



Regular Meeting of Council
Revised Agenda

Date: April 16, 2024

Time: 9:30 am

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

Council meetings are hybrid, allowing members of Council, city Staff and the public the option of participating remotely, or in person. The meeting is live streamed, and posted to the city's website. For further information please contact clerks@burlington.ca

Pages

1. Call to Order:

2. Land Acknowledgement:

3. National Anthem:

4. Regrets:

5. Approval of the Agenda:

6. Declarations of Interest:

7. Proclamations:

7.1 Royal Canadian Air Force Centennial Day: April 1, 2024

7.2 Polish Week: April 28 - May 5, 2024

7.3 Be A Donor Month: April 2024

7.4 Halton Foundation Learning Month: April 2024

7.5 Sikh Heritage Month: April 2024

7.6 Canada Netherlands Friendship Day: May 5, 2024

7.7 World Migratory Bird Day: May 11, 2024

7.8 Apraxia Awareness Day: May 14, 2024

7.9 Guillain-Barré Syndrome (GBS) and Chronic Inflammatory Demyelinating Polyneuropathy (CIDP) Month: May 2024

8. Recognitions and Achievements:

8.1 City Staff United Way Campaign award and cheque presentation

9. Presentations:

10. Motion to approve Council Minutes:

Confirm the minutes of the following meeting of Council:

10.1 Regular Council minutes of March 19, 2024

10.2 Special Council minutes of March 26, 2024

10.3 Special Council minutes of April 2, 2024

11. Delegations:

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

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

11.1 Michael Bator will speak regarding Petition, Restoration of Democracy at Burlington City Council, opposing Strong Mayor Powers (ADM-07-24)

11.2 *Lynn Crosby will speak regarding Petition, Restoration of Democracy at Burlington City Council, opposing Strong Mayor Powers (ADM-07-24)*

11.3 *Jim Thomson will speak regarding Transmittal of ADR Ombudsman (ADRO) investigation report (CM-07-24)*

11.4 *Anne and Dave Marsden will speak regarding Petition, Restoration of Democracy at Burlington City Council, opposing Strong Mayor Powers (ADM-07-24)*

11.5 *Anne and Dave Marsden will speak regarding 2023 accessibility progress report (ES-02-24) (EICS)*

11.6 *Anne and Dave Marsden will speak regarding Rainbow crosswalks update (TS-07-24)*

12. Petitions:

12.1 Petition sponsored by Councillor Kearns, titled Restoration of Democracy at Burlington City Council, opposing Strong Mayor Powers (ADM-07-24)

1 - 7

This item is subject to a motion to waive the rules of procedure to allow item 18.1 on the agenda to be discussed at this meeting of Council April 16, 2024 as it was received after the deadline to the Clerks office.

13. Recommendations from Standing Committees:

13.1 Committee of the Whole meeting of April 8 and 9, 2024

a. 2023 Treasurer's statement for development charges reserve funds, park dedication reserve fund and the community benefit charge reserve fund (F-16-24) (CSSRA)

Receive and file finance department report F-16-24, 2023 providing the Treasurer's statement for Development Charges reserve funds, Park Dedication reserve fund and the Community Benefit Charge reserve fund.

b. Annual Ombudsman reports for 2022 and 2023 (CL-10-24) (CSSRA)

Receive the 2022 and 2023 annual report from ADR Chambers, Ombudsman for the City of Burlington, attached as Appendix A and Appendix B respectively to office of the city clerk report CL-10-24.

c. Halton Court Services collection agency fees by-law (L-18-24) (CSSRA)

Authorize the Manager of Procurement Services or designate, to negotiate and execute any necessary service agreements, contracts and ancillary documents with any third-party collection agencies, and extensions thereto, resulting from RFP-24-206 Collection Services for POA court, with content satisfactory to the Executive Director of Legal Services and Corporation Counsel, or designate; and

Authorize the Manager of Court Administration, or designate, to add collection agency fees to Provincial Offences Act defaulted

fines owed to the City at the rates approved by Council; and

Authorize the Manager of Court Administration, or designate, to add collection agency fees to Provincial Offences Act defaulted fines owed to the City at the rates approved by Council; and

Approve the Collection Agency By-law, substantially in the form attached as Appendix A to legal services department report L-18-24, in the form satisfactory to the Executive Director of Legal Services and Corporation Counsel, or designate.

d. Flag Raising, Proclamations and Pier Lighting Policy (CL-09-24) (CSSRA)

Approve the Flag Raising, Proclamations and Pier Lighting Policy substantially in the form attached as Appendix A to the office of the city clerk report CL-09-24.

e. Update on customer centric digital architecture and customer relationship management CRM (BDS-02-24) (CSSRA)

Receive and file Burlington Digital Service report BDS-02-24 providing update on Customer Centric Digital Architecture and CRM; and

Approve the single source procurement of the Microsoft Dynamics 365 Minimum Viable Product as a pilot for our CRM software replacement for up to a total of \$200,000 with Microsoft as the software provider and MNP as the implementation partner, as further outlined in this report; and

Authorize the Manager of Procurement Services to execute any required contract(s), with the content satisfactory to the Executive Director of Legal Services and Corporation Counsel and issue any required Purchase Order(s).

f. Corporate Zero Waste Policy update (EICS-09-24) (EICS)

Approve the updated Corporate Zero Waste Policy attached as Appendix A to environment, infrastructure and community services report EICS-09-24.

g. 2023 accessibility progress report (ES-02-24) (EICS)

Receive and file engineering services department report ES-02-24 regarding the 2023 accessibility progress report.

- h. Update to the Corporate Energy and Sustainable Buildings Policy (EICS-07-24) (EICS)
 - Approve the updated Corporate Energy and Sustainable Buildings Policy attached as Appendix A to environment, infrastructure and community services report EICS-07-24.
- i. Burlington Official Plan, 2020 targeted realignment exercise – workplan update 2 (PL-09-24) (CPRM)
 - Receive and file community planning department report PL-09-24 regarding Burlington Official Plan, 2020 targeted realignment exercise – workplan update 2.
- j. Deregistration by-law for 3540-3548 Commerce Court (PL-24-24) (CPRM)
 - Approve the by-law, substantially as shown in Appendix A of community planning department report PL-24-24, being a by-law to deem Lots 6 and 7 in Plan M-150 as not being registered lots within a Plan of Subdivision, pursuant to Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13, as amended.
- k. Low-income property tax rebate program (F-03-24)
 - Continue the current low-income senior property tax rebate program and broaden to include eligible homeowners for low-income persons with disabilities as outlined in the criteria contained in Appendix A to finance department report F-03-24; and
 - Direct the Chief Financial Officer in consultation with the Executive Director of Legal Services & Corporation Counsel to prepare the necessary by-law for the Low- Income Property Tax Rebate Program, for approval at Council on April 16th, effective for the 2024 taxation year; and
 - Forward to the Region of Halton the Low-Income Property Tax Rebate By-law and formally request the Region participate in the cost sharing of the tax rebate program.
- l. Preparing for the 2025 budget (F-19-24)
 - Receive and file finance department report F-19-25 providing an update to the format of the 2025 budget documents and the preliminary 2025 Mayors budget approval timelines; and

Direct the City Clerk to schedule a Special Council meeting on November 25, 2024 for the purpose of reviewing the Mayor's proposed budget.

- m. Proposed quarterly city services update reporting (F-23-24)
Receive and file finance department report F-23-24 regarding the proposed quarterly city services update reporting.
- n. Health, safety and wellness review of 2023 (HR-05-24)
Receive and file human resources department report HR-05-24 providing the 2023 health, safety and wellness review.
- o. Update on merger of Tourism Burlington with Burlington Economic Development (CM-06-24)
Receive and file city manager's office report CM-06-24 being an update on the merger of Tourism Burlington with Burlington Economic Development.
- p. Motion memorandum regarding Mayor's speaker series (COW-08-24)
Endorse the Mayor's Speaker Series.
- q. Quarterly Mayoral decisions report (CL-11-24)
Receive and file Office of the City Clerk report CL-11-24 providing the Quarterly Mayoral Decisions report.
- r. Transmittal of ADR Ombudsman (ADRO) investigation report (CM-07-24)
Accept the findings and recommendations of the detailed ADRO investigation report dated April 1, 2024 attached as Appendix A to city manager's office report CM-07-24; and
Direct the City Clerk to report back no later than the end of Q2 2024 with recommended changes to the City's Procedural By-law to address any outstanding procedural by-law compliance issues outlined in the detailed report
- s. Advisory committee annual reports and 2024 work plans and budget (CL-08-24)
Approve the 2024 advisory committee work plans and budget

requests attached as appendix A to office of the city clerk report CL-08-24; and

Receive and file the 2023 advisory committee annual reports attached as appendix B to office of the city clerk report CL-08-24.

- t. Corporate project status report – Dec, Jan 2024, Feb 2024 (CM-05-24)

Receive and file city manager's office report CM-05-24 providing status reports for designated corporate projects for the period December 2023, January and February 2024 as detailed in Appendices A and B.

- u. Confidential update on a litigation matter regarding a trespass notice (L-01-24)

Instruct the Executive Director of Legal Services & Corporation Counsel or his designate to proceed in accordance with the instructions sought in Confidential Legal Report L-01-24.

- v. Confidential litigation matter regarding OPA 130 (L-16-24)

Instruct the Executive Director of Legal Services and Corporation Counsel, or his designate, to proceed in accordance with the instructions sought in confidential legal department report L-16-24.

- w. Confidential litigation matter regarding Niagara Escarpment Plan Amendment PC 225 22 (L-09-24)

Receive and file confidential Legal Department report L-09-24 providing an update on a litigation matter re Niagara Escarpment Plan Amendment PC 225 22.

- x. Confidential verbal update regarding a human resources matter (COW-12-24)

Receive and file confidential verbal update regarding a human resources matter.

- y. Urban Forest Master Plan update (RPF-02-24)

Approve the Urban Forest Master Plan, Woodland Management Strategy as presented and aligned with option one as detailed in roads, parks and forestry department report RPF-02-24; and

Direct the Acting Chief Financial Officer to incorporate the financial needs of the Urban Forest Master Plan into the multi-year simulation and multi-year community investment plan forecast; and

Direct the Director, Roads, Parks and Forestry to coordinate with the Manager, Government Relations to actively pursue grant opportunities through provincial and federal governments to offset implementation costs of the Urban Forest Master Plan & Woodlot Management Strategy.

z. Bay Area Climate Change Council (EICS-04-24)

Reaffirm the City's commitment to supporting the Bay Area Climate Change Council in the amount of \$56,000 annually until 2026, at which time the City's future support for the organization will be re-assessed.

aa. Update and recommendations for shared court pilot at Ireland Park (RCC-05-24)

Receive and file recreation, community and culture report RCC-05-24 update to shared court pilot at Ireland Park which concludes the 2023 pilot and maintains court-sharing practices for 2024 and onward.

ab. Community centres for everyone and approval of policy for maximizing use of underutilized spaces (RCC-07-24)

Approve corporate policy Promoting Use of Underutilized Spaces in Recreation Facilities as presented in Appendix A of recreation, community and culture department report RCC-07-24 and direct the Director of Recreation, Community and Culture to begin implementation of the policy in Q3 2024; and

Direct the Director of Recreation, Community and Culture to report back on community room usage and policy application in Q1 2026.

ac. Motion memorandum regarding Range Burlington (COW-09-24)(SD-09-24)

Authorize the Director of Recreation, Community and Culture to further explore the re-development opportunity at 1540 King Road in accordance with existing planning regulations and fees and the Joint Venture Financing Program. (SD-09-24)

ad. Motion memorandum regarding agencies, boards and commissions (ABC) mandate and Integrity Commissioner advice (COW-10-24) (SD-07-24)(SD-08-24)

Direct the Director of Recreation, Community and Culture to provide recommendations with respect to the mandate for council members and city staff appointed to Boards of Directors of ABCs (SD-07-24); and

Direct the City Clerk to engage with the Integrity Commissioner to request general advice on the role and responsibilities of council members on ABC boards. (SD-08-24)

ae. Discussion for a future Festivals and Events Policy (RCC-06-24)

Direct the Director of Recreation, Community and Culture to report back with a Festivals and Events Policy for approval by end of Q2 2024.

af. Rainbow crosswalks update (TS-07-24)

Direct the Director of Transportation to remove the three rainbow crosswalks at Fairview Street and Drury Lane, Plains Road West and Botanical Drive, and Upper Middle Road in front of M.M. Robinson High School and replace them with ladder crosswalks; and

Direct the Director of Transportation to install rainbow themed pole wraps to the traffic poles adjacent to the crosswalks at the three intersections; and

Direct the Director of Transportation, in collaboration with Recreation, Community and Culture as well as Corporate Communications and Engagement, to seek feedback from members of the 2SLGBTQIA+ community on the approach to best commemorate the community outside of the travelled portion of the roadway.

ag. Objections to Statements of Intention to Designate 574 Brant St. and 620 Brant St. (PL-25-24)

Decline the request to withdraw the notices of intention to designate 574 Brant St. and 620 Brant St. under Part IV, Section 29 of the Ontario Heritage Act, having considered the notices of objection by TMA Law on behalf of the owners, dated January 12, 2024 and attached to community planning department report PL-25-24 as Appendices A & B; and

Enact the by-laws substantially in the form attached as Appendix D to community planning department report PL-25-24, being a bylaw to designate 574 Brant St. and a by-law to designate 620 Brant St., both under Part IV, Section 29 of the Ontario Heritage Act, in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Direct the Director of Community Planning to provide notice of the passing of the by-laws designating the properties, in accordance with subsection 29 (8) of the Ontario Heritage Act.

ah. Targeted realignment future growth areas – 1200 King Road, Bronte Creek Meadows and Bridgeview (PL-29-24)

Direct the Director of Community Planning to implement the targeted timeline set out in Appendix A of community planning department report PL-29-24 to support the development of an Area Specific Plan informed by city objectives, inputs from the landowner/applicant information and city-led public engagement, to define the urban structure role, the growth framework prioritization and the land use policies for Bronte Creek Meadows; and

Direct the Director to engage with all ROPA 49 landowners as one input into the development of the city's population and employment work and to inform the development of the revisions to the urban structure, growth framework and preparing supporting timeline and approach to initiate the development of area specific plans or their equivalent.

13.2 Pipeline to Permit Committee meeting of April 11, 2024

a. Contextual updates and Legislative & Regulatory changes affecting Conservation Halton's Development permitting (PP-11-24)

Defer items 3.2 Contextual Updates and 3.2.a Legislative & Regulatory Changes Affecting Conservation Halton's Development Permitting (PP-11-24) to the May 16, 2024 Pipeline to Permit Committee Meeting.

b. Motion Memorandum regarding process review of municipal addresses for new residential homes (PP-07-24)(SD-10-24)

Direct the Director of Community Planning and the Director of Engineering Services in conjunction with the Business Process

Review (BPR) underway for Municipal Addressing to ensure new residential property addresses are confirmed early in the planning and development approval process and report back to the Pipeline to Permit Committee on completion of review (Q4 2024) on the changes implemented. (SD-10-24)

- c. Motion Memorandum regarding action plan to meet Burlington's housing targets for 2024 (PP-08-24)(SD-11-24)

Direct the Executive Director of Community Planning Regulation & Mobility and Executive Director of Environment Infrastructure & Community Services, or designates, to develop an action plan that facilitates residential housing applications through the development approval process, to enable meeting Burlington's housing target for 2024, and report back to the Pipeline to Permit Committee in Q2 2024 with any recommendations; and

Direct the Executive Director of Community Planning Regulation & Mobility and Executive Director of Environment Infrastructure & Community Services, or designates, to report back via the above noted action plan on the progress made to date and future business process improvements planned for streamlining planning and development application approvals; and

Direct the Executive Director of Community Planning Regulation & Mobility to update the high impact criteria for processing files via the above noted action plan to include development files that will facilitate reaching Burlington's housing target. (SD-11-24)

14. Motion to Approve Standing Committee Minutes:

Approve the following minutes:

14.1	Committee of the Whole meeting minutes of April 8 and 9, 2024	8 - 24
14.2	Pipeline to Permit Committee meeting minutes of April 11, 2024	25 - 28

15. Urgent Business:

15.1	Official Plan and Zoning By-law amendments for 1120 Cooke Blvd	29 - 96
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This item was deferred from the Council meeting of March 19, 2024 to this meeting of Council April 16, 2024.

Approve the applications submitted by WND Associates Ltd., on behalf of Adi Development Group, to amend the Official Plan and Zoning By-law to permit a mixed-use development comprising three tall buildings

with maximum heights of 34, 32, and 30 storeys; and

Approve Official Plan Amendment No. 142 to the City of Burlington Official Plan, as provided in Appendix B of community planning department report PL-04-24, to introduce new site-specific policies for the subject lands; and

Deem that Section 17(21) of the Planning Act has been met; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 142 as contained in Appendix B of community planning department report PL-04-24 to be presented for approval at the same time as the associated by-law to amend Zoning By-law 2020, as amended, for the development proposal (505-01/22); and

Approve Zoning By-law 2020.472, attached as Appendix C of community planning department report PL-04-24, to rezone the lands located at 1120 Cooke Boulevard from “MXC-26” (Mixed-Use Corridor – Commercial with site-specific exception 26) to “H-MXC-531” (Mixed-Use Corridor – Commercial with a Holding “H” prefix and site-specific exception 531); and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 142 is adopted; and

Deem that the lands described as 1120 Cooke Boulevard are classified as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines.

16. 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:

16.1 Motion to approve confidential closed session minutes:

- a. Confidential closed session minutes for Council meeting of March 19, 2024
- b. Confidential closed session minutes for Special Council meeting of April 2, 2024

- c. Confidential closed session minutes for Committee of the Whole meeting of April 8 and 9, 2024

17. Rise and Report:

18. Motions of Members:

- 18.1 Motion memo for Petition sponsored by Councillor Lisa Kearns and Councillor Rory Nisan, dated April 12, 2024 regarding “Restoration of Democracy at Burlington City Council”, and related correspondence. (ADM-07-24) 97 - 99

A motion to waive the rules of procedure will be required to allow this item on the agenda to be discussed at this meeting of Council April 16, 2024 as it was received the deadline.

Receive and file petition titled “Restoration of Democracy at Burlington City Council,” and

Receive and file the correspondence received regarding the delegation of strong mayors powers.

19. Council Information Package:

- 19.1 Council Information Package March 28, 2024
- 19.2 Council Information Package April 5, 2024
- 19.3 Council Information Package April 12, 2024

20. Motion to Receive and File Information Items:

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

- 20.1 *Update on report PL-04-24, applications for Official Plan Amendment and Zoning By-law Amendment for 1120 Cooke Blvd (ward 1)* 100 - 101

This item provides supplemental information for item 15.1
- 20.2 Correspondence received regarding the delegation of Strong Mayor Powers (68 submissions) related to Motion memo (ADM-07-24) 102 - 195

This item is subject to a motion to waive the rules of procedure to allow item 18.1 on the agenda to be discussed at this meeting of Council April 16, 2024 as it was received after the deadline.
- 20.3 *Delegation notes from Jim Thomson regarding Transmittal of ADR Ombudsman (ADRO) investigation report (CM-07-24)* 196 - 200

20.4	<i>Correspondence from Mayor Meed Ward - Open Letter to Burlington City Council and the Community on Democracy, Governance and Pressing Reset regarding Motion memo (ADM-07-24)</i>	201 - 206
20.5	<i>Correspondence from Tom Muir regarding the delegation of Strong Mayor Powers related to Motion memo (ADM-07-24)</i>	207 - 211
20.6	<i>Correspondence received regarding the delegation of Strong Mayor Powers (4 submissions) related to Motion memo (ADM-07-24)</i>	212 - 216
21.	Notice of Motion:	
22.	Motion to Approve By-Laws:	
	Enact and pass the following by-laws which are now introduced, entitled and numbered as indicated below:	
22.1	14-2024:A by-law to adopt Official Plan Amendment No. 142 to permit a mixed-use development comprising three tall buildings of maximum 30, 32, and 34 storeys with 1165 residential units and ground-level non-residential uses at 1120 Cooke Boulevard.	217 - 221
	Report PL-04-24, Committee of the Whole March 4 and 5, 2024	
22.2	26-2024:A by-law to designate 620 Brant Street, in the City of Burlington, in the Regional Municipality of Halton, to be of cultural heritage value or interest pursuant to the provisions of the Ontario Heritage Act, R.S.O. 1990, chapter O.18, as amended.	222 - 226
	Report PL-69-23, Community Planning, Regulation and Mobility December 5, 2023	
22.3	27-2024:A by-law to designate 574 Brant Street, in the City of Burlington, in the Regional Municipality of Halton, to be of cultural heritage value or interest pursuant to the provisions of the Ontario Heritage Act, R.S.O. 1990, chapter O.18, as amended.	227 - 230
	Report PL-69-24, Community Planning, Regulation and Mobility December 5, 2023	
22.4	28-2024:A by-law to designate 400 Brant Street, in the City of Burlington, in the Regional Municipality of Halton, to be of cultural heritage value or interest pursuant to the provisions of the Ontario Heritage Act, R.S.O. 1990, chapter O.18, as amended.	231 - 238
	Report PL-18-24, Committee of the Whole February 5 and 6, 2024	
22.5	29-2024:A by-law to provide a tax rebate for eligible property owners.	239 - 241

Report F-03-24, Committee of the Whole April 8 and 9, 2024

22.6 30-2024:A by-law deeming Lots 6 and 7 of Plan M-150 not to be lots in a registered plan of subdivision for the purpose of Section 50(4) of the Planning Act, 3540-3548 Commerce Court. 242 - 242

Report PL-24-24 Committee of the Whole April 8 and 9, 2024

22.7 31-2024:A by-law to appoint the City Clerk for the Corporation of the City of Burlington, to amend By-law 40-2021 and to repeal By-law 08-2020. 243 - 243

22.8 34-2024:A by-law to repeal by-law 40-2019 being a by-law to appoint a City Manager as the chief administrative officer for the City of Burlington and to delegate the powers, and assign the duties, accountabilities and functions of the City Manager. 244 - 244

22.9 2020.472:A by-law to amend By-law 2020, as amended; for 1120 Cooke Boulevard, for the purpose of facilitating the mixed-use development of three residential towers of maximum heights of 30, 32, and 34 storeys. 245 - 255

Report PL-04-24, Council April 16, 2024

23. **Confirmatory By-law:** 256 - 257

Enact and pass By-law Number 35-2024 being a by-law to confirm the proceedings of Council at its meeting held April 16, 2024 being read a first, second and third time.

24. **Statements by Members:**

25. **Motion to Adjourn:**

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

[Petition details](#) [Comments](#)



Restoration of Democracy at Burlington City Council

Started

March 26, 2024

512

Signatures

1,000

Next Goal

 245 people signed this week

Sign this petition

Why this petition matters



Started by [Blair Smith](#)

As reported in ***toronto.com***

“Premier Doug Ford's Conservative government has granted strong-mayor powers to 46 municipalities since 2022, when the mayors of Toronto and Ottawa were first handed expanded powers.

