/pet boarding facilities through a licensing regime. As a result, we cannot properly ensure that pets are cared for appropriately with their health and safety needs met. With the significant increase in the number of pets in our community, a trend that began during the pandemic, Council needs to ensure the humane treatment of these animals.

The development of a pet boarding compliance/licensing program would include but not be limited to the following elements:

- pets boarded overnight in Burlington are in safe and sanitary conditions, taking into account the Canadian Veterinarian Association's Code of Practice for Canadian Kennel Operations, Third Edition (2018);
- meeting the zoning bylaw requirements is obligatory in order to receive a kennel/pet boarding license;

The zoning bylaw regulations represent an important facet of regulating kennels/pet boarding but have been found to be insufficient and inadequate in securing the desired outcome of effective regulation.

Recognizing several competing priorities for the new By-law Compliance department, which is in the process of being formed and resourced including the hiring of key staff, a

request to have a new kennel/pet boarding regulation, compliance and licensing regime is targeted to be brought to council by Q1 2024 (this deadline has been approved by the City Manager). This will allow for effective review, consideration, public consultation and bringing forward the compliance/licensing regime to council.

Research on leading Halton area practices related to kennel/pet boarding by-laws, regulations, compliance and licensing regimes would be a facet of the work to bring forward the bylaw. For context only, some elements of a licensing regime in other Halton area municipalities include:

- Distance from property line;
- Requirements for inspections by the Fire Department, a bylaw officer and a zoning officer;
- Must conform with the Ontario Building Code;
- Must conform to the provisions of the Zoning Bylaw;
- That the building is not attached to any building being used for human habitation (residence);
- Impermeable floor with proper drain opening;
- Sanitary and clean conditions;
- Windows that can be opened;
- Proper climate control;
- Outside area for dogs' use with a two-metre high fence;
- Animals kept in adequately sized cages allowing animals to fully stretch;
- Adequate feeding and watering of animals, kept free from vermin and disease;
- Licensee must not have been convicted under the Criminal Code of animal abuse;
- Dogs must be kept in individual enclosures unless owner requests open setting; cats in individual closures except kittens or by specific wish of the owner;
- Outside exercise facilities must be provided for dogs and each dog must be allowed access to outside facilities twice per 24-hour period (except in extreme weather where they may not be placed outside) and facility must be cleaned of waste between animals;
- Staff must be knowledgeable in animal care;
- Maintain a training manual;
- Provide sufficient number of employees;
- Have hot and cold water;
- Have electric heating;
- Have a food preparation area;
- Impermeable materials for cages/enclosures;
- Proper record-keeping.

Outcome Sought:

Implement a licensing regime to ensure proper regulation of kennels/pet boarding facilities to ensure the safety and health of the animals and adherence to the zoning by-law.

Vision to Focus Alignment:

(check those that apply)

- ☐ Increase economic prosperity and community responsive city growth
- ☐ Improve integrated city mobility
- ☐ Support sustainable infrastructure and a resilient environment
- ☒ Building more citizen engagement, community health and culture
- ☐ Deliver customer centric services with a focus on efficiency and technology transformation

Motion Seconded by: Mayor Marianne Meed Ward
Share with Senior Staff ☒

Approved as per form by the City Clerk,

Reviewed by the City Manager - In accordance with the Code of Good Governance, Council-Staff Relations Policy and an assessment of the internal capacity within the City to complete the work based on a specific target date (quarter/year).

Comments:

City Clerk: Approved per form

City Manager: Approved

Further Links

Canadian Veterinarian Association Code of Practice for Canadian Kennels Operations:
<https://www.canadianveterinarians.net/media/xgel3jhp/cvma-2018-kennel-code-eng-rev-january-2023.pdf>

Schedule “E” to By-law No. 2005-0067 (A By-law to license, regulate, and govern any business carried on within the Town of Halton Hills): **Pet Care Establishments**
<https://www.haltonhills.ca/Modules/Bylaws/Bylaw/Download/b62e890f-4e4e-40e9-b988-4a2adf8e110e>
(pages 37-40)

Schedule 26 of 2015-075: A by-law to provide for the licensing and regulation of various businesses in the Town of Oakville: **PET SHOP/KENNEL**

<https://www.oakville.ca/assets/general%20-%20business/By-law%202015-075%20Licensing%20By-law%20-%20Consolidated.pdf>

(pages 94-98)

Schedule “E” to A BY-LAW TO RESPECT THE LICENSING, REGULATING AND GOVERNING OF BUSINESSES IN THE TOWN OF MILTON 024-2018: **Kennels**

https://www.milton.ca/en/town-hall/resources/Accessible_Bylaws/024-2018-Business-Licensing-By-law.pdf

(pages 38-42)

Halton Hills Business License application:

<https://www.haltonhills.ca/en/resourcesGeneral/Documents/PDF%20Forms/Business%20Licence%20Application.pdf>

Milton Business License application: <https://www.milton.ca/en/business-and-development/resources/Business-Licensing-Application.pdf>

Oakville Business License landing page: <https://www.oakville.ca/business-licensing.html>