This move marks a major change in how municipal governance is handled in Ontario, where councils historically operated on a one representative/one vote standard.

These new powers can only be used for specific matters detailed in the Strong Mayors, Building Homes Act, passed by the provincial government in September 2022.

Under the act, strong mayors have the ability to, among other things, veto certain bylaws, prepare budgets, appoint a chief administrative officer (CAO), and hire or fire most department and division heads.

It's notable these powers were only awarded to mayors of municipalities who pledged to help the government meet its target of building 1.5 million homes by 2031.”

4 cities did not agree to housing mandates and so Mayoral powers were planned but not offered to them (Newmarket, New Tecumseth, Norfolk County and Haldimand County). Most of these said they did not want the mayoral powers anyway.

- 46 cities In Ontario have been given strong mayoral powers
- 31 of 46 are not using powers other than passing bylaws and/or advancing budget processes and council decisions (none of these sway decisions); **Burlington is not one of them**

 245 people signed this week

[Sign this petition](#)

- only 15 of 46 are using the strong mayoral powers; **Burlington is 1 of the 15**
- of those 15, only 4 have used it for housing decisions (not Burlington) and 13 have used it for appointment (hiring) decisions; **Burlington is 1 of the 13**
- **Burlington is the only city** to mention privacy reasons for not revealing one of the mayoral decisions.

It matters not whether these Strong Mayor powers are benevolently applied or with Council consultation. The fact that they exist at all and under the sole control of a single individual is fundamentally wrong and contrary to the democratic principle of majority rule.

As such, ***The citizens of the City of Burlington*** respectfully request Her Worship, Mayor Marianne Meed Ward, comply with the requests contained in Motion memo Improving Local Democracy by Strengthening City Decision-Making (ADM-05-24); specifically,

That the Mayor delegate to Council the powers and duties assigned to the head of council under Section 284.5 of the Municipal Act, with respect to the City Manager; and

That the Mayor delegate to the City Manager the powers and duties assigned to the head of council under Section 284.6 of the Municipal Act, with respect to:

1. determining the organizational structure of the municipality; and
2. hiring, dismissing, or exercising any other prescribed employment powers with respect to any division or the head of any other part of the organizational structure; and

 **245 people** signed this week

That the Mayor delegate to Council the powers and duties assigned to the head of council under Section 284.8 of the Municipal Act, with respect to prescribed committees or committees within a prescribed class of committees.

The citizens of Burlington agree with the stated rationale for these requests for delegation; specifically,

Strong mayor powers introduced by the Province through amendments to the Municipal Act are dysfunctional and antidemocratic for several reasons:

1. They provide powers to mayors not elected in 2022 to enact those powers.
2. They create a scenario of minority rule for budgets and certain legislation (bylaws), which is antithetical to the democratic principle of majority rule with minority rights and for which there may not be any comparable power in western democracy.
3. The veto power erodes local decision-making authority by only allowing strong mayors to utilize a non-budgetary veto on provincial priorities; as a result, the legislative veto can only be used to enhance the province's priorities but not those of the municipality unless they are the same as those of the province.

4. The budgetary veto concentrates power of the purse to the mayor, leading to widespread control over capital projects and staffing each year at budget time. The mayor can thus defund initiatives they do not support.
5. For further clarity, the powers noted in points 2-4 can be overruled by 2/3rds +1 of council, meaning the mayor can exercise this power with a minority of council members (two plus themselves in Burlington).
6. The power to hire and terminate the city manager, previously the jurisdiction of council, is now in the hands of only the

 **245 people** signed this week

result, all senior staff are, generally, influenced to do what a mayor demands or fear the consequences. This significant latent power reduces democratic decision-making as decisions at the city are often binary and a majority of council may not agree with a strong mayor.

8. The ability to change the organizational structure of the municipality is another potential way to exercise power over staff.
9. The above rationale also applies to board and committee powers which are currently concentrated in the hands of the strong mayor.

The Citizens of Burlington respectfully request that Mayor Marianne Meed Ward delegate these strong Mayor powers, as permitted under Subsection 284.13(1) of the Municipal Act, 2001 as soon as possible and no later than April 16, 2024.



Share this petition in person or use the QR code for your own material.

[Download QR Code](#)

245 people signed this week



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Updates

Please share the petition

Please share the petition amongst your network of friends and family. The objective is to have 1000 signatures by April 16th; the date by which the Mayor is committed to give her decision to Council.

 **245 people** signed this week

[More updates](#)

Reasons for signing

 **Jill Plouffe** · 2 weeks ago

I encourage all to email their councillors as well. This the email I sent all councillors and the mayor. I have been alarmed by Doug Ford's announcement of strong mayor powers for some time as I feel it will only allow legislature to be pushed through in spite of public protests and ignoring public interests. I find the growing worldwide ...

[Read more](#)

 8 · Report

 **Scott Lambert** · 2 weeks ago

I am dismayed at the erosion of democracy and the lack accountability of Ontario politicians, at the provincial and local levels. Giving mayors power to override councils and citizens groups smacks of authoritarianism and has no



Committee of the Whole Meeting

Minutes

Date:	April 8, 2024
Time:	9:30 am
Location:	Hybrid meeting- virtual and Council Chambers, City Hall
Members Present:	Mayor Marianne Meed Ward (Chair), Kelvin Galbraith, Lisa Kearns, Rory Nisan, Shawna Stolte, Paul Sharman, Angelo Bentivegna
Staff Present:	Tim Comisso, Samantha Yew, Blake Hurley, Allan Magi, Sue Evfemidis, Chad MacDonald, Craig Kummer, Emilie Cote, Oanh Kasperski, Karen Roche, Enrico Scalera, Jamie Tellier, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Lisa Palermo (Clerk), Suzanne Gillies (Clerk), Jo-Anne Rudy (Clerk)

1. Call to Order

The Chair called the meeting to order.

2. Land Acknowledgement

The Chair read the Land Acknowledgement.

3. Approval of the Agenda

Moved by Councillor Sharman

Motion to suspend the rules for section 36.2 of the Procedure By-law 31-2021, as amended, to allow discussion of item 9.4 Confidential verbal update regarding an HR matter (COW-12-24); and item 8.8 Transmittal of ADR Ombudsman (ADRO) investigation report (CM-07-24), as they were received after the required deadline.

CARRIED

Moved by Councillor Stolte

Motion to suspend the rules for section 45.2 of the Procedure By-law 31-2021, as amended, to allow the staff presentation to extend past 10 minutes for item 8.4, Health, safety and wellness review (HR-05-24), item 11.1 Urban Forest Master Plan update (RPF-02-24); and item 11.7 Discussion for a future Festivals and Events policy (RCC-06-24).

CARRIED

Moved by Councillor Bentivegna

Motion to suspend the rules for section 49 of the Procedure By-law 31-2021, as amended, to allow for a workshop style discussion facilitated by staff for Item 11.7 Discussion for a future Festivals and Events Policy (RCC-06-24).

CARRIED

Moved by Councillor Stolte

Approve scheduling the discussion regarding item 9.4 Confidential verbal update on a human resources matter (COW-12-24) to take place at 1:00 p.m. on April 9, 2024.

CARRIED

Moved by Councillor Galbraith

Approve agenda as amended.

CARRIED

4. Declarations of Interest

Mayor Meed Ward and Councillor Sharman declared an interest with:

- Item 9.1 Confidential update on a litigation matter regarding a trespass notice (L-01-24), as they are named in the matter.

5. Delegation(s)

- 5.1 Anne and Dave Marsden spoke to the 2023 accessibility progress report (ES-02-24) (EICS)
- 5.2 Anne and Dave Marsden spoke to the transmittal of ADR Ombudsman (ADRO) investigation report (CM-07-24) (CSSRA)

- 5.3 David Falletta, Bousfields Inc. spoke to the Burlington Official Plan, 2020 targeted realignment exercise - workplan update 2 (PL-09-24) and targeted realignment future growth areas – 1200 King Road, Bronte Creek Meadows and Bridgeview (PL-29-24) (CPRM)
- 5.4 Jim Thomson spoke to the transmittal of ADR Ombudsman (ADRO) investigation report (CM-07-24) (CSSRA)
- 5.5 Amy Schnurr, BurlingtonGreen, spoke to the Urban Forest Master Plan update (RPF-02-24) (EICS)
- 5.6 William Robert Love, Roseland Community Organization, spoke to the Urban Forest Master Plan update (RPF-02-24) (EICS)
- 5.7 Daintry Klein, Millcroft Greenspace Alliance, spoke to the Urban Forest Master Plan update (RPF-02-24) (EICS)
- 5.8 Mary Alice St. James, spoke to the Urban Forest Master Plan update (RPF-02-24) (EICS)
- 5.9 Jesse Elders, Bay Area Climate Change Council, spoke regarding the Bay Area Climate Change Council (EICS-04-24) (EICS)
- 5.10 Dennis Downs, Burlington Rifle and Revolver Club, spoke to the motion memorandum Range Burlington (COW-09-24) (EICS)
- 5.11 Greg Eade, Key Mortgage Partners - Mortgage Intelligence, spoke to the objections to Statements of Intention to Designate 574 Brant St. and 620 Brant St. (PL-25-24) (CPRM)
- 5.12 Mark de Jong, TMA Law, spoke to the objections to Statements of Intention to Designate 574 Brant St. and 620 Brant St. (PL-25-24) (CPRM)

6. Consent Items

- 6.1 2023 Treasurer's statement for development charges reserve funds, park dedication reserve fund and the community benefit charge reserve fund (F-16-24) (CSSRA)

Moved by Councillor Stolte

Receive and file finance department report F-16-24, 2023 providing the Treasurer's statement for Development Charges reserve funds, Park Dedication reserve fund and the Community Benefit Charge reserve fund.

CARRIED

6.2 Advisory committee annual reports and 2024 work plans and budget (CL-08-24) (CSSRA)

Note: this item was moved to CSSRA Regular Items.

6.3 Annual Ombudsman reports for 2022 and 2023 (CL-10-24) (CSSRA)

Moved by Councillor Stolte

Receive the 2022 and 2023 annual report from ADR Chambers, Ombudsman for the City of Burlington, attached as Appendix A and Appendix B respectively to office of the city clerk report CL-10-24.

CARRIED

6.4 Halton Court Services collection agency fees by-law (L-18-24) (CSSRA)

Moved by Councillor Stolte

Authorize the Manager of Procurement Services or designate, to negotiate and execute any necessary service agreements, contracts and ancillary documents with any third-party collection agencies, and extensions thereto, resulting from RFP-24-206 Collection Services for POA court, with content satisfactory to the Executive Director of Legal Services and Corporation Counsel, or designate; and

Authorize the Manager of Court Administration, or designate, to add collection agency fees to Provincial Offences Act defaulted fines owed to the City at the rates approved by Council; and

Authorize the Manager of Court Administration, or designate, to add collection agency fees to Provincial Offences Act defaulted fines owed to the City at the rates approved by Council; and

Approve the Collection Agency By-law, substantially in the form attached as Appendix A to legal services department report L-18-24, in the form satisfactory to the Executive Director of Legal Services and Corporation Counsel, or designate.

CARRIED

6.5 Corporate project status report – Dec, Jan 2024, Feb 2024 (CM-05-24) (CSSRA)

Note: this item was moved to CSSRA Regular Items.

6.6 Flag Raising, Proclamations and Pier Lighting Policy (CL-09-24) (CSSRA)

Moved by Councillor Stolte

Approve the Flag Raising, Proclamations and Pier Lighting Policy substantially in the form attached as Appendix A to the office of the city clerk report CL-09-24.

CARRIED

6.7 Update on customer centric digital architecture and customer relationship management CRM (BDS-02-24) (CSSRA)

Moved by Councillor Stolte

Receive and file Burlington Digital Service report BDS-02-24 providing update on Customer Centric Digital Architecture and CRM; and

Approve the single source procurement of the Microsoft Dynamics 365 Minimum Viable Product as a pilot for our CRM software replacement for up to a total of \$200,000 with Microsoft as the software provider and MNP as the implementation partner, as further outlined in this report; and

Authorize the Manager of Procurement Services to execute any required contract(s), with the content satisfactory to the Executive Director of Legal Services and Corporation Counsel and issue any required Purchase Order(s).

CARRIED

6.8 Corporate Zero Waste Policy update (EICS-09-24) (EICS)

Moved by Councillor Stolte

Approve the updated Corporate Zero Waste Policy attached as Appendix A to environment, infrastructure and community services report EICS-09-24.

CARRIED

6.9 2023 accessibility progress report (ES-02-24) (EICS)

Moved by Councillor Stolte

Receive and file engineering services department report ES-02-24 regarding the 2023 accessibility progress report.

CARRIED

6.10 Update to the Corporate Energy and Sustainable Buildings Policy (EICS-07-24) (EICS)

Moved by Councillor Stolte

Approve the updated Corporate Energy and Sustainable Buildings Policy attached as Appendix A to environment, infrastructure and community services report EICS-07-24.

CARRIED

6.11 Burlington Official Plan, 2020 targeted realignment exercise – workplan update 2 (PL-09-24) (CPRM)

Moved by Councillor Stolte

Receive and file community planning department report PL-09-24 regarding Burlington Official Plan, 2020 targeted realignment exercise – workplan update 2.

CARRIED

6.12 Deregistration by-law for 3540-3548 Commerce Court (PL-24-24) (CPRM)

Moved by Councillor Stolte

Approve the by-law, substantially as shown in Appendix A of community planning department report PL-24-24, being a by-law to deem Lots 6 and 7 in Plan M-150 as not being registered lots within a Plan of Subdivision, pursuant to Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13, as amended.

CARRIED

7. Presentation(s)

None

8. Corporate Services, Strategy, Risk & Accountability Regular Items

Chair: Councillor Rory Nisan

Committee Clerk: Lisa Palermo

8.1 Low-income property tax rebate program (F-03-24)

Moved by Councillor Sharman

Continue the current low-income senior property tax rebate program and broaden to include eligible homeowners for low-income persons with disabilities as outlined in the criteria contained in Appendix A to finance department report F-03-24; and

Direct the Chief Financial Officer in consultation with the Executive Director of Legal Services & Corporation Counsel to prepare the necessary by-law for the Low- Income Property Tax Rebate Program, for approval at Council on April 16th, effective for the 2024 taxation year; and

Forward to the Region of Halton the Low-Income Property Tax Rebate By-law and formally request the Region participate in the cost sharing of the tax rebate program.

CARRIED

8.2 Preparing for the 2025 budget (F-19-24)

Moved by Councillor Sharman

Receive and file finance department report F-19-25 providing an update to the format of the 2025 budget documents and the preliminary 2025 Mayors budget approval timelines; and

Direct the City Clerk to schedule a Special Council meeting on November 25, 2024 for the purpose of reviewing the Mayor's proposed budget.

CARRIED

8.3 Proposed quarterly city services update reporting (F-23-24)

Moved by Councillor Stolte

Receive and file finance department report F-23-24 regarding the proposed quarterly city services update reporting.

CARRIED

8.4 Health, safety and wellness review of 2023 (HR-05-24)

Moved by Mayor Meed Ward

Receive and file human resources department report HR-05-24 providing the 2023 health, safety and wellness review.

CARRIED

8.5 Update on merger of Tourism Burlington with Burlington Economic Development (CM-06-24)
Moved by Councillor Galbraith
Receive and file city manager's office report CM-06-24 being an update on the merger of Tourism Burlington with Burlington Economic Development.

CARRIED

8.6 Motion memorandum regarding Mayor's speaker series (COW-08-24)
Moved by Mayor Meed Ward
Endorse the Mayor's Speaker Series.

CARRIED

Moved by Councillor Kearns

Refer motion memorandum regarding Mayor's speaker series (COW-08-24) to the Regular Council meeting on April 16, 2024 to obtain information on budget and non-mayor's office staff time.

LOST

8.7 Quarterly Mayoral decisions report (CL-11-24)
Moved by Mayor Meed Ward
Receive and file Office of the City Clerk report CL-11-24 providing the Quarterly Mayoral Decisions report.

CARRIED

8.8 Transmittal of ADR Ombudsman (ADRO) investigation report (CM-07-24)
Moved by Councillor Kearns
Accept the findings and recommendations of the detailed ADRO investigation report dated April 1, 2024 attached as Appendix A to city manager's office report CM-07-24; and

Direct the City Clerk to report back no later than the end of Q2 2024 with recommended changes to the City's Procedural By-law to address any outstanding procedural by-law compliance issues outlined in the detailed report

CARRIED

8.9 Advisory committee annual reports and 2024 work plans and budget (CL-08-24)

Note: this item was moved from Consent Items and discussed before Item 8.1.

Moved by Councillor Stolte

Approve the 2024 advisory committee work plans and budget requests attached as appendix A to office of the city clerk report CL-08-24; and

Receive and file the 2023 advisory committee annual reports attached as appendix B to office of the city clerk report CL-08-24.

CARRIED

8.10 Corporate project status report – Dec, Jan 2024, Feb 2024 (CM-05-24)

Note: this item was moved from Consent Items and discussed before Item 8.1.

Moved by Mayor Meed Ward

Receive and file city manager's office report CM-05-24 providing status reports for designated corporate projects for the period December 2023, January and February 2024 as detailed in Appendices A and B.

CARRIED

9. Confidential Items and Closed Session

Chair: Councillor Rory Nisan

Committee Clerk: Lisa Palermo

Moved by Councillor Stolte

Proceed into closed session on **April 9, 2024 at 1:02 p.m.** in accordance with the following provisions under the Municipal Act:

Pursuant to Section 239(2)(b) of the Municipal Act, personal matters about an identifiable individual, including municipal or local board employees regarding item **9.4**.

CARRIED

9.1 Confidential update on a litigation matter regarding a trespass notice (L-01-24)

Note: committee did not go into closed session for this item and it was voted on in open session.

Moved by Councillor Galbraith

Instruct the Executive Director of Legal Services & Corporation Counsel or his designate to proceed in accordance with the instructions sought in Confidential Legal Report L-01- 24.

CARRIED

9.2 Confidential litigation matter regarding OPA 130 (L-16-24)

Note: committee did not go into closed session for this item and it was voted on in open session.

Moved by Councillor Stolte

Instruct the Executive Director of Legal Services and Corporation Counsel, or his designate, to proceed in accordance with the instructions sought in confidential legal department report L-16-24.

CARRIED

9.3 Confidential litigation matter regarding Niagara Escarpment Plan Amendment PC 225 22 (L-09-24)

Note: committee did not go into closed session for this item and it was voted on in open session.

Moved by Councillor Bentivegna

Receive and file confidential Legal Department report L-9-24 providing an update on a litigation matter re Niagara Escarpment Plan Amendment PC 225 22.

CARRIED

9.4 Confidential verbal update regarding a human resources matter (COW-12-24)

10. Rise and Report

Committee reconvened into open session on April 9, 2024 at 2:33 p.m.

Moved by Councillor Stolte

Receive and file confidential verbal update regarding a human resources matter (COW-12-24).

CARRIED

11. Environment, Infrastructure & Community Services Regular Items

Chair: Councillor Lisa Kearns

Committee Clerk: Suzanne Gillies

Note: view the [April 9, 2024 video](#) for the discussion of items 11.6 and 11.7.

11.1 Urban Forest Master Plan update (RPF-02-24)

Moved by Councillor Nisan

Approve the Urban Forest Master Plan, Woodland Management Strategy as presented and aligned with option one as detailed in roads, parks and forestry department report RPF-02-24; and

Direct the Acting Chief Financial Officer to incorporate the financial needs of the Urban Forest Master Plan into the multi-year simulation and multi-year community investment plan forecast; and

Direct the Director, Roads, Parks and Forestry to coordinate with the Manager, Government Relations to actively pursue grant opportunities through provincial and federal governments to offset implementation costs of the Urban Forest Master Plan & Woodlot Management Strategy.

CARRIED

11.2 Bay Area Climate Change Council (EICS-04-24)

Moved by Councillor Sharman

Reaffirm the City's commitment to supporting the Bay Area Climate Change Council in the amount of \$56,000 annually until 2026, at which time the City's future support for the organization will be re-assessed.

CARRIED

11.3 Update and recommendations for shared court pilot at Ireland Park (RCC-05-24)

Moved by Councillor Bentivegna

Receive and file recreation, community and culture report RCC-05-24 update to shared court pilot at Ireland Park which concludes the 2023 pilot and maintains court-sharing practices for 2024 and onward.

CARRIED

11.4 Community centres for everyone and approval of policy for maximizing use of underutilized spaces (RCC-07-24)

Moved by Councillor Bentivegna

Approve corporate policy Promoting Use of Underutilized Spaces in Recreation Facilities as presented in Appendix A of recreation, community and culture department report RCC-07-24 and direct the Director of Recreation, Community and Culture to begin implementation of the policy in Q3 2024; and

Direct the Director of Recreation, Community and Culture to report back on community room usage and policy application in Q1 2026.

CARRIED

11.5 Motion memorandum regarding Range Burlington (COW-09-24)(SD-09-24)

Moved by Councillor Galbraith

Authorize the Director of Recreation, Community and Culture to further explore the re-development opportunity at 1540 King Road in accordance with existing planning regulations and fees and the Joint Venture Financing Program. (SD-09-24)

CARRIED

11.6 Motion memorandum regarding agencies, boards and commissions (ABC) mandate and Integrity Commissioner advice (COW-10-24) (SD-07-24)(SD-08-24)

Moved by Councillor Bentivegna

Direct the Director of Recreation, Community and Culture to provide recommendations with respect to the mandate for council members and city staff appointed to Boards of Directors of ABCs (SD-07-24); and

Direct the City Clerk to engage with the Integrity Commissioner to request general advice on the role and responsibilities of council members on ABC boards. (SD-08-24)

CARRIED

11.7 Discussion for a future Festivals and Events Policy (RCC-06-24)

Moved by Councillor Bentivegna

Direct the Director of Recreation, Community and Culture to report back with a Festivals and Events Policy for approval by end of Q2 2024.

CARRIED

12. Community Planning, Regulation & Mobility Regular Items

Chair: Councillor Shawna Stolte

Committee Clerk: Jo-Anne Rudy

Note: view the [April 9, 2024 video](#) for the discussion of items 12.1 to 12.3.

12.1 Rainbow crosswalks update (TS-07-24)

Moved by Councillor Bentivegna

Direct the Director of Transportation to remove the three rainbow crosswalks at Fairview Street and Drury Lane, Plains Road West and Botanical Drive, and Upper Middle Road in front of M.M. Robinson High School and replace them with ladder crosswalks; and

Direct the Director of Transportation to install rainbow themed pole wraps to the traffic poles adjacent to the crosswalks at the three intersections; and

Direct the Director of Transportation, in collaboration with Recreation, Community and Culture as well as Corporate Communications and

Engagement, to seek feedback from members of the 2SLGBTQIA+ community on the approach to best commemorate the community outside of the travelled portion of the roadway.

CARRIED

12.2 Objections to Statements of Intention to Designate 574 Brant St. and 620 Brant St. (PL-25-24)

Moved by Councillor Kearns

Decline the request to withdraw the notices of intention to designate 574 Brant St. and 620 Brant St. under Part IV, Section 29 of the Ontario Heritage Act, having considered the notices of objection by TMA Law on behalf of the owners, dated January 12, 2024 and attached to community planning department report PL-25-24 as Appendices A & B; and

Enact the by-laws substantially in the form attached as Appendix D to community planning department report PL-25-24, being a bylaw to designate 574 Brant St. and a by-law to designate 620 Brant St., both under Part IV, Section 29 of the Ontario Heritage Act, in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Direct the Director of Community Planning to provide notice of the passing of the by-laws designating the properties, in accordance with subsection 29 (8) of the Ontario Heritage Act.

CARRIED

12.3 Targeted realignment future growth areas – 1200 King Road, Bronte Creek Meadows and Bridgeview (PL-29-24)

Moved by Councillor Sharman

Direct the Director of Community Planning to implement the targeted timeline set out in Appendix A of community planning department report PL-29-24 to support the development of an Area Specific Plan informed by city objectives, inputs from the landowner/applicant information and city-led public engagement, to define the urban structure role, the growth framework prioritization and the land use policies for Bronte Creek Meadows; and

Direct the Director to engage with all ROPA 49 landowners as one input into the development of the city's population and employment work and to inform the development of the revisions to the urban structure, growth

framework and preparing supporting timeline and approach to initiate the development of area specific plans or their equivalent.

CARRIED

13. Statutory Public Meeting

None

14. Procedural Motions

None

15. Information Items

Moved by Mayor Meed Ward

Receive and file the following 19 items, having been given due consideration by the Committee of the Whole.

CARRIED

- 15.1 Office of the City Clerk memo providing forecast of standing committee agendas (COW-11-24)
- 15.2 Staff presentation regarding health, safety and wellness review of 2023 (HR-05-24)
- 15.3 Correspondence from Joanna Sparrow, NEX Wellness, regarding Urban Forest Master Plan update (RPF-02-24)
- 15.4 Correspondence from Michael LaPorte, ISA Ontario, regarding Urban Forest Master Plan update (RPF-02-24)
- 15.5 Correspondence from Leslie Barbetta regarding Urban Forest Master Plan update (RPF-02-24)
- 15.6 Correspondence from Jackie Findlay regarding Urban Forest Master Plan update (RPF-02-24)
- 15.7 Staff presentation regarding Urban Forest Master Plan update (RPF-02-24)
- 15.8 Staff presentation regarding community centres for everyone and approval of policy for maximizing use of underutilized spaces (RCC-07-24)
- 15.9 Correspondence from Ron McKerlie, Mohawk College regarding Bay Area Climate Change Council (ECIS-04-24)

- 15.10 Staff presentation regarding discussion for a future Festivals and Events Policy (RCC-06-24)
- 15.11 Staff presentation regarding objections to Statements of Intention to Designate 574 Brant St. and 620 Brant St. (PL-25-24)
- 15.12 Staff presentation regarding targeted realignment future growth areas – 1200 King Road, Bronte Creek Meadows and Bridgeview (PL-29-24)
- 15.13 Correspondence from David Faletta, Bousfields Inc., regarding Burlington Official Plan, 2020 targeted realignment exercise workplan update (PL-09-24); targeted realignment future growth areas, 1200 King Rd, Bronte Creek Meadows and Bridgeview (PL-29-24)
- 15.14 Delegation material from Daintry Klein, Millcroft Greenspace Alliance, regarding Urban Forest Master Plan update (RPF-02-24)
- 15.15 Delegation material from Mary Alice St. James regarding Urban Forest Master Plan update (RPF-02-24)
- 15.16 Delegation material from Jesse Elders, Bay Area Climate Change Council, regarding Bay Area Climate Change Council (EICS-04-24)
- 15.17 Delegation material from Dennis Downs, Burlington Rifle and Revolver Club, regarding motion memorandum Range Burlington (COW-09-24)
- 15.18 Delegation material from Greg Eade, Key Mortgage Partners - Mortgage Intelligence, regarding objections to Statements of Intention to Designate 574 Brant St. and 620 Brant St. (PL-25-24)
- 15.19 Delegation material from Mark de Jong, TMA Law, regarding objections to Statements of Intention to Designate 574 Brant St. and 620 Brant St. (PL-25-24)

16. Staff Remarks

17. Committee Remarks

18. Adjournment

Meeting was called to order on April 8, 2024 at 9:30 a.m.

11:10 a.m. (recessed), 11:16 a.m. (reconvened), 11:43 p.m. (recessed), 11:46: p.m. (reconvened), 12:03 (recessed), 12:35 p.m. (reconvened), 2:01 p.m. (recessed), 2:04 p.m. (reconvened), 2:11 p.m. (recessed), 2:14 p.m. (reconvened), 2:32 p.m. (recessed), 3:45 p.m. (reconvened), 4:34 p.m. (recessed)

Meeting reconvened on April 9, 2024 at 9:30 a.m.

11:01 a.m. (recessed), 11:11 a.m. (reconvened), 11:15 a.m. (recessed), 11:22 a.m. (reconvened), 12:05 p.m. (recessed), 1:00 p.m. (reconvened), 1:02 p.m. (closed), 2:33 p.m. (public)

Note: Councillor Sharman was absent from 1:27 p.m. to 2:37 p.m. on April 9, 2024.

Chair adjourned the meeting at 2:37 p.m.



Pipeline to Permit Committee

Minutes

Date:	April 11, 2024
Time:	9:30 am
Location:	Hybrid meeting- virtual and Council Chambers, City Hall
Members Present:	Mayor Marianne Meed Ward (Co-Chair), Shawna Stolte (Co-Chair), Kelvin Galbraith, Paul Sharman, John Davidson, Kellie McCormack, Mike Collins-Williams, Elisha Vankleef, Jim Dunn, Bianca Steer, Jackie Isada, John Doyle
Member Regrets:	Jason Sheldon
Staff Present:	Tim Comisso, Nick Anastasopoulos, Blake Hurley, Jacqueline Johnson, Chad MacDonald, Allan Magi, Jamie Tellier, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Samantha Yew (Clerk)

1. Entrance

- 1.1 Call to Order
- 1.2 Land Acknowledgement

The Chair read the land acknowledgement.

- 1.3 Approval of the Agenda

Moved by Councillor Galbraith

Waive section 45.2 of the Procedure By-law 31-2021, as amended, to allow an extension of the presentation to up to 30 minutes for item 2.1.a, Permit and application streamlining update.

CARRIED

Moved by Mike Collins-Williams

Approve agenda as presented.

CARRIED

1.4 Declarations of Interest:

None

1.5 Written Delegations and Delegations

a. Darren Sanger-Smith, Structured Creations Inc., spoke regarding Pipeline to Permit Committee – permit and application streamlining update (PP-09-24)

2. Enlightenment

2.1 Presentations

a. Pipeline to Permit Committee – permit and application streamlining update (PP-09-24)

3. N Squared: News and Numbers

3.1 Pipeline to Permit Report (PP-10-24)

The Pipeline to Permit Report was presented by Jamie Tellier, Director of Community Planning, and Nick Anastasopoulos, Chief Building Official.

3.2 Contextual Updates

Moved by Jim Dunn

Defer items 3.2 Contextual Updates and 3.2.a Legislative & Regulatory Changes Affecting Conservation Halton's Development Permitting (PP-11-24) to the May 16, 2024 Pipeline to Permit Committee Meeting.

CARRIED

a. Legislative & Regulatory Changes Affecting Conservation Halton's Development Permitting (PP-11-24)

4. Enaction

Moved by Jim Dunn

Consider items 4.1 and 4.2 after item 3.1.

CARRIED

4.1 Motion Memorandum regarding process review of municipal addresses for new residential homes (PP-07-24)(SD-10-24)

Moved by Councillor Galbraith

Direct the Director of Community Planning and the Director of Engineering Services in conjunction with the Business Process Review (BPR) underway for Municipal Addressing to ensure new residential property addresses are confirmed early in the planning and development approval process and report back to the Pipeline to Permit Committee on completion of review (Q4 2024) on the changes implemented. (SD-10-24)

CARRIED

4.2 Motion Memorandum regarding action plan to meet Burlington's housing targets for 2024 (PP-08-24)(SD-11-24)

Moved by Councillor Sharman

Direct the Executive Director of Community Planning Regulation & Mobility and Executive Director of Environment Infrastructure & Community Services, or designates, to develop an action plan that facilitates residential housing applications through the development approval process, to enable meeting Burlington's housing target for 2024, and report back to the Pipeline to Permit Committee in Q2 2024 with any recommendations; and

Direct the Executive Director of Community Planning Regulation & Mobility and Executive Director of Environment Infrastructure & Community Services, or designates, to report back via the above noted action plan on the progress made to date and future business process improvements planned for streamlining planning and development application approvals; and

Direct the Executive Director of Community Planning Regulation & Mobility to update the high impact criteria for processing files via the above noted action plan to include development files that will facilitate reaching Burlington's housing target. (SD-11-24)

CARRIED

4.3 Next Steps and Action Identification

4.4 Information Items

Moved by Elisha Vankleef

Receive and file the following three items, having been given due consideration by the Pipeline to Permit Committee.

CARRIED

- a. Delegation material from Darren Sanger-Smith, Structured Creations Inc., regarding Pipeline to Permit Committee – permit and application streamlining update (PP-09-24)
- b. Presentation and presentation material for 2.1.a. Pipeline to Permit Committee – permit and application streamlining update (PP-09-24)
- c. Pipeline to Permit Report (PP-10-24)

4.5 Adjournment

Chair adjourned the meeting at 12:03 p.m.

The Committee recessed at 11:47 p.m. and reconvened at 11:53 p.m.

Jim Dunn arrived at the meeting at 9:37 a.m.



SUBJECT: Official Plan and Zoning By-law amendments for 1120 Cooke Blvd

TO: Committee of the Whole

FROM: Community Planning Department

Report Number: PL-04-24

Wards Affected: 1

File Numbers: 505-01/22, 520-01/22

Date to Committee: March 4, 2024

Date to Council: March 19, 2024

Recommendation:

Approve the applications submitted by WND Associates Ltd., on behalf of Adi Development Group, to amend the Official Plan and Zoning By-law to permit a mixed-use development comprising three tall buildings with maximum heights of 34, 32, and 30 storeys; and

Approve Official Plan Amendment No. 142 to the City of Burlington Official Plan, as provided in Appendix B of community planning department report PL-04-24, to introduce new site-specific policies for the subject lands; and

Deem that Section 17(21) of the Planning Act has been met; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 142 as contained in Appendix B of community planning department report PL-04-24 to be presented for approval at the same time as the associated by-law to amend Zoning By-law 2020, as amended, for the development proposal (505-01/22); and

Approve Zoning By-law 2020.472, attached as Appendix C of community planning department report PL-04-24, to rezone the lands located at 1120 Cooke Boulevard from "MXC-26" (Mixed-Use Corridor – Commercial with site-specific exception 26) to "H-MXC-531" (Mixed-Use Corridor – Commercial with a Holding "H" prefix and site-specific exception 531); and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 142 is adopted; and

Deem that the lands described as 1120 Cooke Boulevard are classified as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines.

PURPOSE:

The purpose of this report is to describe staff's review of the subject applications and to recommend approval of the requested Official Plan Amendment and Zoning By-law Amendment contained in the appendices of this report.

Vision to Focus Alignment:

The recommendation of this report supports the following elements of Vision to Focus:

- Designing and delivering complete communities

Executive Summary:

RECOMMENDATION:		Approve OPA and ZBA	Ward:	1
Application Details	APPLICANT:	WND Associates Ltd.		
	OWNER:	Adi Development Group		
	FILE NUMBERS:	505-01/22, 520-01/22		
	TYPE OF APPLICATION:	Official Plan Amendment, Zoning By-law Amendment		
	PROPOSED USE:	Mixed-use development consisting of residential and retail uses within three tall buildings of maximum 34, 32, and 30 storeys.		
Property Details	PROPERTY LOCATION:	North side of Masonry Court between Waterdown Road and Cooke Blvd		
	MUNICIPAL ADDRESS:	1120 Cooke Blvd		
	PROPERTY AREA:	0.95 hectares		

	EXISTING USE:	Temporary sales centre for “Stationwest” Phase One development
Documents	1997 OFFICIAL PLAN Existing:	Mixed-Use Corridor – Commercial
	1997 OFFICIAL PLAN Proposed:	Mixed-Use Corridor – Commercial, with site-specific policy
	2020 OFFICIAL PLAN Existing:	Urban Corridor
	ZONING Existing:	MXC-26 (Mixed Use Corridor – Commercial, with site-specific exception)
	ZONING Proposed:	H-MXC-531 (Mixed Use Corridor – Commercial, with new site-specific exception 531 and an ‘H’ Holding symbol)
Processing Details	APPLICATION MADE AND COMPLETE AS OF:	March 1, 2022
	STATUTORY DEADLINE:	June 29, 2022
	PRE-APPLICATION COMMUNITY MEETING:	September 29, 2020
	STATUTORY PUBLIC MEETING:	June 14, 2022
	PUBLIC COMMENTS:	As of February 14, 2024, the Community Planning Department has received written comments via email from four residents. The City also received written correspondence from three residents at the Statutory Public Meeting.

Background and Discussion:

1.1 Application History

On March 1, 2022, the City received a complete application from WND Associates Ltd. on behalf of Adi Development Group requesting Official Plan Amendment and Zoning By-law Amendments to permit a proposed mixed-use development comprising residential and retail uses within three tall buildings at 1120 Cooke Blvd.

A Statutory Public Meeting was held at the June 14, 2022 meeting of Community Planning, Regulation, and Mobility Committee. At this meeting, Committee considered

staff report [PL-48-22](#) and received delegations and correspondence from the applicant and members of the public. Committee then approved the report recommendation to “Direct staff to continue to process the submitted applications for Official Plan Amendment and Zoning By-law Amendment for 1120 Cooke Boulevard, including evaluating and incorporating any/all comments received by the committee and the public at the Statutory Public Meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.”

The applicant submitted revised application materials in March 2023 to address comments that had been provided by the public and technical agencies through the review of the original application. These materials were posted on the City’s website at www.burlington.ca/1120cooke.

The applicant made a third submission in August 2023 consisting of revised materials to address outstanding technical issues that had been raised through the technical review of the second submission.

Staff have completed their review of the submitted materials and are recommending approval of the subject applications for Official Plan Amendment and Zoning By-law Amendment.

1.2 Description of Subject Property and Surrounding Land Uses

The subject property is located on the north side of Masonry Court between Waterdown Road and Cooke Blvd, as shown in Appendix A of this report. The property has an area of 0.95 hectares, with approximately 100 metres of frontage on Waterdown Road, 91 metres of frontage on Masonry Court, and 90 metres of frontage on Cooke Blvd. Due to a grade change, the subject property is located at a lower elevation than the traveled portion of Waterdown Road (approximately 5 metres lower at the northwest corner of the site). The site is currently occupied by a temporary sales centre for the adjacent development to the east (Phase 1 of “Stationwest” development) and is otherwise vacant (the proposed development on the subject property is Phase 2 of the Stationwest development). Historic use of the property included a concrete brick manufacturing facility prior to 2011.

Surrounding uses are as follows:

- North: A floodplain storage area is located to the immediate north; this feature is within the regulated area of Conservation Halton. Immediately east of the floodplain storage area, at the northern terminus of Cooke Blvd, is an undeveloped park block. Further north, beyond the stormwater management infrastructure, is a CNR railway corridor.

Highway 403 and the Waterdown Road-Highway 403 interchange are located north of the rail corridor.

- East: to the east, across Cooke Blvd, is Phase 1 of the Stationwest development, comprising two 6-storey mid-rise residential apartment buildings with frontage on Masonry Court and low-rise townhouse buildings on condominium streets north of the mid-rise buildings.
At the southeast corner of Masonry Court and Clearview Ave is a church property that has zoning approval for a seven-storey mid-rise apartment building.
A low-rise, low-density, detached residential neighbourhood is located south of Masonry Court, to the south and east of the Stationwest development.
The Aldershot GO Station is located 300 metres to the east of the subject property along Masonry Court. This train station is served by GO Transit's Lakeshore West line and by VIA Rail. Additionally, this GO station includes a bus loop on the north side of the train tracks that is served by Burlington Transit Routes 4 & 87 and Hamilton Street Railway bus route 18, which provides connections to the Waterdown community in the City of Hamilton.
- South: to the south, across Masonry Court, are employment uses in the form of multiple one-storey manufacturing buildings with office components.
Further south, on the east side of Waterdown Road are existing low-rise, low-density detached dwellings.
At the intersection of Waterdown Road and Masonry Court are bus stops served by Burlington Transit route 4.
340 metres to the south on Plains Road there are bus stops served by Burlington Transit route 1, which provides connections to downtown Hamilton.
- West: to the west, across Waterdown Road, are industrial uses including a concrete and aggregate facility.
Burlington Fire Station 3 is located on the west side of Waterdown Road, south of the industrial uses.

The subject property is located within the "Aldershot Corners" Major Transit Station Area (MTSA), as defined by Halton Region's Official Plan, which is currently the subject on an ongoing Area-Specific Planning study by the City of Burlington.

1.3 Description of Applications

The applications propose to amend the Official Plan and Zoning By-law to permit a mixed-use development comprising three tall buildings with retail uses at ground level and residential uses above.

In the original proposal (2022): Building A (northwest corner of site) was 36 storeys tall including a 4-storey podium. Building B (southeast) was 26 storeys tall. Building C

(southwest) was 36 storeys tall. Buildings B and C shared a three-storey podium. The proposed buildings contained a total of 1,139 residential units and 231m² of ground-level retail at the corner of Masonry Court and Cooke Blvd. 1,031 parking spaces were proposed within five levels of underground parking.

In the revised proposal (2023): Building A (northwest) is 33 storeys tall including a 12-storey podium. Building B (southeast) is 29 storeys including a six-storey podium that steps down to three storeys on the north side. Building C (southwest) is 31 storeys including a six-storey podium. The buildings are no longer connected to each other, and a plaza has been introduced at the ground level between Buildings B and C. The total number of residential units has increased from 1,139 to 1,165. The total amount of retail floor area has increased from 231m² to 495m². The total number of parking spaces has increased from 1,031 to 1,145 spaces within 6 underground parking levels.

The applications propose to develop the site in three phases, beginning with the southeast building, then southwest, then northwest.

The changes in the development proposal from the original submission to the revised submissions are summarized in the Table 1 below.

Table 1: Summary of Changes from Original Proposal to Revised Proposal, and Recommended Zoning

	Original proposal	Revised proposal	Recommended Zoning*
Residential dwelling units	1139 units	1165 units	Maximum 1165 units
Non-residential floor area (e.g.: retail, service commercial)	231 m ²	495 m ²	Minimum 475 m ²
Floor Area Ratio	7.9:1	9.0:1	Maximum 9.1:1
Building Height	<ul style="list-style-type: none"> • Building A • Building B • Building C <ul style="list-style-type: none"> • 36 storeys and 119 m • 26 storeys and 89 m • 36 storeys and 119 m 	<ul style="list-style-type: none"> • 33 storeys and 109 m • 29 storeys and 97 m • 31 storeys and 103 m 	Maximums: <ul style="list-style-type: none"> • 34 storeys and 112 m • 30 storeys and 100 m • 32 storeys and 106 m
Parking	0.9 spaces per unit	0.97 spaces per unit (0.89 occupants spaces per unit)	Minimum 0.97 spaces per unit (0.89 occupant spaces per unit)

		0.08 visitor spaces per unit)	0.08 visitor spaces per unit)
Bicycle parking	0.45 long-term spaces per unit 0.049 short-term spaces per unit	0.5 long-term spaces per unit 0.05 short-term spaces per unit	Minimum 0.5 long-term spaces per unit, 0.05 short-term spaces per unit
Amenity area	18.5m ² per unit	15.6 m ² per unit	Minimum 15m ² per unit

Footnote to Table 1: *The Zoning By-law Amendment being recommended by this report has been written to incorporate appropriate flexibility for potential changes in the detailed design as the project advances through a future Site Plan application. This approach is discussed in more detail in section 2.7 of this report. The intent of Table 1 is to summarize how the proposed development has been revised from the original submission to the revised submission; information about Zoning recommendations is provided to avoid confusion about what is shown on the current plans (Revised proposal) and what staff are recommending as suitable minimum/maximum parameters for the development (Recommended Zoning).

1.4 Supporting Documents

The original application materials are listed in report PL-48-22 and are posted on the City's website at www.burlington.ca/1120cooke.

The applicant's second submission consists of the following revised application materials submitted to the City in March 2023:

1. Arborist Report (February 8, 2023)
2. Architectural Plans (February 8, 2023)
3. Civil Engineering Drawings (February 17, 2023)
4. Comment Matrix (March 5, 2023)
5. Cover Letter (March 3, 2023)
6. Draft Official Plan Amendment (March 3, 2023)
7. Draft Zoning By-law Amendment (March 3, 2023)
8. Environmental Noise Report (February 23, 2023)
9. Fiscal Impact Study (March 3, 2023)
10. Functional Servicing and Stormwater Management Report (February 16, 2023)
11. Land Use Compatibility and Air Quality Response Letter (February 16, 2023)
12. Landscape Plans (February 10, 2023)
13. Pedestrian Wind Study (February 28, 2023)
14. Shadow Study (March 3, 2023)
15. Shoring and Excavation Plan (February 17, 2023)

16. Transportation Impact Study (March 3, 2023)
17. Urban Design Brief (February 17, 2023)
18. Waste Management Planning Review (February 15, 2023)

The applicant's third submission consists of the following revised application materials submitted to the City in August 2023:

1. Pedestrian Wind Comfort: Wind Control Measure Recommendations (May 17, 2023)
2. Architectural Plans (July 10, 2023)
3. Cross-Section Plans (June 16, 2023)
4. Details Plan (June 16, 2023)
5. Draft Official Plan Amendment (August 3, 2023)
6. Draft Zoning By-law Amendment
7. External Drainage Technical Memo (June 30, 2023)
8. Fiscal Impact Study Response Letter (July 27, 2023)
9. Loading Space Letter (June 16, 2023)
10. Notes Plan (June 16, 2023)
11. Construction and Erosion Control Plans (June 16, 2023)
12. Planning Rationale Addendum (July 2023)
13. Response to Air Quality Peer Review (June 20, 2023)
14. Response to Environmental Noise Peer Review (June 26, 2023)
15. Site Grading Plan (June 30, 2023)
16. Traffic Impact Study (July 20, 2023)
17. Vehicle Maneuvering Diagram (May 19, 2023)
18. Sanitary Drainage Technical Update Memo (July 21, 2023)

In addition to the above, the applicant provided further supplemental submissions in late 2023 and early 2024 to address the remaining technical issues raised by technical reviewers, including:

1. Phase 1 Environmental Site Assessment Update (June 20, 2023)
2. Phase 2 Environmental Site Assessment Update (June 20, 2023)
3. Draft Functional Design for Waterdown Road and Masonry Court (October 20, 2023)
4. Iterative responses to technical comments on Land Use Compatibility (Air Quality) analysis:
 - a. December 2023
 - b. January 2024
 - c. February 2024

All of the above application materials have been reviewed by relevant technical staff at the City and/or external agencies.

Strategy/process/risk

2.1 Policy Framework

The proposed Official Plan Amendment and Zoning By-law Amendment are subject to review in accordance with the Planning Act, Provincial Policy Statement (2020), A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2020), Region of Halton Official Plan, City of Burlington Official Plan (1997, as amended), City of Burlington Official Plan, 2020 (2020), and City of Burlington Zoning By-law 2020, as summarized below.

2.2 Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe

The proposed Official Plan Amendment and Zoning By-law Amendment must be consistent with the Provincial Policy Statement (PPS) (2020) and must conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (The Growth Plan) (2020).

The PPS came into force and effect on May 1, 2020, and applies to decisions concerning planning matters occurring after this date. The PPS provides broad policy direction on matters of provincial interest related to land use planning and development and supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The PPS recognizes that Official Plans are the most important vehicle for implementation of the PPS; however, all Council decisions affecting planning matters are required to be consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the Growth Plan) came into effect on May 16, 2019, with Amendment 1 to the Growth Plan taking effect on August 28, 2020. The Growth Plan provides a growth management policy direction for the defined growth plan area. The policies in the Growth Plan intend to build on the progress that has been made towards the achievement of complete communities that are compact, transit-supportive, and make effective use of investments in infrastructure and public service facilities. All planning decisions in Burlington must conform to the Growth Plan.

2.2.1 Growth Management

The PPS promotes the integration of land use planning, growth management, transit-supportive development, and intensification to optimize transit investments, minimize land consumption, and contribute to the creation of complete communities (PPS 1.1.1).

The PPS directs growth to be focused in settlement areas where land use patterns shall be based on densities and a mix of uses that efficiently use land and resources and are

appropriate for and efficiently use the planned and available infrastructure. (PPS 1.1.3). Planning authorities are required to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account the availability of suitable existing or planned infrastructure and public service facilities (PPS 1.1.3.3).

The PPS promotes the application of development standards that facilitate intensification and compact form while avoiding or mitigating risks to public health and safety (1.1.3.4).

The Growth Plan provides more specific direction on growth management, directing growth to be focused in strategic growth areas and locations with existing or planned transit, with a priority on higher-order transit (Growth Plan 2.2.1.2). Municipalities are to establish a hierarchy of growth areas where development will support the achievement of complete communities that improve social equity and quality of life, provide a diverse range and mix of housing options, support active transportation and access to transportation options, contribute to environmental sustainability, and provide for a more compact built form and vibrant public realm (Growth Plan 2.2.1.4). Within Major Transit Station Areas, development must achieve transit-supportive densities and is to be supported by providing alternative development standards such as reduced parking standards (Growth Plan 2.2.4).

Staff Opinion: The proposed development is appropriately located within a Major Transit Station Area in close proximity to existing and planned higher-order transit. It provides a mix of housing and non-residential land uses at a transit-supportive density within a compact built form. The available infrastructure can accommodate the proposed development, subject to the provision of infrastructure improvements that align with current infrastructure planning for the area. Development standards have been applied to the design of the development to avoid or mitigate risks to public health and safety, to support active transportation, and to support a vibrant public realm. Development standards will continue to be applied to the detailed design of the development through a future Site Plan application. In this regard, the proposed development is consistent with the PPS and conforms to the Growth Plan.

2.2.2 Land Use Compatibility

The PPS requires major facilities and sensitive land uses to be planned and developed to avoid, or if avoidance is not possible, to minimize and mitigate, any potential adverse effects from odour, noise, and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards, and procedures (PPS 1.2.6.1).

Where avoidance is not possible, the development of sensitive land uses may be permitted subject to demonstration that the proposed use is needed, that there are no reasonable alternative locations, that adverse effects to the proposed sensitive land use are minimized and mitigated, and that potential impacts to industrial, manufacturing, or other uses are minimized and mitigated (PPS 1.2.6.2).

The Growth Plan also requires development of sensitive land uses to minimize and mitigate adverse impacts on surrounding industrial, manufacturing, or other uses that are vulnerable to encroachment, where avoidance of such impacts is not possible (Growth Plan 2.2.5.8).

The subject property is located in proximity to major facilities including the CN rail yard to the north and various industrial uses in the surrounding area. The proposed development provides new housing, which is a sensitive use, along with ground-level non-residential uses to support the achievement of a complete community. The proximity of the proposed sensitive uses to the existing major facilities means that avoidance of some impacts is not possible and therefore any impacts must be minimized and mitigated.

The development of new housing supply in Burlington is recognized as needed in provincial, regional, and city policies. The provincial policy direction is for new growth to be focused in settlement areas with a particular emphasis on strategic growth areas, including Major Transit Station Areas (MTSAs), in close proximity to higher-order transit. The City has undertaken an Area-Specific Planning process for the Aldershot MTSAs, which has included the completion of an area-wide Land Use Compatibility Study. The Area-Specific Planning work has outlined a vision for the area to transition to a more urban, mixed-use character with fewer industrial uses over time. Existing and currently permitted industrial uses may continue, and the CN rail yard will remain, and so land use compatibility will need to be achieved in future development of sensitive uses, in accordance with area-specific policies and implementing the Community Planning Permit By-law that is currently being developed by the City.

The proposed development is distinct from the existing residential uses located immediately to the east because it requests a Zoning By-law Amendment to increase the maximum building height, whereas the existing development to the east was developed within existing height permissions. If approved, the proposed height increase would allow the creation of elevated receptor points for noise and air quality impacts. It is therefore necessary to understand the impacts on these elevated receptor points which may experience different impacts than receptor points in the existing shorter buildings.

The applicant provided technical studies demonstrating the feasibility of achieving land use compatibility for their proposed development through minimization and mitigation of noise impacts and air quality impacts, including with consideration for proposed new

elevated receptor points. These studies have been reviewed by staff at the City, Halton Region, CN Rail, Metrolinx, and external peer reviewers retained by the Region and CN. Both CN Rail and Metrolinx have indicated their intent to enter into development agreements with the property owner for the proposed development.

Staff Opinion: Staff are satisfied that the proposed development provides needed housing and is appropriately located in the Aldershot Major Transit Station Area in close proximity to existing and planned transit. Staff are of the opinion that the proposed development of sensitive uses is compatible with surrounding major facilities, subject to the implementation of mitigation measures that will be designed in greater detail through a future Site Plan application.

2.2.2.1 Mitigation of Noise Impacts

Where avoidance of potential adverse noise impacts is not possible, these impacts must be minimized and mitigated in accordance with provincial and municipal standards, guidelines, and procedures.

NPC-300 is the “Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning” published by the provincial Ministry of the Environment, Conservation and Parks. Staff rely on NPC-300 when reviewing environmental noise matters for development applications.

NPC-300 includes provisions for classifying areas based on their acoustical environment (Class 1-4 areas). Each class of area is subject to standards such as sound level limits appropriate to the area’s context. NPC-300 enables planning authorities to classify an area or property as Class 4 in the exercise of their responsibilities under the Planning Act. Properties in Burlington have been classified as Class 4 in the past through decisions of the Ontario Land Tribunal (OLT) or through approvals by staff under delegated authority.

Through the Area-Specific Planning work for the Aldershot MTSA, the City completed a Land Use Compatibility Study, which recommended that the City formalize procedures for assessing Class 4 applications. This direction has been incorporated in the MTSA draft Official Plan Amendment 2 (OPA2). The City will also be developing a set of guidelines and/or policies that will be applicable City-wide and will be supported by best practices to guide the use and application of a Class 4 classification.

Staff have reviewed the subject application, including the submitted Environmental Noise Study, in accordance with the currently applicable policy framework. Based on this review, staff recommend that the subject property be classified as Class 4 to facilitate the proposed development. Crucially, this classification allows noise control measures to be implemented at the noise receptor (e.g.: at the plane of apartment windows) rather than at the source (e.g.: at the rail yard or industrial facility). Staff’s

recommendation to classify the subject property as Class 4 is integral to staff's recommendation to approve the proposed development.

Each site is assessed individually; however, for reference, staff note that the existing residential development to the immediate east of the subject property (Phase 1 of Masonry Court development) was also classified as Class 4 through the delegated approval of its Site Plan application.

2.2.3 Housing

The PPS requires municipalities to provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents. Municipalities must permit and facilitate transit-supportive residential intensification and promote densities for new housing that efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation and transit. Such intensification must be directed to locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (PPS 1.4.3).

The Growth Plan requires municipalities to support housing choice and sets minimum intensification and density targets for specific areas. The Growth Plan also requires multi-unit residential developments to incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes (Growth Plan 2.2.6).

The proposed development provides 1165 new dwelling units, comprising a mix of 6 bachelor units (0.5%), 312 one-bedroom units (26.8%), 459 one-bedroom-plus-den units (39.4%), 337 two-bedroom units (28.9%), and 51 two-bedroom-plus-den units (4.4%). Multi-bedroom units make up a combined 33.3% of units in the proposed development. Housing tenure of the proposed development (condo or rental) will be determined in future at the detailed design stage and may vary from one building to the next.

Staff Opinion: The proposed development is consistent with the PPS and conforms to the Growth Plan as it provides new housing supply in a range of unit sizes in an MTSA with transit-supportive densities that make efficient use of resources and support active transportation.

2.2.4 Water and Wastewater Servicing and Stormwater Management

The PPS promotes development in settlement areas that makes efficient use of existing municipal sewage services and municipal water services (PPS 1.6.6). The PPS requires stormwater management to be integrated with sewage and water service planning, to minimize or prevent increases in contaminant loads, to prepare for the impacts of a changing climate, and to mitigate risks to human health, safety, property, and the environment (PPS 1.6.6.7).

The Growth Plan requires municipal water and wastewater systems to serve growth in a manner that supports the achievement of the minimum intensification and density targets set by the plan (Growth Plan 3.2.6).

The City completed an Area Servicing Plan for the Aldershot MTSA as part of the Area-Specific Planning process. This Area Servicing Plan was considered by staff at the City and Halton Region in the review of the subject applications, alongside the Functional Servicing Report and Stormwater Management Study submitted by the applicant.

Halton Region staff have determined that an improvement to the existing downstream sanitary infrastructure will be needed to support the proposed development; accordingly, the Zoning By-law Amendment recommended by this report places a Holding Symbol on the property that requires the applicant to resolve this matter and enter into a regional servicing agreement prior to the Holding Symbol being removed and the development proceeding.

Staff Opinion: Subject to detailed design and implementation of a sanitary infrastructure improvement, the proposed development can be accommodated and will make more efficient use of existing municipal services. The proposed development can also appropriately manage stormwater subject to detailed design through a future Site Plan application. The proposed development therefore is consistent with the PPS and conforms to the Growth Plan.

2.2.5 Transportation

The PPS promotes a land use pattern, density, and mix of uses that makes efficient use of existing and planned infrastructure, incorporates transportation demand management, minimizes vehicle trips, and supports transit and active transportation (PPS 1.6.7).

The Growth Plan prioritizes transit and requires municipalities to provide multimodal transportation systems that ensure user safety and offer alternatives to the automobile (Growth Plan 3.2.2-3). The Growth Plan also requires the protection of goods movement corridors (Growth Plan 3.2.4).

The proposed development appropriately locates a dense mixed-use development within a Major Transit Station Area in close proximity to existing and planned transit and active transportation networks. The development has been revised to support safer design of driveway accesses in response to comments from City staff and the MTO. Improvements to the existing infrastructure on Waterdown Road and Masonry Court will be required to support the proposed development and protect functionality of Highway 403 interchanges, and the detailed design of these improvements will be determined through the future Site Plan application and MTO permitting process for this development.

Staff Opinion: The proposed development is consistent with the transportation policies of the PPS and conforms to the transportation policies of the Growth Plan.

2.2.6 Sustainability

The PPS requires municipalities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and to prepare for the impacts of a changing climate. This is to be achieved by promoting compact form and a structure of nodes and corridors, promoting active transportation and transit, and encouraging transit-supportive intensification, among other measures (PPS 1.8).

The Growth Plan requires municipalities to adopt Official Plan policies to reduce greenhouse gas emissions and address climate change adaptation goals by supporting complete communities and the minimum intensification targets of the plan, reducing automobile dependence, and supporting transit and active transportation (Growth Plan 4.2.10).

Staff Opinion: The proposed development is consistent with the PPS and conforms to the Growth Plan with respect to sustainability and adaptation to climate change, as it provides transit-supportive intensification in a compact built form that supports the achievement of complete communities and the minimum intensification targets of the Growth Plan.

2.2.7 Site Contamination

The PPS requires sites with contaminants in land or water to be assessed and remediated as necessary to ensure that there will be no adverse effects on the proposed land use (PPS 3.2).

The applicant provided a Phase One and Phase Two Environmental Site Assessment with the subject applications, which have assessed site contamination and addressed remediation for the purpose of the requested Official Plan Amendment and Zoning By-law Amendment. A Record of Site Condition (RSC) has been completed for the subject property and reviewed by staff at Halton Region. The Region has advised that the RSC has addressed site contamination matters for the purpose of the current Official Plan Amendment and Zoning By-law Amendment applications, and noted that due to the age of the RSC, a letter update will be required to confirm the RSC findings are still current through the review of a future Site Plan application.

Staff Opinion: The proposed development is consistent with the PPS with respect to site contamination.

2.2.8 Overall Opinion on Provincial Policy:

The PPS recognizes municipal Official Plans as the most important vehicle for implementation of the PPS (PPS 4.6). The Growth Plan similarly identifies that it will be

primarily implemented through Ontario's land use planning system, including Official Plans that have been updated to conform to the Growth Plan (Growth Plan 5.1).

Staff have reviewed the subject applications in accordance with the applicable policy framework, including the PPS, Growth Plan, Regional Official Plan, and City Official Plan. On the basis of this review, staff are of the opinion that the proposed development is consistent with the PPS and conforms to the Growth Plan.

2.3 Halton Region Official Plan (ROP)

The subject property is located within the Urban Area as shown on Map 1 – Regional Structure of the ROP and is located within a Major Transit Station Area (MTSA) on a Commuter Rail Corridor, as shown on Map 1H – Regional Urban Structure of the ROP.

The Regional Urban Structure outlines a hierarchy of Strategic Growth Areas, which identifies MTSAs on Commuter Rail Corridors as one of the top four priority areas for accommodating growth through intensification within the Region (ROP 78-79). The ROP directs development with higher densities and mixed uses to MTSAs in accordance with the hierarchy of Strategic Growth Areas. In conformity with the Growth Plan for the Greater Golden Horseshoe, the ROP identifies a minimum density target of 150 residents and jobs combined per hectare for the Aldershot GO MTSA, with a target proportion of 80% residents and 20% jobs (ROP Table 2b). The proposed development provides 1165 new residential units and a minimum 475 m² of non-residential floor area, both of which will contribute to the overall MTSA achieving these targets within the planning horizon of the ROP.

The ROP requires local municipalities to prepare Area-Specific Plans (ASPs) for MTSAs. The City has substantially completed an Area-Specific Planning process for the Aldershot MTSA and is currently preparing policies and a Community Planning Permit (CPPS) by-law to implement the ASP. The ASP and CPP will establish development permissions that will support the achievement of the ROP's minimum density target and proportion of residents and jobs. The proposed development is in alignment with the vision established for the MTSA by the ASP work to date.

The proposed development supports the housing objectives of the ROP by providing 1165 new housing units within multi-storey buildings.

The ROP requires the protection of existing major facilities within Strategic Growth Areas through the achievement of land use compatibility between major facilities and new sensitive uses (ROP 79.3(12)). Regional staff have reviewed the subject applications and retained an external consultant to conduct a peer review of the land use compatibility studies (noise and air quality studies) submitted with the subject applications. Based on this review, the Region has provided comments indicating that the proposed development of new sensitive uses can achieve land use compatibility

with surrounding major facilities subject to incorporating measures to minimize and mitigate potential adverse impacts. These measures will be designed and implemented through a future Site Plan application.

The ROP requires new development within the Urban Area to be on the basis of connection to Halton's municipal water and wastewater systems. Regional staff have reviewed the Functional Servicing Report submitted with the subject applications, alongside consideration of the Area Servicing Plan completed by the City as part of the Area-Specific Planning for the MTSA, and have concluded that the proposed development can be accommodated by existing water and wastewater infrastructure, subject to needed improvements to the sanitary infrastructure downstream of the subject property. The Region requires that a Holding Symbol be placed on the subject property, and this is reflected in the Zoning By-law Amendment recommended by this report. The applicant must address the Region's servicing requirements and enter into a regional servicing agreement prior to the Holding Symbol being removed and the development proceeding.

The ROP requires the development site to be assessed for potential site contamination and for any such contamination to be remediated as needed to bring the site to a condition suitable for its planned use. This policy has been addressed through the Region's review of the submitted application materials.

Staff opinion: the subject applications have addressed matters of regional interest and conform to the applicable policies of the ROP.

2.4 City of Burlington Official Plan (1997 as amended)

The subject property is designated Mixed Use Corridor – Commercial Corridor, as shown on Schedule B – Comprehensive Land Use Plan – Urban Planning Area, of the OP. The subject property has frontage on Waterdown Road, Masonry Court, and Cooke Blvd. Schedule J – Classification of Transportation Facilities, of the OP, shows that Waterdown Road is a Minor Arterial Road and Masonry Court and Cooke Blvd are local streets.

2.4.1 Functional Policies

2.4.1.1 Sustainability and the Environment

Part II, section 2 of the OP contains policies for Sustainability and the Environment. This section includes policies for sustainable design, land use compatibility, site contamination, and stormwater management. These matters have been reviewed by staff in Planning, Development Engineering, and at Halton Region. As discussed in greater detail elsewhere in this report, the proposed development:

- Represents sustainable development in a compact built form that makes efficient use of resources;
- Achieves compatibility with surrounding land uses, subject to implementation of mitigation measures;
- Has addressed matters of site contamination and remediation; and
- Appropriately manages stormwater, subject to detailed design.

Detailed design will be further assessed through a future Site Plan application.

2.4.1.2 Transportation

The subject application has been reviewed by staff in the Transportation Department as well as Halton Region, the MTO, CN Rail, and Metrolinx. This has included review of the submitted Traffic Impact Study, which includes analysis of traffic impacts, vehicle parking demands, bicycle parking demands, and Transportation Demand Management (TDM).

Part II, section 3 of the OP contains policies for Transportation. These policies promote an efficient, safe, accessible, and multimodal transportation system that provides options for all users, including providing alternatives to automobile use. This section also contains policies ensuring the provision of adequate parking supply in developments, while allowing for reduced parking ratios to be approved in appropriate locations where justified based on the review of site-specific development applications. The policies also allow for parking to be shared between uses within mixed-use developments. In the proposed development, parking for residential visitors will be shared with parking for non-residential (e.g.: commercial) uses, and a reduced parking ratio of 0.97 spaces per dwelling unit has been supported by staff based on the property's location within a MTSA in close proximity to existing and planned transit.

The proposed development provides a primary site access on Cooke Blvd and a secondary access on Waterdown Road. The secondary access on Waterdown Road is restricted to right turns only (right in, right out) while the primary access on Cooke Blvd accommodates a full range of turning movements. The Cooke Blvd access leads to a central roundabout on the property which is where passenger drop-off, loading areas, limited surface parking, and underground parking garage access are accommodated. The Waterdown Road access provides access only to and from the underground parking garage.

Due to the grade change surrounding the property, the proposed Waterdown Road access requires construction of a ramp leading downward from Waterdown Road to the subject property. This ramp will cross an existing City-owned service lane that runs alongside Waterdown Road within the public right-of-way and provides maintenance access to culverts that run underneath Waterdown Road. The applicant will need to design the proposed ramp in a manner that protects the service lane for access by City

maintenance crews, prevents public access to the service lane, and provides safe driveway slopes and sightlines for all road users. The applicant will also need to enter into relevant agreements with the City reflecting that the proposed driveway and ramp, including portions located within the City's right-of-way, are private assets to be maintained by the property owner (e.g.: future condo board) in perpetuity. In response to City comments, the applicant has revised their conceptual design of this driveway access to demonstrate feasibility of implementing these requirements. The detailed design and the relevant agreements will be determined through a future Site Plan application.

In response to other comments provided by City and agency staff, the applicant has revised their proposal to increase the supply of vehicle parking and bicycle parking, redesign their loading areas to support retail uses and accommodate Halton Region waste collection, and improve safe pedestrian connectivity throughout the site. The applicant has also acknowledged that to support their proposed development they will need to implement improvements to surrounding transportation infrastructure. Needed improvements include expanding turning lanes on Waterdown Road and Masonry Court, and constructing a new northbound right-turn lane on Waterdown Road that will allow northbound drivers to slow down before turning right onto the new site driveway ramp. The detailed design of these improvements will be determined through a future Site Plan application.

Subject to the infrastructure improvements and detailed design that are described above and to be further reviewed as part of the future Site Plan application, the proposed development conforms with the Transportation policies of the OP.

2.4.1.3 Design

Part II, section 6 of the OP contains policies that require development to provide a high quality of design in both the public realm and private realm. These policies promote compact and sustainable developments that support active transportation and transit use through the provision of safe, comfortable, and accessible streetscapes. This is achieved through the implementation of Council-approved policies and design guidelines. As discussed in greater detail in subsequent sections of this report, staff have reviewed the subject applications in accordance with the applicable design guidelines and policies. The proposed development conforms with the design policies of the Official Plan.

2.4.1.4 Financial Impact Analyses

Part II, section 12 of the OP requires the preparation of financial impact analyses to assist in the assessment of major land use development proposals. The applicant was required to submit a Financial Impact Analysis as part of the subject applications, which

has been reviewed by Finance Department staff and an external peer reviewer. This analysis is described in the subsequent Technical Review section of this report.

2.4.2 Land Use Policies

Part III of the OP contains land use policies for the Urban Planning Area. The subject property is located within a Mixed-Use Activity Area and designated Mixed-Use Corridor – Commercial Corridor. The policies for this designation are found in Part III, section 5 of the OP.

The general policies for Mixed-Use Activity areas state that these areas are intended to be focal points for community activities that are characterized by a compact form of development, pedestrian-orientation, greater accessibility to public transit, and higher-intensity development with high-quality urban design.

Lands designated Mixed-Use Corridor – Commercial Corridor are intended to provide for the retail needs of residents and businesses within the City and adjacent areas. Permitted uses include retail, service commercial, personal service, financial institution, office, entertainment, recreation, community facility, and medium- or high-density residential uses. Industrial uses are prohibited. Development must be designed to be close to the street and support transit and active transportation. Street-level retail and service commercial uses are encouraged.

The Mixed-Use Corridor – Commercial Corridor policies establish a maximum height of six storeys and a maximum Floor Area Ratio of 1.5:1. The subject applications request Official Plan Amendments to permit a maximum height of 34 storeys and a maximum Floor Area Ratio of 9.1:1. These amendments represent a substantial change from the current permissions in the OP, but are supported by staff based on the current policy framework and the detailed technical review of the applications as described in this report.

The Official Plan Amendment recommended by this report also includes amendments intended to reflect the land use compatibility considerations to be implemented through detailed design at the Site Plan stage, and to allow for a limited number of surface parking spaces to be provided to support proposed non-residential uses and residential visitors.

Staff are of the opinion that the requested Official Plan Amendments meet the intent of the OP and of the overall framework of applicable policies.

2.4.3 Intensification Criteria

Part III, section 2.5.2 of the OP provides the following criteria that are considered by staff when evaluating proposals for housing intensification.

(i) Adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation, and parkland.

As discussed elsewhere in this report, the proposed development can be accommodated by the existing water, wastewater, and stormwater infrastructure, subject to detailed design and implementation of sanitary sewer improvements downstream of the subject property. A Holding Symbol will be placed on the property through the recommended Zoning By-law Amendment, to ensure development cannot proceed until the sanitary sewer improvements are advanced through the execution of a Regional Servicing Agreement.

Halton District School Board, Halton Catholic District School Board, and Conseil Scolaire Viamonde have reviewed the subject application and advised that they have no concerns with availability of capacity to accommodate the proposed development in existing schools.

Parks Design & Construction staff reviewed the subject application and advised that parkland dedication will be required in the form of cash-in-lieu of land. A future urban parkette is planned to be developed adjacent to the site at the northern terminus of Cooke Blvd on land dedicated through the development of the adjacent phase 1 development to the east. Another future park is planned on the east side of Cooke Blvd, approximately 240 metres south of the subject property, on land to be dedicated through the approved development at 53-71 Plains Rd E and 1025 Cooke Blvd. Through the long-term development of the MTSA, new active transportation connections are planned that will provide improved access to existing parks, including Hidden Valley Park, Lasalle Park, Grove Park, and Aldershot Park.

Staff opinion: the proposed development satisfies this criterion as it is adequately served by existing and planned infrastructure, schools, and parks.

(ii) Off-street parking is adequate.

The proposed development will provide bicycle parking in the amount of 0.5 long-term spaces and 0.05 short-term spaces per dwelling unit. This is the City's current standard rate and is supported by staff as it supports cycling for future residents and visitors of the site.

The subject applications request a reduced vehicle parking rate of 0.97 parking spaces per unit, which is broken down into 0.89 occupant spaces per unit and 0.08 spaces per unit to be shared by non-residential uses and residential visitors. This reduced rate is supported by staff as it is appropriate given the subject property's location within a Major Transit Station Area in close proximity to existing and planned higher-order transit and local transit.

Staff opinion: the criterion is satisfied, as the proposed development provides adequate parking for bicycles and vehicles.

(iii)The capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets.

As discussed elsewhere in this report, the proposed development can be accommodated by the municipal transportation system and the provincial highway system, subject to infrastructure improvements on Waterdown Road and Masonry Court to be implemented by the applicant.

The proposed development provides a primary driveway access on Cooke Blvd and a secondary driveway access on Waterdown Road. Cooke Blvd is a local street but notably is a local street in a Mixed-Use Corridor rather than in a residential neighbourhood. The proposed primary access is appropriately located on Cooke Blvd to allow for a full range of turning movements without disruption to efficient and safe circulation of road users, including pedestrians and cyclists, on Waterdown Road and Masonry Court. The proposed secondary access on Waterdown Road is desirable, given the scale of the development, to reduce traffic pressures on the local streets Cooke Blvd and Masonry Court. The secondary access is appropriately restricted to right-in, right-out movements to avoid adverse impacts to circulation on the arterial road network.

Staff opinion: The transportation impacts of the proposed development have been assessed by staff at the City, Region, and MTO. The capacity of the municipal and provincial transportation systems can accommodate the proposed development, subject to infrastructure improvements. The proposed development is also supported by appropriately located driveways. The criterion is therefore satisfied.

(iv)The proposal is in proximity to existing or future transit facilities.

Staff opinion: The criterion is met as the proposed development is located within a Major Transit Station Area in close walking distance to existing and planned higher-order transit and local transit.

(v) Compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking, and amenity area so that a transition between existing and proposed buildings is provided.

The proposed development represents a significantly taller and more intense form of development than what exists or has been approved in the immediate surroundings to date. However, the proposed development is consistent with the emerging vision for this area of the Aldershot MTSA, which is being established through the City's Area-Specific Planning process for the Aldershot MTSA.

The massing of the podiums along Masonry Court are proposed to be six storeys in height, aligning with the existing six-storey buildings immediately to the east. Along Cooke Blvd, the podium of Building B steps down to three storeys to the north, creating a transition to the low-rise townhouses located on the east side of Cooke

Blvd. The podium of the northwest building (Building A) is more massive with a height of 12 storeys, but this is acceptable given the building's physical separation from the surrounding streets which limit its impact on the public realm.

Parking is proposed to be located underground, with only limited vehicle parking (6 spaces) proposed at ground level on the site. This design will avoid negative impacts on the streetscape that could be caused through excessive surface parking areas.

Indoor and outdoor amenity spaces are provided on the site, including two notable outdoor amenity areas at ground level: an urban plaza fronting on Masonry Court, between Buildings B and C; and a more landscaped outdoor amenity area north of Building B, adjacent to Cooke Blvd and the planned future park. These planned amenity areas will serve residents and visitors of the site, and positively contribute to the streetscape, subject to detailed design to be addressed through a future Site Plan application.

Staff opinion: the criterion is satisfied, as the proposed development achieves built form and design compatibility with the existing and planned context of the area.

(vi) Effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character.

The subject property currently contains no trees. Subject to detailed design, the proposed development is expected to introduce new trees on the site as part of the landscaping, although it is acknowledged that any new trees on site will be planted on top of an underground parking garage.

There are 15 public trees located in the Waterdown Road right-of-way adjacent to the subject property. Of these, two are assessed as being in good condition, three are assessed as dying, and the balance are assessed as being in fair condition.

Two of these trees (one fair and one dying) are proposed to be removed due to conflict with the proposed driveway access to Waterdown Road. Additional public tree removals may be necessary due to grading works necessary for the proposed ramp and potential redesign of the City's service lane. The detailed design, including a more detailed Tree Inventory and Preservation Plan, will be reviewed through a future Site Plan application. Public tree removals and potential compensation planting will be considered in accordance with applicable City policies.

Staff opinion: The criterion is satisfied as there are no trees or significant vegetation existing on the subject site, and proposed vegetation impacts in the Waterdown Road right-of-way will be assessed in greater detail through a future Site Plan application.

(vii) Significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level.

A revised Shadow Study was submitted that models shadow impacts of the proposed development. As discussed in greater detail under the Design Guidelines section below, the proposed development complies with the City's Shadow Guidelines as its shadow impacts on surrounding areas are at an acceptable level as defined in the guidelines.

(viii) Accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres, and health care.

The subject property is located within the Aldershot Village Business Improvement Area (BIA) boundary and is in walking distance to retail areas along Plains Road. The site is well-served by transit, which provides connections to public and private services in Burlington, Hamilton, and along the Lakeshore West GO line. The recently completed protected bike lanes on Plains Road West further support access to services.

The subject property is also located within the Aldershot MTSA, which is planned to develop as a complete community with a range of land uses including public service facilities.

Staff opinion: The criterion is satisfied as the proposed development has access to existing and planned public and private services.

(ix) Capability exists to provide adequate buffering and other measures to minimize any identified impacts.

As discussed throughout this report, the design of the proposed development will need to incorporate measures to minimize and mitigate potential adverse impacts from wind, noise and vibration, and air quality. As part of the current Official Plan Amendment and Zoning By-law Amendment applications, the applicant has provided technical analysis that has demonstrated the feasibility of minimizing and mitigating these potential impacts through design. These measures will be considered through the detailed design of the proposed development, which will be determined through a future Site Plan application.

Staff opinion: The criterion is met as the applicant has demonstrated capability of providing buffering and other measures to minimize and mitigate potential adverse impacts through design.

(x) Where intensification potential exists on more than one adjacent property, any redevelopment proposals on an individual property shall demonstrate that future redevelopment on adjacent properties will not be compromised, and this may require the submission of a tertiary plan, where appropriate.

The lands adjacent to the subject property have already developed in recent years; no further intensification potential is anticipated on the immediately adjacent lands. In the broader context of the MTSA, extensive intensification is anticipated through development both east and west of Waterdown Road. This intensification potential

has been considered through the City's Area-Specific Planning project for the MTSA, and the proposed development is in alignment with the vision for the MTSA. No impacts on the intensification potential of other properties are anticipated.

Staff opinion: The criterion is met as the proposed development aligns with the vision established through an area-specific planning exercise, and the proposed development will not compromise the intensification potential of surrounding properties.

(xi) Natural and cultural heritage features and areas of natural hazard are protected.

There are no natural or cultural heritage features or areas of natural hazard located on the subject property. The subject applications were circulated to Conservation Halton, who responded to confirm that the existing stormwater management feature to the north of the site was designed to contain areas of natural hazard within its own boundaries and will not be impacted by the proposed development.

Staff opinion: The criterion is satisfied as there are no impacts to natural or cultural heritage features or areas of natural hazard.

(xii) Where applicable, there is consideration of the policies of Part II, Subsection 2.11.3 (g) and (m).

Policy 2.11.3 (g) does not apply to the subject property. Policy (m) is a stormwater management policy that applies to the South Aldershot area in which the subject property is located. As discussed elsewhere in this report, the subject application has been reviewed by Development Engineering staff, who have confirmed that the proposed development can be accommodated by the stormwater infrastructure system, subject to detailed design to be reviewed in greater detail through a future Site Plan application.

Staff opinion: The criterion is satisfied as policy (g) does not apply and policy (m) has been addressed through the stormwater review of the applications by Development Engineering staff.

(xiii) Proposals for non-ground-oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi-purpose arterial roads and only provided that the built form, scale, and profile of development is well integrated with the existing neighbourhood so that a transition between existing and proposed residential buildings is provided.

The subject property is located in a Major Transit Station Area and has direct vehicular access to a minor arterial road (Waterdown Road). The built form and scale of development have been designed to provide a transition to surrounding properties and are in alignment with the vision for the MTSA established through the Area-Specific Planning process.

Staff opinion: The criterion is satisfied.

2.4.4 Overall Staff Opinion

The proposed development satisfies the intensification criteria and conforms to the other applicable policies of the OP. The requested Official Plan Amendments are supported by staff based on a detailed technical review that has found that the proposed development meets the intent of the Official Plan, complies with the applicable policy framework, and is consistent with the emerging vision for the Aldershot MTSA established through the City's ongoing Area-Specific Planning project.

2.5 Burlington's New Official Plan (New OP) (2020)

Burlington's New OP was approved in 2020 and is subject to appeals. Due to the appeals, substantial portions of the New OP have not yet come into effect. Nonetheless, the new OP represents Burlington's vision for future development and staff have considered the new OP in the review of the subject applications.

2.5.1 Urban Structure and Growth Framework

The subject property is located within the lands identified as Mixed-Use Nodes and Intensification Corridors on Schedule B – Urban Structure of the new OP. These lands will be developed at overall greater intensities, supporting frequent transit corridors and providing focal points of activity where active transportation is facilitated through careful attention to urban design.

The subject property is located within an area identified as a Primary Growth Area as shown on Schedule B-1 – Growth Framework of the new OP. Primary Growth Areas will accommodate the majority of the City's forecasted growth over the planning horizon of the new OP and consequently will experience the greatest degree of change. These areas will be regarded as the most appropriate and predominant locations for new tall buildings in accordance with the underlying land use designations or the land use policies of an Area-Specific Plan.

2.5.2 Land Use Policies

The subject property is designated Urban Corridor as shown on Schedule C – Land Use – Urban Area of the new OP. Urban Corridor lands are intended to provide for the day-to-day goods and service needs of residents and employees within and in proximity to the Corridor and may also serve a broader city-wide market. Permitted land uses include retail and service commercial, residential, office, entertainment, and recreation uses. Retail and service commercial uses and other pedestrian-oriented uses shall be located on the ground floor of residential buildings; a limited range of office uses may also be permitted on the ground floor. Development of Urban Corridor lands shall maintain the planned commercial function of the site.

The Urban Corridor policies establish a maximum Floor Area Ratio of 2:1, which may be increased through a site-specific Zoning By-law Amendment provided that the objectives of the Urban Corridor are maintained. The maximum building height is six storeys.

The proposed development conforms to the land use policies of the Urban Corridor designation, as it provides residential uses with ground-floor non-residential uses along Masonry Court. The ground-floor non-residential uses may be retail, service commercial, office, recreation, or entertainment uses, or other pedestrian-oriented uses if permitted by the Zoning By-law.

The proposed development substantially exceeds the maximum Floor Area Ratio and building height of the Urban Corridor designation. As discussed elsewhere in this report, the proposed Official Plan Amendment to increase maximum Floor Area Ratio and building height is supported by staff as it aligns with the overall current policy framework vision of the Area-Specific Planning for the MTSA.

2.5.3 MTSA Policies

The subject property is located within the Aldershot GO Major Transit Station Area (MTSA) as identified by the Regional Official Plan. Section 8.1.2 of the new OP indicates that the City will complete Area-Specific Plans (ASPs) for MTSAs. An ASP for the Aldershot GO MTSA is currently substantially underway, as discussed elsewhere in this report. Prior to the completion of the ASP, section 8.1.2 requires development applications in MTSAs to contain a mix of uses, support active transportation and transit, incorporate Transportation Demand Management, and be consistent with the MTSA typology of the new OP. The MTSA typology identifies Aldershot GO as an MTSA located along a higher-order transit route with planned frequent transit service but not a Priority Transit Corridor identified by the Growth Plan. The typology anticipates that Aldershot GO and other MTSAs will accommodate the majority of growth over the planning horizon of the new OP.

The proposed development is consistent with the policies and objectives of section 8.1.2, as it is a dense, mixed-use development that supports active transportation and transit with appropriate design and transportation demand management.

2.5.4 Transportation

The subject property fronts on a segment of Waterdown Road that is identified as a MTSA Primary Connector and a Frequent Transit Corridor as shown on Schedule B-2 – Growth Framework and Long-Term Frequent Transit Corridors of the new OP. This segment of Waterdown Road is also identified as a Multi-Purpose Arterial on Schedule O-1 – Classification of Transportation Facilities – Urban Area of the new OP.

The proposed development provides a mix of uses in a compact, high-density form that will contribute to supporting transit use along the planned Frequent Transit Corridors

and throughout the transit network more broadly. The proposed development also supports active transportation through provision of long-term and short-term bicycle parking and through compact built form. As discussed elsewhere in this report, the proposed development can be accommodated by the transportation network, subject to needed infrastructure improvements to be designed and implemented through a future Site Plan application.

The proposed development conforms to the transportation policies of the new OP.

2.5.5 Housing

Subsection 3.1.1(2)(g) of the new OP and the City's Strategic Plan, directed the City to develop a city-wide housing strategy to among other things, support the Region of Halton's Housing Strategy, describe the current range and mix of housing in the city, establish city-wide housing objectives, examine opportunities for partnerships to increase the supply of affordable housing, to develop minimum targets in support of achieving the region of Halton's housing mix and affordable unit targets as well as two and three bedroom unit minimum targets.

The [Housing Strategy](#) and the Annual Housing Targets (Appendix B to the Housing Strategy) were approved by Council in June 2022. The City's Housing Strategy provides a roadmap for addressing local housing needs and increasing housing options that meet the needs of current and future residents at all stages of life and at all income levels. The Housing Strategy is underpinned by extensive technical work that can be found in the Housing Needs and Opportunities Report. The [Housing Needs and Opportunities Report](#) articulates the current state of housing in Burlington as well as current and future housing needs and establishes a toolbox of best practices in housing, focusing on innovative practices and new ideas. The Housing Strategy identifies 12 Actions to move toward the vision for housing in Burlington. It provides a set of action-oriented housing objectives (Themes) and an associated implementation plan that also identifies a list of Prioritized Actions and Quick Wins.

The proposed development supports the achievement of Action No. 7 of the Housing Strategy, "Support, permit, and encourage the development of alternate forms of housing, including higher-density types of housing, where feasible and appropriate". The proposed development provides 1165 new housing units in a higher-density, compact development, in an appropriate location in a Primary Growth Area and MTSAs. 33% of the proposed housing units are proposed as two-bedroom or two-bedroom-plus-den units.

2.5.6 Environment and Sustainability Policies

Chapter 4 of the new OP contains policies for stormwater management, land use compatibility, and site contamination. As discussed elsewhere in this report, the subject applications have addressed the City's requirements for these matters. Detailed design

of stormwater management and land use compatibility measures will be reviewed in further detail through a future Site Plan application.

2.5.7 Financial Sustainability

The new OP requires the completion of a Financial Impact Study to support development applications that propose more than 500 dwelling units. Accordingly, a Financial Impact Study was submitted by the applicant and reviewed by the Finance Department. The Finance Departments' review and comments are discussed under the Technical Review section of this report.

2.5.8 Design Policies

The Design policies in chapter 7 of the new OP include requirements for design of development within Primary Growth Areas. The proposed development conforms to the design policies of the new OP as it locates buildings close to the street to define the street edge, provides built form transitions to surrounding residential uses, locates primary public entrances on the façade facing the street, and provides appropriate outdoor amenity areas and open spaces that enhance the public open space network of the community. Further discussion of the design of the proposed development is contained in the Urban Design Guideline sections of this report.

The proposed development complies with the design policies of the new OP. Design will be reviewed in greater detail through a future Site Plan application.

2.5.9 Development Criteria

Section 12.1.1(3) of the new OP contains criteria to inform the assessment of site-specific Official Plan Amendment applications. The proposed development does not deliver all of the city-building objectives contained in policy 12.1.1(3)(i)(xi), but generally meets the intent of these criteria as it is consistent with the Urban Structure and Growth Framework of the new OP, conforms to provincial and regional plans, is compatible with the surrounding area, can be accommodated by existing infrastructure subject to improvements.

Section 12.1.2(2.2) of the new OP contains additional criteria for the review of site-specific development applications. The majority of these criteria are comparable to the Intensification Criteria of the Official Plan (1997 as amended) discussed elsewhere in this report. As discussed above, the proposed development conforms to these criteria.

2.5.10 Overall Staff Opinion

The subject applications generally comply with the policies and intent of the new OP. The requested Official Plan Amendment proposes increased Floor Area Ratio and building height beyond the permissions of the Urban Corridor designation of the new OP. These amendments are supported by staff as they conform to the overall current

policy framework and align with the Area-Specific Plan for the Aldershot GO MTSA that is referred to in chapter 8.1.2 of the new OP.

2.6 Area-Specific Plan (ASP) for the Aldershot GO Major Transit Station Area (MTSA)

The City started the Mobility Hubs Study in 2017-2018 and focused on area-specific planning work for the three GO station areas. Precinct plans were drafted for each study area around the Aldershot, Burlington, and Appleby GO Stations. The precinct plans were presented to Council for comment, but not approved, and the Mobility Hubs Study was placed on Hold. The City has resumed work through the Major Transit Station Area (MTSA) Area-Specific Planning Project. The following staff reports have been presented to Council:

- MTSA Area-Specific Recommended Preferred Precinct Plans ([PL-02-22](#))
- Major Transit Station Areas – Area Specific Plans Planning Study update ([PL-10-22, SD-20-22](#))
- Proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release ([PL-59-23, SD-43-23](#))

Council received the studies and reports presented through the above-referenced reports and direct staff to review feedback (public and agency) and complete further work related to the Burlington GO MTSA and Appleby GO MTSA. The most recent report (PL-59-23, SD-43-23) also directed the Director of Community Planning to consider the feedback provided in the Statutory Public Meeting October 31, 2023, prior to bringing forward a subsequent staff report recommending adoption of Official Plan Amendment No. 2 and Community Planning Permit By-law. Currently, the policies for the Precinct Plans are not in force and effect but inform the planning direction for the future.

The vision for the Aldershot MTSA, also known as Aldershot Corners, is to provide the first impression of Burlington when travelling east from Hamilton and Niagara on the Lakeshore West GO line. Aldershot Corners will continue to evolve as an urban area with a distinct sense of neighbourhood character, supported by a mix of residential, commercial, and employment uses. Taller buildings will be concentrated along the rail line and will decrease in height and intensity closer to Plains Road and the existing residential neighbourhoods. Aldershot Corners will be a vibrant, livable community with urban shopping and dining opportunities serving those living and working close by. The objectives of Aldershot Corners is to achieve sensitive transitions to established residential neighbourhood areas; concentrate higher intensity development on large brownfield/greyfield sites that contain existing employment uses in order to encourage mixed use development; recognize existing employment and planning for future employment and commercial uses; planning for flexible commercial and retail spaces;

creating new streets and active transportation connections; and, focusing heights away from Plains Road and towards the rail corridor.

There are five distinct precincts within Aldershot Corners MTSA. The subject property is within the Aldershot GO Central Precinct which is the focus area for the MTSA's highest density. This precinct is the preeminent destination for Major Office, affordable housing, and urban format retail. Built-form transition is important in this precinct to ensure increased density is also met with streetscape design that creates a pedestrian-focused area for travelers to arrive in, find amenities, and enjoy outdoor spaces.

The Aldershot GO Central Precinct is the focus of the tallest buildings close to the GO station at a maximum height of 30 storeys. However, maximum building heights are not guaranteed and are to be commensurate with the degree of community benefit or amenity provided by the development.

The permitted uses in the Aldershot GO Central Precinct may include apartments with non-residential uses on the ground floor; office and major office uses; retail and service commercial uses (on bottom two floors only); hotel uses; entertainment uses (on bottom two floors only); employment uses such as light assembly and manufacturing uses compatible with abutting mixed-use residential buildings; and recreation uses (on bottom two floors only). Office and commercial uses should be prioritized near the Aldershot GO Transit Station to encourage areas of employment within walking distance of the station.

Staff opinion: Staff have reviewed the subject applications with consideration for the vision and objectives of the ASP. The proposed development aligns with the vision for the Aldershot GO Central Precinct and the MTSA more broadly. The proposed residential apartment buildings with non-residential uses at ground level along the street, and building heights of maximum 30, 32, and 34 storeys, are consistent with the land uses and built form intended for this precinct.

2.7 Zoning Bylaw

The subject property is currently zoned MXC-26 (Mixed Use Corridor – Commercial, with site-specific exception 26). This report recommends approval of a Zoning By-law Amendment, contained in Appendix C of this report, to rezone the property from MXC-26 to H-MXC-531 (Mixed-Use Corridor – Commercial, with site-specific exception 531 and holding symbol) to permit the proposed development.

The existing MXC-26 zone is consistent with the in-effect policies of the Official Plan (1997 as amended). The proposed new H-MXC-531 zone is consistent with the proposed Official Plan Amendment that is recommended for approval by this report.

The changes from the current MXC-26 to the proposed new zone are summarized in Table 2 below.

Table 2: Summary of Zoning Changes from Current to Proposed Zones

	Current MXC-26 zone	Proposed MXC-531 zone
Maximum Floor Area Ratio	1.5:1	9.1:1
Maximum Building Height	6 storeys (all buildings)	<ul style="list-style-type: none"> • Building A • Building B • Building C <ul style="list-style-type: none"> • 34 storeys and 112 m • 30 storeys and 100 m • 32 storeys and 106 m
Maximum Dwelling Units	No maximum	1165
Minimum Non-residential Floor Area	None required	475 m ²
Landscape Area abutting a street	3 m	None required
Amenity Area	28, 690 m ²	15 m ² per unit (equals 17,475 m ²)
Minimum yards	3 m (from all streets)	Building A: 4.5m from Waterdown Rd Building B: 5 m from Cooke Blvd and Masonry Court Building C: 5m from Masonry Crt and 3 m from Waterdown Rd
Minimum underground setbacks (from all lot lines)	3 m	0.9 m
Minimum residential parking	1457 spaces total	0.89 occupant spaces/unit 0.08 visitor spaces/unit (equals 1130 spaces total)
Minimum bicycle parking	3 spaces	0.5 long-term spaces/unit 0.05 short-term spaces/unit (equals 641 spaces)

2.7.1 Flexibility in regulations

The proposed Zoning By-law Amendment has been written with recognition of the fact that the subject property is proposed to be developed in phases. Accordingly, staff have written a degree of flexibility into the requirements for each individual building, provided that the overall development continues to adhere to key parameters. For example, the

applicant could change the exact number of dwelling units and non-residential floor area provided in each building, so long as the overall site does not exceed a maximum of 1165 dwelling units and that it provides a minimum of 475 m² of non-residential floor area on the site.

Similarly, a degree of flexibility has been provided in the maximum height and Floor Area Ratio. The proposed development as shown on the submitted plans comprises three buildings of 33, 31, and 29 storeys (109, 97, and 103 metres), with a Floor Area Ratio of 9:1. The proposed Zoning By-law Amendment sets the maximums slightly higher (one extra storey and 3 extra metres of height for each tower) and a Floor Area Ratio of 9.1:1. This maintains the intent of the proposed development while allowing for an appropriate amount of flexibility to account for minor design changes that may occur at the detailed design stage, such as the need for a taller than expected rooftop mechanical penthouse, or the desire to add a mezzanine level to one or more of the buildings.

2.7.2 Holding Symbol

The proposed Zoning By-law Amendment places a Holding Symbol on the subject property, as required by Halton Region. The Holding Symbol prevents the development from proceeding until the applicant satisfies criteria to allow the Holding Symbol to be removed by adoption of a by-law. For the subject property, the Holding Symbol removal criterion is “The Owner executes a Regional Servicing Agreement for the replacement of the Cooke Boulevard sanitary sewer to address downstream sanitary sewer capacity.”

2.7.3 Landscape Area

The proposed amendments remove the requirement for a Landscape Area along street frontages, to recognize the planned urban character of the proposed development and streetscape. Removing this requirement will also simplify implementation; landscaping will still be required through the Site Plan application but will not need to be a continuous strip of planted area running along the entire street frontage. This will allow for a more nuanced design that responds to the specific context and streetscaping objectives of the site.

2.7.5 Bicycle parking

The current zoning regulations only require bicycle parking for non-residential uses. The proposed zoning more appropriately requires a minimum number of parking spaces per residential unit.

2.8 Urban Design Guidelines

2.8.1 Tall Building Guidelines (2017)

The proposed development comprises three tall buildings with L-shaped podiums and rectangular towers.

2.8.1.1 Podium Design

The podium of a tall building anchors the tower and defines the pedestrian experience at the street. The proposed development complies with the guidelines with respect to podium design as follows:

- Buildings B and C are located to frame the street on Masonry Court and Cooke Blvd.
- Buildings B and C have six-storey podiums which reinforce the six-storey streetwall that has already been established by the existing mid-rise buildings to the immediate east on Masonry Court.
- The podium of Building B steps down to a height of three storeys toward the north along Cooke Blvd, which provides an appropriate transition to the low-rise townhouse development located on the opposite side of Cooke Blvd.
- Non-residential uses are provided within the podiums of Buildings B and C. These uses will have entrances on Masonry Court. Due to the slope of Masonry Court, Building B is lower than the street, and so its non-residential uses have entrances accessed via a central plaza
- A mid-block pedestrian connection is provided between Buildings B and C via a plaza that will provide access from Masonry Court to the entrances of non-residential uses and to the interior of the site.
- Podiums are separated by 16 m (Buildings C and A) and 22 m (Buildings C and B)
- Building B provides a residential entrance on Cooke Blvd. Due to the slope of Masonry Court, Building C provides a primary residential entrance on the ground level from the drop-off area at the interior of the site, and a secondary residential entrance at the second storey on Masonry Court.

2.8.1.2 Tower Design and Building Top

The tower is the most substantial and impactful component of a tall building. It should maximize sky views and access to sunlight through slender floorplates and spacious separations between towers. The proposed development complies with the guidelines with respect to tower design as follows:

- The towers provide a height transition to the surrounding area, with heights stepping down from the tallest tower (Building A, max. 34 storeys) in the northwest at Waterdown Road near the train tracks, down to Building C (32 storeys) at Masonry Court and Waterdown Road, and the shortest tower

(Building B, 30 storeys) at the corner of Cooke Blvd and Masonry Court, nearest to the mid-rise and low-rise residential areas to the east.

- Towers are separated from each other by at least 27 metres (Buildings A and B), which exceeds the minimum 25 m separation outlined in the guidelines. Buildings B and C have a tower separation of 47 metres.
- Towers are slender with floorplates of 750 m²
- Tower balconies do not project more than 1.5 m from the building wall

The design of the building top (mechanical penthouse) will be determined through detailed design at a future Site Plan application stage, but the current proposed design complies with the guidelines for building top.

2.8.1.3 Alternative Solutions

The proposed development does not meet the exact metrics of the guidelines in a few respects. The Tall Building Guidelines represent best practices but are not intended to limit creativity in design. Where it can be demonstrated that an alternative built form achieves the intent of the guidelines, alternative solutions should be permitted. The following alternative solutions are proposed, which staff believe are appropriate for the site's context and meet the intent of the guidelines.

Building A has a podium height of 12 storeys, which exceeds the maximum podium height of 20 m (approximately 6 storeys) recommended by the guidelines. This is acceptable given the building's substantial separation from public streets, which limits its impact on the streetscape or surrounding properties. Building A is separated from Cooke Blvd by 42 m and from the Waterdown Road sidewalk by 35 m. The Waterdown Road sidewalk is also elevated 5 m higher than the base of Building A, which lessens the tall podium's impact on the street. The lands to the north of Building A are open space (stormwater infrastructure) that will not develop.

The proposed buildings each provide a substantial stepback (with rooftop terrace) above the podium on at least one side, but provide no stepback above the podiums on other sides. This means that on two to three sides of each building, the building wall goes straight up from ground level to the top storey. However, the proposed development provides an alternative solution to achieve the intent of providing a stepback: substantial balconies will wrap around those sides of the podium that do not have a stepback. These balconies will project up to 2.1m out from the building and will be enclosed on the sides and top, open only to the front. Visually, these balconies will appear to be a part of the podium. Above the podium, balconies will be smaller, less continuous, and light, projecting only 1.5. Overall, this will have the effect of creating slender towers that are pulled back from the street relative to the building massing (partly enclosed balconies) below them. Technical studies submitted with the application have demonstrated that this alternative solution will also achieve the guideline intent of

minimizing shadow impacts, and that wind impacts can be mitigated to acceptable levels through detailed design.

2.8.1.4 Staff Opinion

The proposed development satisfies the intent of the Tall Building Guidelines, including through the use of some alternative design solutions that differ from the specific metrics of the guidelines.

2.8.2 Shadow Study Guidelines and Terms of Reference (2020)

The applicant submitted a Revised Shadow Study prepared by Core Architects Inc., dated February 10, 2023, which was reviewed against the Shadow Study Guidelines and Terms of Reference (2020). The guidelines consider shadowing on Key Civic and Cultural Spaces, Private Outdoor Amenity Spaces, Parks and Open Spaces, Places Where Children Play, and Public Realm and Sidewalks. The impact of shadowing on these spaces are reviewed below:

- Key Civic and Cultural Spaces: There are no Key Civic and Cultural Spaces in the surrounding area, and therefore, not applicable.
- Private Outdoor Amenity Spaces: These spaces include rear yards, decks, and (rooftop) patios. As per the guidelines, shadows from proposed developments should not exceed 2 hours in duration, between 9:00 and 18:00 on March 21st. The proposed development complies with this guideline, as it provides a Sun Access Factor on March 21st is 0.35, exceeding the minimum Sun Access Factor of 0.22.
- Parks and Open Spaces: There is a planned park located immediately adjacent to the north of the subject property at the terminus of Cooke Blvd. Shadows cast must allow for either: a) full sunlight 50 per cent of the time; or b) 50 per cent sun coverage at all times during the specified periods of March 21st (9:00 to 18:00), September 21st (9:00 to 18:00), and December 21st (11:00 to 15:00). The Sun Access Factor is 0.83 on March 21st, 0.8 on September 21st, and 0.51 on December 21st. Therefore, the criterion is met as it is greater than 0.5 on each test date.
- Places Where Children Play: These spaces include school yards, playgrounds, and park features such as wading pools or other outdoor shadow-sensitive activity areas as identified by the City of Burlington. There are no Places Where Children Play in the surrounding area, and therefore, not applicable.
- Public Realm and Sidewalks: Shadows cast onto the full extents of the boulevard and sidewalk on the opposite side of the adjacent right-of-way must allow for either: a) full sunlight 50 per cent of the time; or b) 50 per cent sun coverage at all times between 9:00 and 18:00 on March 21st. The Sun Factor is 0.85 on the opposite boulevard on March 21st. Therefore, the criterion is met as it is greater than 0.5 on the test date.

The applicant has also provided a separate shadow review of the outdoor amenity area for the proposed development. The Sun Access Factor on the proposed private outdoor

amenity space within the development is 0.38 on March 21st which exceeds the minimum of 0.22. Overall, the Revised Shadow Study meets the Shadow Study Guidelines and Terms of Reference (2020).

2.8.3 Pedestrian-Level Wind Study Guidelines and Terms of Reference (2020)

The applicant submitted a revised Pedestrian Wind Study, prepared by SLR, and dated February 28, 2023, as part of the second submission. The Wind Study assessed the effect of the proposed development on local conditions in pedestrian areas for the subject lands and surrounding area. Staff have reviewed the submitted wind analysis in accordance with the Pedestrian-Level Wind Study Guidelines and Terms of Reference (the Wind guidelines).

2.8.3.1 Wind Conditions and Impacts on the Subject Property

As the site exists currently, wind conditions are uncomfortable in winter on portions of the site close to Masonry Court. The proposed development, without mitigation, would result in generally acceptable wind conditions in summer for the proposed uses throughout the site, with the exception of one uncomfortable location at the corner of Building C interior to the site, and some locations on the 13th-storey rooftop terrace of Building A where conditions would be suitable for fast walking but not sitting.

In winter, the proposed development without mitigation would result in uncomfortable wind conditions at numerous locations throughout the site, particularly on rooftop terraces and at ground level in the outdoor amenity area and central drop-off area. The rooftop terrace of Building A also does not meet the annual wind safety threshold.

Mitigation measures will be required to achieve acceptable conditions on site throughout the year, in particular to address the areas assessed as uncomfortable or unsafe.

2.8.3.2 Wind Conditions and Impacts on the Surrounding Area

Public sidewalks surrounding the subject property currently experience uncomfortable conditions in some areas, and conditions suitable for fast walking or better in other areas. The proposed development, without mitigation, would result in uncomfortable conditions occurring on public sidewalks around the intersection of Cooke Blvd and Masonry Court.

2.8.3.3 Mitigation of Wind Impacts

The submitted wind study indicates that strong wind flows on site are due to the overall exposure of the development to the prevailing northeasterly and southwesterly winds. These winds would downwash off the building facades and accelerate at grade around the three buildings.

The proposed development will have pedestrian-level wind impacts on the subject property and surrounding public realm, which must be mitigated in order to bring wind comfort and safety conditions down to acceptable levels. The detailed design of

mitigation measures will be determined through a future Site Plan application. As part of the current application, the applicant has provided a conceptual design for mitigation, which involves the use of ground-level wind screens at various locations around the site. Staff identified concerns with the location of some of these screens, which in the opinion of staff were too close to Cooke Blvd and the central drop-off area, creating undesirable streetscape design on Cooke Blvd and potential sightline issues for pedestrians and drivers in the drop-off area. In response, the applicant provided supplemental material in which their wind consultant confirmed that alternative mitigation designs are possible that will appropriately mitigate wind impacts while also addressing the design concerns of staff. As part of the future Site Plan application, the applicant will be required to submit more detailed information. Staff will ensure through their detailed review of the Site Plan application that wind impacts are appropriately mitigated to acceptable levels, and that mitigation measures such as wind screens are appropriately integrated into the design of the development.

2.8.3.4 Staff Opinion

For the purposes of the current Official Plan Amendment and Zoning By-law Amendment, staff are satisfied that the wind impacts of the proposed development can be mitigated to achieve the intent of the Pedestrian-Level Wind Guidelines and Terms of Reference.

2.8.4 Sustainable Building and Development Guidelines (2021)

The purpose of the Sustainable Building and Development Guidelines is to encourage sustainable design approaches through Planning Act applications, in keeping with the City's declaration as a sustainable community, and in alignment with Burlington's Strategic Plan 2015-2040. Burlington's Strategic Plan encourages energy efficient buildings and other on-site sustainable features, and sets a net carbon neutral goal for the community. The guidelines address sustainability approaches related to site design, transportation, the natural environment, water, energy and emissions, waste and building materials, and maintenance, monitoring, and communication.

In accordance with Guideline 2.1, development proposals require pedestrian and cycling connections from on-site buildings to off-site public sidewalks, pedestrian paths, trails, open space, active transportation pathways, transit stops and adjacent buildings and sites. The applicant has identified that pedestrian connections are provided on site between and around buildings which connect to public sidewalks.

The Guidelines require the provision of bicycle parking spaces, and the location of bicycle parking within convenient, weather-protected spaces to encourage active transportation. The proposed development exceeds the base requirements of the Zoning By-law by providing 0.5 long-term bicycle spaces and 0.05 short-term bicycle

spaces per unit. These spaces are appropriately located with short-term spaces (for visitors or customers) at ground level and long-term spaces indoors.

Guideline 2.4 encourages the provision and implementation of a Transportation Demand Management (TDM) Plan as part of development proposals. TDM plans evaluate building transportation needs comprehensively and may consider measures such as the provision of transit passes, flexible work hours, unbundled parking, on site transit facilities, priority parking for carpooling and autoshare programs, etc. The applicant provided a Transportation Impact Study that included a TDM plan with strategies such as unbundling parking, providing a mix of land uses, providing bicycle parking and supportive resources such as bike repairs stations, among others. The proposed TDM plan has been considered by Transportation staff as part of their review of the applications, and have accepted the overall Transportation Impact Study for the purpose of the current Official Plan Amendment and Zoning By-law Amendment applications.

Guideline 4.1 promotes sustainable stormwater management. Comments from Development Engineering staff indicate that the subject applications have addressed stormwater management matters for the purpose of the current applications. More detailed stormwater design will be reviewed through the future Site Plan application.

In accordance with guideline 5.1, development proposals require vegetated landscape areas in hard surface areas as per the Zoning By-law. Vegetation can reduce the urban heat island effect to improve human comfort and energy efficiency in the surrounding areas. The development proposal includes landscaped areas at ground level and on rooftop terraces.

In accordance with Guideline 6.1 development proposals are required to provide and implement a waste management plan in accordance with Regional requirements. The applicant has revised their plans to accommodate Regional waste collection. Further waste management specifications will be addressed at the Site Plan Review stage.

Staff is of the opinion the proposed development proposal complies with the required Sustainable Building and Development Guidelines and considers some voluntary guidelines. Additional sustainability measures will be established in more detail at the Site Plan approval stage to ensure the sustainability objectives of the City of Burlington are met.

3.1 Technical Review

Planning staff circulated the original and second submissions of the application to relevant City departments and external technical agencies for review. The third submission of the application was circulated to those reviewers who had outstanding

concerns from their review of the previous submissions. A summary of comments from technical reviewers is provided below.

3.1.1 Halton Region

Halton Region comments on the subject applications were primarily concerned with the following themes:

Land use compatibility: the Region retained Dillon Consulting to conduct an external peer review of the submitted Land Use Compatibility (Air Quality) Assessment and Environmental Noise Study. The peer review identified the need to provide additional information to demonstrate that the proposed sensitive uses would be compatible with nearby major facilities including industrial uses and the CN rail yard. The applicant addressed these concerns through the provision of revised and supplemental materials demonstrating that the proposed development will be compatible with its surroundings.

Municipal Servicing: Regional comments identified the need for improvements to the sanitary sewer infrastructure downstream of the subject property. In accordance with Regional requirements, the Zoning By-law Amendment that is recommended by this report includes the provision of a Holding Symbol that will require the owner to execute a Regional Servicing Agreement for the replacement of the Cooke Boulevard sanitary sewer to address downstream sanitary servicing capacity prior to removal of the Holding Symbol and construction of the proposed development.

Site contamination: the Region identified the need to provide further information; the applicant addressed this concern through supplemental submissions.

Waste management: the applicant addressed Regional concerns with waste management by revising their site plan to accommodate regional waste collection vehicles.

The comments of Halton Region have been addressed for the purposes of approving the Official Plan Amendment and Zoning By-law Amendment. The applicant will be required to continue working with Halton Region to address more detailed design requirements prior to removal of the Holding Symbol from the property and prior to Site Plan approval.

3.1.2 Development Engineering and Stormwater Engineering

Development Engineering staff provided comments requiring revisions to the design of the proposed right-in, right-out driveway on Waterdown Road to address concerns with stormwater management and impacts to the existing City service laneway that runs alongside Waterdown Road. Development Engineering also required revisions to the submitted noise and vibration study. The applicant addressed these comments through revised submissions. Further review of detailed design will occur through a future Site Plan application.

3.1.3 Transportation Services

Transportation staff provided comments on the applications identifying requirements for parking, site design, and traffic impacts. The applicant has addressed these comments as follows:

- Increasing vehicle parking supply to a rate of minimum 0.97 spaces per unit, which is supported by staff given the subject property's location within a Major Transit Station Area in close proximity to transit.
- Increasing bicycle parking to 0.5 long-term spaces per unit and 0.05 short-term spaces per unit.
- Revising the design of the proposed right-in, right-out driveway on Waterdown Road with appropriate slopes and a flat landing pad to allow safe sightlines for drivers. The applicant may also have to construct a new northbound right-turn lane on Waterdown Road to allow drivers to slow down before turning right into the new driveway. Detailed design requirements will be confirmed through a future Site Plan application.
- Revising the site design to provide adequate loading spaces for the proposed development.
- Acknowledging the need to provide road improvements to accommodate future traffic levels, such as extensions of turning lanes on Waterdown Road and Masonry Court. Detailed design requirements and cost estimates will be confirmed through a future Site Plan application.

Staff are satisfied that Transportation comments have been addressed for the purpose of the current Official Plan Amendment and Zoning By-law Amendment applications.

3.1.4 Ministry of Transportation (MTO)

The subject property is located at the edge of the area regulated by the MTO due to proximity to Highway 403. The MTO provided comments on the original application identifying concerns with the proposed right-in, right-out driveway access on Waterdown Road, as well as general impacts of the proposed development on Waterdown Road and the nearby Highway 403 interchange.

The applicant addressed the MTO comments through revised and supplementary submissions. To resolve concerns of the MTO, the applicant will extend the centre median on Waterdown Road to create a physical barrier that will prevent drivers from making left turns into or out of the proposed right-in, right-out driveway on Waterdown Road. The MTO also identified the need for design changes on Waterdown Road such as expansion of left-turn lanes to support continued function of the Highway 403 interchange; these design matters can be addressed through a future Site Plan application and/or through the MTO permitting process prior to development. For the

purpose of the current Official Plan Amendment and Zoning By-law Amendment applications, City staff are satisfied that the MTO's concerns have been addressed.

3.1.5 CN Rail

CN Rail maintains a rail corridor and a rail yard in proximity to the subject property. CN provided comments indicating general support for the proposed development, subject to the applicant addressing CN's concerns with respect to noise and vibration. CN retained Jade Acoustics to conduct an external peer review of the applicant's revised noise and vibration study. Jade Acoustics concluded that the applicant's revised study was generally acceptable and that the proposed development has been designed to mitigate the noise sources to meet the applicable guidelines of CN Rail, the Federation of Canadian Municipalities and Railway Association of Canada, and the Ministry of the Environment, Conservation, and Parks. CN accepted this report and has worked with the applicant to enter into a development agreement and the registration of an easement on the subject property.

Staff are satisfied that the concerns of CN Rail have been addressed for the purposes of the subject applications. Detailed design of noise mitigation measures will occur through a future Site Plan application.

3.1.6 Metrolinx

The subject property is located in proximity to the CN Rail corridor on which Metrolinx operates the Lakeshore West GO Line. Metrolinx defers to CN Rail to provide comments about matters of rail safety. Metrolinx did not raise any objections to the proposed development, and provided comments identifying their standard requirements for development in proximity to their corridor, including a requirement that the property owner shall grant Metrolinx an environmental easement for operational emissions. Planning staff are satisfied that Metrolinx's requirements can be addressed during the future Site Plan application stage.

3.1.7 Finance Department

Finance Department retained Watson & Associates Economist Ltd to conduct an external peer review of the applicant's Fiscal Impact Study by Altus.

The original Altus study estimated an annual fiscal surplus of close to \$430,000 from the proposed development. However, responding to the peer review by Watson and technical comments from Finance Department, Altus Group provided an updated memorandum revising the fiscal impact analysis. The updated memorandum, as to the November 2021 report, adopted the peer review assumptions resulting in an annual fiscal surplus reduced to \$14,700 per annum. The memo also identified maintaining their assumptions on a key differentiated assumption of lifecycle costing their alternate estimated fiscal impact would be \$292,000 per annum.

By comparison and as summarized in the Watson Peer Review, analysis indicates the redevelopment is significantly less optimistic than Altus revised analysis with a potential annual fiscal deficit of approximately \$81,000, with the principal difference being assumptions on lifecycle costs.

The Finance Department's comments conclude by stating that, "While the peer review would indicate that the redevelopment may provide a slight deficit to the City from a fiscal perspective, it is important to recognize that the fiscal impact study is a tool to be used, along with other policy documents and not in isolation of other factors of importance that this study does not consider such as the physical, social, economic, and cultural elements of the City. A fiscal review is only one of many useful tools that are utilized in the process."

3.1.8 Parks Design and Construction

Parks Design & Construction staff advised that parkland dedication will be required from the proposed development in the form of cash in lieu of land.

3.1.9 Aldershot Village BIA

Aldershot Village BIA provided comments emphasizing the importance of providing adequate commercial space to serve the needs of the growing Aldershot community. The comments also spoke to design considerations including the need for parking to serve commercial businesses.

Staff are satisfied that the revised proposal has addressed the BIA's comments by increasing the proposed space for non-residential uses from 231 m² to minimum 475 m². Although the BIA encouraged commercial space to be located in all three of the proposed buildings, staff are of the opinion that it is more appropriate to locate this space in the two buildings that front on Masonry Court and Cooke Blvd, but not in the third building, which is set well back from the street. The BIA had encouraged the provision of additional commercial parking beyond the six spaces shown in the proposal; however, Planning and Transportation staff are satisfied that the proposed parking rate for the site is appropriate given the site's context within a Major Transit Station Area in close proximity to the GO station. The BIA's comments about design of retail spaces can be addressed through a future Site Plan application.

3.1.10 Sustainable Development Committee (SDC)

SDC provided comments expressing general support for the proposed development, acknowledging its contributions to intensification, active transportation, and limiting urban sprawl, consistent with the site's location within a Major Transit Station Area. SDC encouraged the applicant to consider further revisions to their proposal to incorporate additional sustainable building and development measures in accordance with the Sustainable Building and Development Guidelines. These comments can be addressed through a future Site Plan application.

3.1.11 Other Technical Comments

The following departments and agencies provided comments relating to design that can be addressed through a future Site Plan application.

- Landscape and Forestry
- Accessibility Co-ordinator
- Fire Department
- Burlington Transit
- Burlington Hydro

The following departments provided standard comments communicating typical requirements for development:

- Canada Post
- Halton District School Board
- Halton Catholic District School Board
- Finance Department (Tax section)

The following departments and agencies responded that they had no comments or no concerns with the proposed development:

- Conservation Halton
- Conseil Scolaire Viamonde
- Halton Regional Police
- CP Rail
- Sun Canadian Pipeline
- Trans-Northern Pipeline Inc.
- Bell
- Rogers

4.0 Public Comments

Public input has been considered by staff in the review of the subject applications. As of February 13, 2024, Planning staff have received written comments from 7 members of the public, including at the statutory public meeting. Written submissions received prior to May 17, 2022 were appended to report PL-48-22. Additional delegations and correspondence from the public at the statutory public meeting were included in the agenda of the June 14, 2022 Community Planning, Regulation, and Mobility Committee meeting. Written submissions received directly by Planning staff since May 17, 2022, have been appended to this report.

All public feedback received throughout the process has been considered by staff in the review of the subject applications. Concerns expressed in these comments are summarized in Table 3 below in no particular order.

Table 3: Summary of public comments received by Planning staff as of February 13, 2024

Row #	Public comment theme	Staff response
1	Concern that inadequate parking will be provided and this will cause impacts on availability of on-street parking in the area	A Traffic Impact Study, which included recommended Transportation Demand Management measures, was submitted with the subject applications and explains the applicant's rationale for the proposed reduced parking rate. This study has been reviewed by staff in the Transportation Department as part of the City's review of the applications. Staff are satisfied that the proposed parking rate of 0.97 spaces per unit is appropriate given the site's context in a Major Transit Station Area in close proximity to existing and planned transit. The traffic impact study can be found online at www.burlington.ca/1120cooke .
2	Concerns about traffic impacts from the proposed development	A traffic impact study was submitted with the subject applications and addresses traffic impacts. This study has been reviewed by the Transportation Department, Halton Region, and the MTO. The City and agency review has concluded that the proposed development can be accommodated by the existing road network, subject to infrastructure improvements to be implemented by the applicant, including extension of turning lanes on Waterdown Road and Masonry Court. The traffic impact study can be found online at www.burlington.ca/1120cooke .
3	Concerns about existing conditions in the neighbourhood (incompleteness of Phase One of Stationwest development, cars parked on the dirt or grass, garbage, crime, speeding, pedestrian safety)	Concerns about construction management, parking, and speeding were forwarded to the relevant City staff. Residents with concerns about crime can contact Halton Police directly.

4	Concern about loss of privacy from occupants of proposed tall buildings being able to see rooftop patios of existing townhouses.	<p>The existing zoning of the subject site permits buildings up to 6 storeys in height. The Area-Specific Plan for the Aldershot Corners MTSA contemplates tall buildings up to 30 storeys in the precinct within which the subject property is located. The New Official Plan (2020) identifies the MTSA as a Primary Growth Area; Primary Growth Areas will accommodate the majority of the City's growth and experience the greatest degree of change, and are considered to be the most appropriate locations for tall buildings.</p> <p>Staff are of the opinion that the proposed development, with revised maximum building height of 34 storeys, is appropriate for the subject property and aligns with City objectives for the intensification and urbanization of the MTSA.</p>
5	Concern that the proposed buildings are too tall.	<p>The existing zoning of the subject site permits buildings up to 6 storeys in height. The Area-Specific Plan for the Aldershot Corners MTSA contemplates tall buildings up to 30 storeys in the precinct within which the subject property is located.</p> <p>As discussed above, staff support the revised development proposal with maximum building height of 34 storeys.</p>
6	Concern about lack of greenspace/neighbourhood park and subject lands were previously identified as future community park.	<p>The proposed development is located on land that is currently zoned for development with mixed-use buildings of up to 6 storeys in height. The planned public park associated with the Stationwest development will be developed on land north of the subject property, adjacent to the floodplain storage area. An additional public park is planned further south on Cooke Blvd on lands to be dedicated as part of the recently approved development at 53-71 Plains Rd E and 1025 Cooke Blvd.</p>
9	Concern about complete communities, including lack of retail commercial space and quality of planned park space.	<p>In response to comments from the public, BIA, and City staff, the applicant has revised their proposal to increase the amount of non-residential floor area from 231 m² to 475 m². This space may be used for permitted uses identified in the Zoning By-law, which may include retail, service commercial, office, entertainment, or recreation uses.</p>

11	Concern about the provision of affordable housing within the area	The proposed development contributes new housing supply and is consistent with the City's Housing Strategy as discussed in section 2.5.5 of this report.
14	Concern about that the size of the site is not suitable to accommodate the proposed amount of intensification and compatibility with existing and future development on surrounding lands.	Staff are satisfied that the proposed development is appropriately scaled relative to the lot size, that the proposed built form provides a suitable transition to surrounding lands, and that potential impacts such as wind impacts can be minimized and mitigated through detailed design. Staff recommend approval of the applications with a maximum Floor Area Ratio of 9.1:1.
15	Concern that approval of proposed development for subject lands would be inconsistent with Council's recent decision refusing application regarding 1029-1033 Waterdown Road.	Each development application is reviewed on its own merits in accordance with the applicable policy framework. The other Council decision referenced in the comment was made in 2022 and was specific to the unique context of the site and the policy framework in effect at that time. Staff's current recommendation to approve the subject applications is supported by detailed technical review, reflects the unique context of the subject property, conforms to the applicable policy framework, and aligns with the City's ongoing Area-Specific Planning work for the Aldershot MTSA.
16	Concern about the provision of infrastructure improvements and community facilities, including grocery stores, schools, parks, and community centre.	The subject property is adequately served by community services as discussed in section 2.4.3 of this report. The proposed development should also be considered in the context of the planned development of the Aldershot GO Major Transit Station Area which will bring significant new development with a mix of land uses and will support the creation of a complete community with a full range of urban amenities and services.

Financial Matters:

As discussed under section 3.1.7 above, the Finance Department retained Watson & Associates Economist Ltd to conduct an external peer review of the applicant's Fiscal Impact Study by Altus. While Altus Group's revised analysis indicates the proposed development will result in an annual fiscal surplus of \$14,700, Watson's analysis

indicates the proposed development will have a potential annual fiscal deficit of approximately \$81,000, with the principal difference being assumptions on lifecycle costs.

The Finance Department's comments conclude by stating that, "While the peer review would indicate that the redevelopment may provide a slight deficit to the City from a fiscal perspective, it is important to recognize that the fiscal impact study is a tool to be used, along with other policy documents and not in isolation of other factors of importance that this study does not consider such as the physical, social, economic, and cultural elements of the City. A fiscal review is only one of many useful tools that are utilized in the process."

Planning staff have considered the Finance Department's comments on the financial implications of the proposed development, alongside the overall analysis of the proposed development in accordance with the applicable policy framework and the City's objectives for the Aldershot GO Major Transit Station Area. Planning staff recommend approval of the subject applications.

Climate Implications

In February 2020, City Council approved the City of Burlington Climate Action Plan to support the City's path towards a low-carbon future, focusing on mitigating greenhouse gases and reducing energy consumption. The Plan identifies seven implementation programs, including, programs to enhance energy performance for new and existing buildings; increase transit and active transportation mode shares; electrify City, personal and commercial vehicles and other currently gas-powered equipment; and support waste reduction and diversion.

As part of the Official Plan Amendment and Zoning By-law Amendment applications, the applicant was required to consider the Sustainable Building and Development Guidelines (2021), which encourage sustainable design measures for new development across the City. Further, Burlington's MTSAs play a key role in the sustainable growth of our city and to address climate change. Given the immediate proximity to the Aldershot GO Station of the subject site the application proposes intensification that supports an opportunity to increase transit use as well as multi-modal, active transit mode shares and the efficient redevelopment of under-utilized land. The applicant submitted a Sustainable Building and Development Guidelines Checklist which is intended to demonstrate considerations applied from the guidelines.

Engagement Matters:

A virtual Pre-Application Community Consultation Meeting was held by the applicant on September 29, 2020. This meeting was attended by approximately 35 members of the public as well as by City staff, Mayor Marianne Meed Ward, and ward 1 Councillor Kelvin Galbraith.

After receiving a complete application for the subject lands, City staff notified and consulted the public through the City's standard public notification and consultation practices for an Official Plan Amendment and/or Zoning By-law Amendment applications. As discussed in detail in report PL-48-22, this included the creation of a website at www.burlington.ca/1120cooke, notice signs being erected on the property, notices being mailed to neighbouring property owners and tenants within 120 metres of the property, and notice published in the Burlington Post.

The City held a Statutory Public Meeting for the subject applications on June 14, 2022. At this meeting, Council members considered report PL-48-22 and heard delegations and received correspondence from members of the public.

Staff have considered the comments of members of the public in their review of the application. Members of the public will have an additional opportunity to provide input to Council by delegating at the public meeting on March 4, 2024, where the current report will be considered.

Staff have notified members of the public about the public meeting on March 4, 2024, as follows:

- Notice published in the Hamilton Spectator on February 12, 2024;
- Notice mailed to members of the public who have previously commented or requested to be notified about this application, and provided their mailing address;
- Information about the meeting published on the application webpage, www.burlington.ca/1120cooke, and an email notification sent to webpage subscribers.
- Information posted on the Public Notices newsfeed of the City's website.

More information on the planning process in Burlington, including opportunities for public consultation, can be found at www.burlington.ca/planningprocess.

Conclusion:

The subject applications request Official Plan Amendments and Zoning By-law Amendments to permit a mixed-use development comprising three tall buildings of maximum 30, 32, and 34 storeys with a maximum Floor Area Ratio of 9.1:1, 1165 residential units, and ground-level non-residential uses at 1120 Cooke Boulevard. Staff

have consulted the public and conducted a thorough technical review in accordance with applicable provincial, regional, and City policies, regulations, and guidelines.

Staff are of the opinion that the proposed development, as revised by the applicant through resubmissions, is consistent with the Provincial Policy Statement; conforms to the Growth Plan for the Greater Golden Horseshoe, Regional Official Plan; conforms to the City's Official Plan subject to a proposed amendment that meets the intent of the Plan; and meets the intent of the City's New Official Plan and urban design guidelines. The proposed development is also consistent with the direction of the City's ongoing Area-Specific Planning process for the Aldershot GO Major Transit Station Area.

The detailed design of the proposed development, to be reviewed through a future Site Plan application, will implement infrastructure improvements to support the proposed development, and measures to minimize and mitigate potential adverse impacts to and from the proposed development.

Staff are of the opinion that the proposed development represents good planning and recommend that Council approve the subject applications and adopt the Official Plan Amendment and Zoning By-law Amendment as described in the Recommendation of this report.

Respectfully submitted,



Thomas Douglas MCIP RPP

Senior Planner, Community Planning Department

Thomas.douglas@burlington.ca

(905) 335-7600 ext. 7811

Appendices:

- A. Concept Plan
- B. Official Plan Amendment No. 142
- C. Zoning By-law Amendment 2020.472
- D. Public Comments

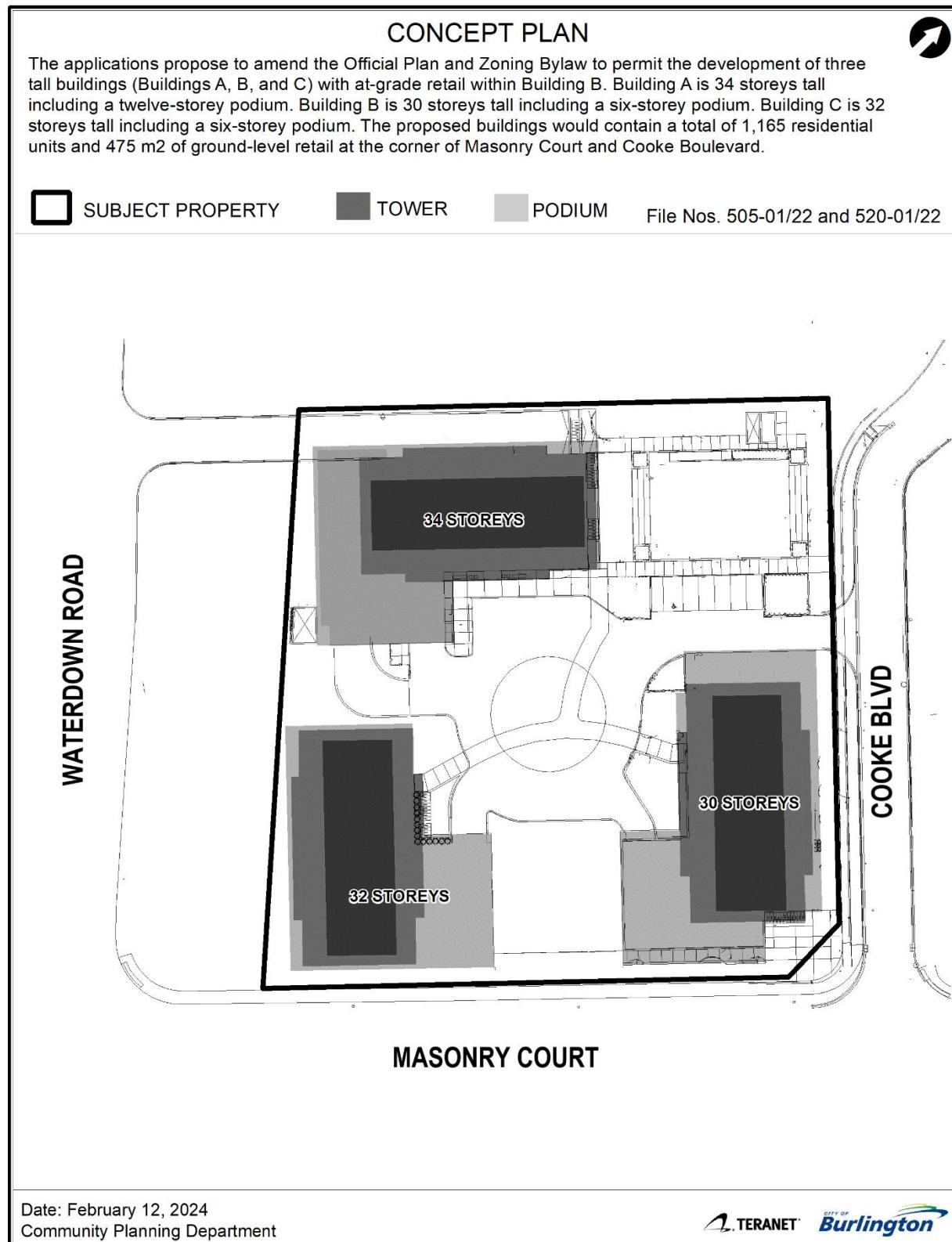
Notifications:

Mike Bennett and Andrew Ferancik, WND Associates Ltd.

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: Concept Plan



Appendix B: Official Plan Amendment No. 142

The Corporation of the City of Burlington
City of Burlington By-law XX-2020

A by-law to adopt Official Plan Amendment No. 142 to permit a mixed-use development comprising three tall buildings of maximum 30, 32, and 34 storeys with 1165 residential units and ground-level non-residential uses at 1120 Cooke Boulevard.

Whereas the Council of the Corporation of the City of Burlington in accordance with the provisions of Section 17 and 21 of the Planning Act, 1990, as amended, approved recommendation PL-04-24 at its meetings held on March 19, 2024.

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

1. That Amendment No.142 to the Official Plan (1997, as amended) of the City of Burlington consisting of the attached amendment and supporting documentation is hereby adopted.
2. That this by-law shall come into full force and take effect on the final day of passing thereof.

Enacted and passed this 19th day of March, 2024

Mayor Marianne Meed Ward _____

City Clerk _____

**AMENDMENT NO.142 TO THE OFFICIAL PLAN
OF THE CITY OF BURLINGTON**

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. 142 to the Official Plan of the City of Burlington, as amended.

PART A - PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to permit a mixed-use development consisting of three residential towers of maximum 30, 32, and 34 storeys (plus mechanical penthouse). The development is comprised of 1,165 dwelling units, 6 levels of underground parking, and minimum 475 square metres of ground-related non-residential space at 1120 Cooke Boulevard with a maximum floor area ratio of 9.1:1.

2. SITE AND LOCATION

The subject site is comprised of one parcel of land located on the north side of Masonry Court between Cooke Boulevard and Waterdown Road and is nearly square-shaped with frontages of approximately 104 metres on Masonry Court, 100 metres on Waterdown Road, and 91 metres on Cooke Boulevard. The area of the subject site is 0.95 hectares.

To the north of the site is floodplain storage and a planned public park, to the east is a residential development consisting of two 6-storey mid-rise apartment buildings and townhouse units, to the south are low-rise employment uses, and to the west are employment uses.

3. BASIS FOR THE AMENDMENT

The proposed development:

- a) Intensifies a vacant brownfield site in proximity to higher-order transit with residential and retail/service commercial uses in a manner that is consistent with the policies of the Provincial Policy Statement (PPS). The PPS promotes the achievement of complete communities that are efficient, compact, and transit-supportive. The proposed development provides an increase in supply and mix of housing options in a higher density form that supports existing and planned transit options and encourages non-automobile modes of transportation including active transportation;
- b) Conforms to the Growth Plan for the Greater Golden Horseshoe, 2020, as amended, and the Halton Region Official Plan, as amended, by providing for appropriate intensification within the delineated built-up area, close to rapid transit, and on a site that carries a growth designation in the Official Plan, contributing to the diversification of the housing supply and meeting Provincial growth and density targets;
- c) Is identified within the delineated boundary of the *Aldershot GO Major Transit Station Area* as shown on Map 1H, Regional Urban Structure, of the Halton Region Official Plan, and supports the Regional Growth Management strategy as articulated in Halton Region's Official Plan;
- d) Responds to the intent of the Tall Building Guidelines by providing for a human-scaled, street-related building form with appropriate transitions to nearby built forms and slender tower forms with adequate separation distances that contribute to a visually interesting skyline;
- e) Responds appropriately to the direction of the City's Major Transit Station Area-Specific Planning Project for the Aldershot GO MTSA, which contemplates buildings of up to 30 storeys on the subject site;
- f) Provides for an appropriate parking ratio that ensures that parking demand generated by the building can generally be accommodated on-site while recognizing the transit accessibility of the subject site and promoting non-automobile-based modes of travel;
- g) Contributes to the pedestrian realm of the area by enhancing the public realm on boundary streets, providing permeability through the site, and contributing publicly-accessible private green spaces that create linkages to public park space and the Aldershot GO station;
- h) Subject to the implementation of mitigation measures as part of the development of the residential uses, is compatible with existing major facilities and employment

uses, and transportation infrastructure in relation to air quality, odours, noise, and vibration;

- i) Does not create unacceptable wind or shadow impacts on abutting sidewalks, open spaces, or adjacent properties, including the lower-scaled residential lands to the east and south;
- j) Is located on lands that can utilize existing servicing infrastructure on the abutting rights-of-way and near transit routes, commercial uses and community amenities and meets Official Plan policies by providing new housing units that increase the supply and diversity of the housing stock in the area while promoting non-automobile transportation options; and,
- k) Is supported by technical studies and reports that have been submitted by the applicant and provide adequate and appropriate information regarding the proposed development.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change: None proposed

Text Change:

The text of the City of Burlington Official Plan, as amended, is hereby amended by adding the following site-specific policy (n) to Part III, Subsection 5.3.3.2 as follows:

1120 Cooke Boulevard	<p>(n) <i>Development</i> on the lands described as 1120 Cooke Boulevard <i>shall</i> be in accordance with the following:</p> <ul style="list-style-type: none">(i) <i>Development shall</i> incorporate measures to avoid or minimize and mitigate potential adverse effects to the <i>development</i> from noise and air emissions including odour.(ii) <i>Development shall</i> incorporate measures to avoid or minimize and mitigate potential impacts on industrial, manufacturing, or other uses, including reducing the risk of complaints, and to ensure the ability of major facilities to comply with
----------------------	--

	<p>environmental approvals, registrations, legislation, regulations, and guidelines for both current and future operations.</p> <p>(iii) Notwithstanding the use, floor area ratio, height, and design policies contained in Part III, Subsections 5.3.2 c), d) (i) and (ii), and g) (i) and (v), and 5.3.3.2 c) and e) (i) and (ii), of this Plan, for the lands described as 1120 Cooke Boulevard, the following policies <i>shall</i> apply:</p> <ul style="list-style-type: none">a. a mixed-use <i>development</i> comprising three buildings, with a combined maximum 1165 <i>dwelling units</i> and a combined maximum <i>Floor Area Ratio</i> of 9:1:1 <i>shall</i> be permitted;b. a maximum building height of 34 storeys (plus mechanical) <i>shall</i> be permitted;c. non-residential uses <i>shall</i> be located at ground level in two of the three buildings;d. surface parking spaces for residential visitors and/or non-residential uses may be provided.
--	--

2. INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with Section 3.0, Interpretation policies of Part VI, Implementation, of the Official Plan of the Burlington Planning Area.

3. IMPLEMENTATION

This Official Plan Amendment will be implemented in accordance with the appropriate “Implementation” policies of Part VI of the Official Plan of the Burlington Planning Area.

Appendix C: Zoning By-law Amendment

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.472

A by-law to amend By-law 2020, as amended; for 1120 Cooke Boulevard, for the purpose of facilitating the mixed-use development of three residential towers of maximum heights of 30, 32, and 34 storeys

File number: 520-01/22

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

WHEREAS the Council of the Corporation of the City of Burlington approved PL-04-22 on March 19, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit the mixed-use development of three residential towers of maximum 30, 32, and 34 storeys;

THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. Zoning Map Number 3 of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands identified on Schedule "A" attached hereto are hereby rezoned from MXC-26 to H-MXC-531.
3. Part 11, Appendix A, of By-law 2020, as amended, Site-Specific Requirements for Removal of an "H" Holding Symbol, is amended by creating Section 77 as follows:

77.	H-MXC-531	Map	3-E	Resolution:
Prior to the removal of the 'H' Holding Symbol, the following must be completed to the satisfaction of the Region of Halton:				
1. The Owner executes a Regional Servicing Agreement for the replacement of the Cooke Boulevard sanitary sewer to address downstream sanitary sewer capacity.				

4. Part 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended with the following:

Exception 531	Zone MXC	Map 3	Amendment 2020.472	Enacted March 19, 2024
1. <u>In addition to Part 1, Subsection 2.22 and Part 5, Section 3, the following uses are prohibited:</u>				
a) Funeral Home b) Automotive uses				
2. <u>Regulations for the entire site:</u>				
a) For the purposes of applying zoning regulations the property zoned MXC-531 shall be considered one lot.				
b) Notwithstanding Part 5, Section 4.1, Table 5.4.1 the maximum yard abutting any other street shall not apply.				
c) Notwithstanding Part 1, Section 2.27.1, for the purposes of establishing building setbacks or for the application of any other provisions of this By-law the deemed and actual street width of Cooke Boulevard is 17 m.				
d) Non-residential floor area i) Building A: ii) Building B & C: iii) Notwithstanding the combined non-residential floor area for Buildings B and C, Buildings B and C must provide a minimum of 175 m ² of non-residential floor area per building.				
e) Landscape Area abutting a street:				
f) Amenity Area:				
g) A rooftop terrace shall maintain the principal building yards of the storey below it.				
h) Maximum Residential Units i) Building A: ii) Building B:				
450 units				

iii) Building C:	370 units 385 units
iv) Notwithstanding the maximum residential units in any individual building, the maximum number of residential units on the lands zoned MXC-531 shall be 1165.	
i) Maximum Floor Area Ratio:	9.1:1
j) Setbacks for a Below-grade parking structure to all lot lines:	0.9 m
k) Setback from Cooke Blvd for an above-grade access stairway building to the below grade parking structure:	6 m
l) Setback from the north lot line for an above-grade access stairway building to the below grade parking structure:	1.5 m
m) Set back to Waterdown Road for an entrance and exit ramp to a parking garage:	0 m
n) Parking: i) Occupant: ii) Visitor:	0.89 spaces/unit 0.08 spaces/unit
iii) Notwithstanding Part 5, Section 4.6(b), (c) and d) where a development is comprised of residential and non-residential uses, up to 100% of the required visitor parking located on the development site may be counted towards the required non-residential parking.	
o) Bicycle Parking: i) Long-term: ii) Short-term: iii) Vertical bicycle parking space dimensions: iv) Horizontal bicycle parking space dimensions:	0.5 spaces/unit 0.05 spaces/unit 0.6 m width 1.2 m length 0.6 m width 1.8 m length

- p) Long-term bicycle parking spaces are bicycle parking spaces for use by the occupants, employees, or tenants of a building, and must be located in a building. Required long-term bicycle parking spaces in apartment buildings may not be in a dwelling unit, on a balcony, or in a storage locker.
- q) Short-term bicycle parking spaces are bicycle parking spaces for use by visitors to a building.
- r) Stacked bicycle parking spaces mean a horizontal bicycle parking space that is positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both bicycle parking spaces.
- s) All short-term bicycle parking spaces shall be provided as horizontal bicycle parking spaces and be provided at ground level.

t) Accessory Structures on the ground:	
i) Maximum height:	One storey and 4 m
ii) Yard abutting Waterdown Road:	1 m
iii) Yard abutting Masonry Court:	5 m
iv) Yard abutting Cooke Boulevard:	6 m
u) Accessory Structures on a roof top terrace:	
i) Maximum height from the roof top:	3.7 m
v) Notwithstanding Part 1, Section 2.2.2 any accessory structure located on a terrace and/or roof top shall maintain the yard requirements of the floor level below the terrace and/or roof top	
w) Notwithstanding Part 5, section 4.6(f), the minimum width for a walkway connecting the sidewalk to the principal entrance of the building shall be 2 m.	

3. Regulations applying to Building 'A' on Figure 531:

a) Maximum height:	34 storeys and 112 m
b) Yard abutting Waterdown Road:	
i) Floors 1 to 12:	4.5 m
ii) Floors 13 to 34:	9 m
c) Yard abutting Masonry Court:	50 m
d) North Side Yard:	6 m
e) Yard abutting Cooke Boulevard:	40 m

f) Maximum Balcony Projections on the east elevations: i) Floors 2 to 7: ii) Floor 8 to 34:	2.1 m 1.5 m
g) Maximum balcony projections on the south elevation: i) Floors 2 to 34:	1.5 m
h) Maximum balcony projections abutting Waterdown Road: i) Floors 2 to 7: ii) Floor 8 to 34:	1.5 m
i) Maximum balcony projections on the north elevation: i) Floor 2 to 7: ii) Floor 8 to 34:	2.1 m 1.5 m
	2.1 m 1.5 m
j) A pedestrian accessible door shall be provided for residential apartment lobbies facing on the south or east elevation.	
4. <u>Regulations applying to buildings to Building 'B' on Figure 531:</u>	
a) Maximum height:	30 storeys and 100 m
b) Yards Abutting Waterdown Road:	55 m
c) Abutting Masonry Court: i) Floors 1 to 8: ii) Floor 8 to 30:	5 m 9 m 40 m
d) North Side Yard:	5 m
e) Cooke Boulevard:	
f) Maximum balcony projections abutting Cooke Boulevard: i) Floors 2 to 7: ii) Floors 8 to 30:	3 m 1.5 m
g) Maximum balcony projections abutting Masonry Court: i) Floors 2 to 7: ii) Floors 8 to 30:	2.1 m
h) Maximum balcony projections on the west elevation: i) Floors 2 to 30:	1.5 m
i) Maximum balcony projections on the north elevation: i) Floor 2 to 30:	1.5 m

	1.5 m
j) A pedestrian accessible door shall be provided for residential apartment lobbies facing on the west elevation and facing Cooke Boulevard.	
k) A pedestrian accessible door shall be provided for all non-residential uses facing Masonry Court and/or Cooke Boulevard	
5. <u>Regulations applying to buildings to Building 'C' on Figure 531:</u>	
a) Maximum height:	32 storeys and 106 m
b) Yard Abutting Waterdown Road:	3 m
c) Yard Abutting Masonry Court:	5 m
d) North Side Yard:	50 m
e) Yard abutting Cooke Boulevard:	50 m
f) Maximum Balcony Projections on the east building Elevations: i) Floors 2 to 32:	
g) Maximum balcony projections abutting Masonry Court: ii) Floors 2 to 7: iii) Floor 8 to 32:	1.5 m
h) Maximum balcony projections abutting Waterdown Road: i) Floors 2 to 7: ii) Floor 8 to 32	2.1 m 1.5 m
i) Maximum balcony projections on the north elevation: i) Floor 2 to 6: ii) Floor 7 to 32:	2.1 m 1.5 m
	2.1 m
	1.5 m
j) A pedestrian accessible door shall be provided for residential apartment lobbies facing on the east elevation and facing Masonry Court.	
k) A pedestrian accessible door shall be provided for all non-residential uses facing Masonry Court or on the east elevation.	
Except as amended herein, all other provisions of this By-law, as amended, shall apply.	
Figure 531:	

FIGURE 531



SUBJECT PROPERTY

WATERDOWN RD.

COOKE BLVD.

BUILDING A

BUILDING B

BUILDING C

MASONRY CRT.

Date: December 08, 2023
Community Planning Department

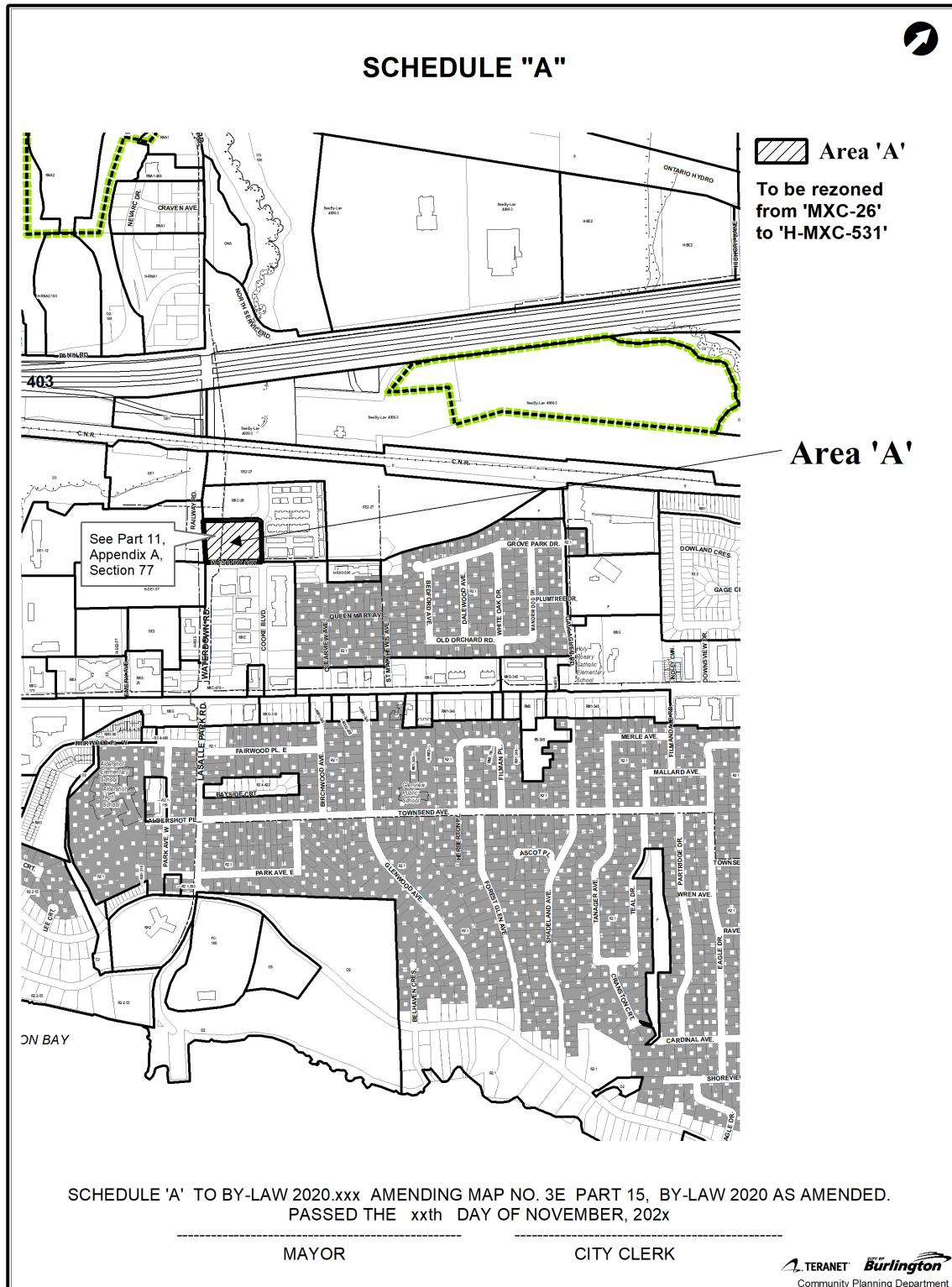
TERANET *Burlington*

Enacted and passed this 19th day of March, 2024

Mayor Marianne Meed Ward _____

City Clerk _____

Schedule A to By-law 2020.472



Appendix D: Public Comments received since May 17, 2022

Comment 1: Josh Perell, Received by e-mail on June 3, 2022

Dear Mr. Douglas,

My name is Joshua Perell and I co-own a home in Burlington.

I am a member of the Law Society of Ontario and I act on behalf of the City of Burlington in some matters. I am writing today only on behalf of myself as a concerned resident of Burlington.

Thank you for the opportunity to provide feedback regarding the proposed redevelopment at 1120 Cooke Boulevard (Files 505-1/22 and 520-1/22).

As a resident of Ward 1, I am concerned that the proposed redevelopment of 1120 Cooke Boulevard does not constitute good planning for the following reasons:

1. The land is not suitable for the proposed purpose. The property under review is too small to accommodate the three tall buildings included in the application;
2. The proposed redevelopment is incompatible with adjacent land uses. Two of the proposed buildings are 30 storeys taller than the maximum height currently set out in the City's Official Plan. The shortest of the three proposed buildings is 20 storeys taller than the maximum height currently set out in the City's Official Plan;
3. Given the small size of the site of the proposed development, the new buildings will impose upon buildings and properties on all sides of the proposed new structures;
4. Vehicle access to the redeveloped site is inadequate. The proposed redevelopment will result in increased traffic and traffic congestion which the relevant sections of Waterdown Road, Masonry Court, and Cooke Boulevard were not designed to accommodate; and
5. The summary of the zoning changes required to approve the proposed redevelopment as set out in the Notice of Statutory Public Meeting released by the City of Burlington amounts to creating site-specific zoning that conflicts with the City's Official Plan as well as the permitted building type/use, and parking requirements.

Given the height of the proposed buildings and the number and extent of the zoning changes required for the proposed redevelopment plan, it is difficult to see how the general intent and purpose of the area's zoning by-law and of the City's Official Plan can be maintained.

I also note that approval of the proposed redevelopment of 1120 Cooke Boulevard would be inconsistent with Council's recent decision refusing application 520-10/21 concerning 1029-1033 Waterdown Road. In my opinion, Council should refuse the application for the proposed redevelopment of 1120 Cooke Boulevard for the same reasons as set out in the City's Notice of Decision regarding application 520-10/21,

dated April 21, 2022: “the proposed development is premature, the proposed building does not represent a compatible transition to the established neighbourhood, does not provide sufficient range of housing or employment opportunity and is not supportive of multi-modal infrastructure or contribute to an enhanced public realm.”

Please treat this letter as written submissions to Council for the purposes of obtaining standing to appeal to the Ontario Land Tribunal under section 34 (or any other relevant section) of the *Planning Act*, R.S.O. 1990, c. P.13 (or as amended).

Yours truly,

Joshua Perell

Comment 2: Carolyn V, received March 17, 2023

I have read that 3 ENORMOUS buildings have been proposed on Cooke Boulevard, 29 storeys, 31 storeys and, 33 storeys.

Yikes. That is absurd.

This is an older neighbourhood and the infrastructure is as such.

I'm wondering how Plains Road would possibly be expected to handle such an enormous influx of traffic? Thousands of extra vehicles.

The intersection of Plains Road and Waterdown Road now is already chaotic with the current amount of traffic that passes through every day. The traffic on Plains Road itself is already very noticeably at capacity.

When a builder makes a proposal of such magnitude, are they responsible for the infrastructure changes and improvements that definitely come along with such projects? Are they responsible for providing proper grocery stores, department stores, schools, parks and community centres? It should be the law.

As a long time resident of the Aldershot community, I am not in favour of a development of 29, 31 and 33 storeys. The neighbourhood can't handle it properly and safely. Isn't that property only zoned for 6 storeys??

I am very concerned about traffic issues in my neighbourhood.

Thank you for your time,

Carolyn



Motion Memorandum

SUBJECT: Petition sponsored by Councillor Lisa Kearns and Councillor Rory Nisan, dated April 12, 2024 regarding "Restoration of Democracy at Burlington City Council", and related correspondence

TO: **Mayor and Members of Council**

FROM: Councillor Lisa Kearns, Ward 2

Date to Committee: n/a

Date to Council: April 16, 2024

Motion for Council to Consider:

Receive and file petition titled "**Restoration of Democracy at Burlington City Council**," and

Receive and file the correspondence received regarding the delegation of strong mayors powers.

Reason:

To acknowledge and bring to public record the over 500 signatories and growing that call for strengthened democracy and the maintenance of checks and balances in Burlington's governance.

Additionally, this motion memorandum is to sponsor the over 60 pieces of correspondence received since April 4, 2024 with respect to the delegation of strong mayors powers.

"Premier Doug Ford's Conservative government has granted strong-mayor powers to 46 municipalities since 2022, when the mayors of Toronto and Ottawa were first handed expanded powers".

"This move marks a major change in how municipal governance is handled in Ontario, where councils historically operated on a one representative/one vote standard".

“These new powers can only be used for specific matters detailed in the Strong Mayors, Building Homes Act, passed by the provincial government in September 2022”.

“Under the act, strong mayors have the ability to, among other things, veto certain bylaws, prepare budgets, appoint a chief administrative officer (CAO), and hire or fire most department and division heads”.

“It’s notable these powers were only awarded to mayors of municipalities who pledged to help the government meet its target of building 1.5 million homes by 2031.”

“It matters not whether these Strong Mayor powers are benevolently applied or with Council consultation. The fact that they exist at all and under the sole control of a single individual is fundamentally wrong and contrary to the democratic principle of majority rule”.

“As such, ***The citizens of the City of Burlington*** respectfully request Her Worship, Mayor Marianne Meed Ward, comply with the requests contained in Motion memo Improving Local Democracy by Strengthening City Decision-Making (ADM-05-24).”

Outcome Sought:

That council recognize over 500 signatures and over 60 pieces of correspondence demonstrating the constituency interest in “restoration of democracy at Burlington City Council”.

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: Councillor Rory Nisan, Ward 3

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: none

City Manager: none

To: **Mayor and Members of City Council**

From: **Thomas Douglas, Senior Planner – Development Review**

Cc: **Tim Comisso, City Manager**
Craig Kummer, Acting Executive Director of CPRM
Jamie Tellier, Director of Community Planning
Kyle Plas, Manager of Development and Design
Bill Wallace, Supervisor of Development Review

Date: **April 11, 2024**

Re: **Update on report PL-04-24, applications for Official Plan Amendment and Zoning By-law Amendment for 1120 Cooke Blvd (ward 1)**

File Nos.: **505-01/22, 520-01/22**

Recommendation:

Defer a decision on Official Plan and Zoning By-law amendments for 1120 Cooke Boulevard (PL-04-24) until such time as the Director of Community Planning advises that outstanding matters have been addressed and provides an updated recommendation if required.

Background and Discussion:

On March 5, 2024, Community Planning staff presented report PL-04-24 to Committee of the Whole. This report recommended approval of applications by Adi Developments for Official Plan Amendment and Zoning By-law Amendment to permit a mixed-use development at 1120 Cooke Boulevard in ward 1, comprising three tall buildings of maximum 34, 32, and 30 storeys (“the development applications”). The recommendations of PL-04-24 were considered by Committee and put on the March 19, 2024 Council meeting agenda for final approval.

Prior to the Council meeting of March 19, 2024, City Council received correspondence from legal counsel of CN Rail which introduced new information about noise modeling for CN’s Aldershot rail yard and asked Council to defer a decision on the development applications until their concerns could be addressed. Mike Bennett of WND Planning, representing Adi Developments, delegated at the March 19 Council meeting and requested that Council defer a decision to allow Adi an opportunity to address the concerns raised by CN. Community Planning staff supported the applicant’s request for a deferral. Council then passed a motion, “Refer item ah. Official Plan and Zoning By-law amendments for 1120 Cooke Boulevard (PL-04-24) to the April 16, 2024 Council meeting.”

Since the March Council meeting, CN Rail has provided updated noise modelling information to Adi Developments and the City, and Adi has undertaken a review of this information. As of April 11, 2024, Community Planning staff have received preliminary technical information from Adi reflecting their ongoing work to address CN’s concerns. To date, the City has not received a complete technical analysis of CN’s noise model, nor any further correspondence from CN that would indicate that their concerns have been addressed. Accordingly, staff are recommending that Council further defer a

decision on report PL-04-24 until such time as Community Planning staff advise that the outstanding matters have been resolved through review of updated technical analysis from the applicant by both CN Rail and the City's Development Engineering team. At such time, Community Planning staff will also advise Council whether any revisions to the recommendations of PL-04-24 are required.

Options Considered:

Council has the option to approve the recommendations of report PL-04-24 at this time, but this is not recommended by staff. A decision to approve the development applications prior to addressing the concerns of CN Rail could result in CN Rail appealing the decision of Council, which would result in further delays and costs associated with an Ontario Land Tribunal (OLT) appeal process for both the City and the applicant. Rather, staff recommend deferral to allow time for due consideration of the new information presented by CN Rail in their March correspondence, as this will ensure Council's decision-making is as well-informed as possible.

Council should be aware that deferring a decision, as recommended by staff, also presents a risk that the applicant could appeal to the OLT on the basis of non-decision. Nonetheless, staff recommend deferral for the reasons stated above. Because the subject applications were deemed complete prior to the passing of Bill 109, there is no risk of the City having to refund application fees.

Lastly, Council also has the option to refuse the development applications, but this is not recommended, would be contrary to the recommendations of report PL-04-24, and would risk an appeal by the applicant.

Conclusion

Staff are of the opinion that deferring a decision on report PL-04-24 as recommended in this memo is appropriate and will support informed decision-making. Decision-making must also be timely, and to this end staff will remain in contact with the applicant and CN to facilitate expedient resolution of the outstanding concerns regarding noise impacts and land use compatibility. At such time as these outstanding matters have been addressed, staff will report back to Council to recommend a decision on the development applications and report PL-04-24.

Respectfully submitted,

Thomas Douglas, MCIP RPP
Senior Planner – Development Review
Community Planning Department

Strong Mayor Correspondence

Some correspondence may appear more than once as part of an email chain.

1. Edward Reesor
2. Clarke
3. Marc Boyer
4. John Clarke
5. Betsy Coleman
6. Lesia Lane
7. Joanne DeGrace
8. Richard Earl
9. Donna Marchand-Hajduczek
10. Paula Ogg
11. Tawny Sinasac
12. Michael Cioci
13. Lesley Simpson
14. Sylvia Marshall
15. Donna Lewczuk
16. Sharon Dickerson
17. Caren Burcher
18. Paulette Moser
19. David Gooderman
20. Keith Marshall
21. Mark Henderson
22. Susan Wallace
23. Mark Reed
24. Kathy Philip
25. Marilyn Webb
26. Bob Hajduczek
27. Catherine Lanc and Daniel Lanc
28. Chris Osborne
29. Cory Legacy
30. D.F. Bonanno
31. David Gore
32. Deborah Arbour
33. Deedee Davies
34. Don Fletcher
35. Doug Philip
36. Gillian Young
37. Helen Bobis

- 38. Jamie Paul-Galipeau
- 39. Janice Slaunwhite
- 40. Jill Donohue
- 41. Joseph Sinasac
- 42. Karen Osborne
- 43. Liza Bouchard-Bain
- 44. Luxmi
- 45. Lydia and John Thomas
- 46. Lynn Crosby
- 47. Lynn Kirouac
- 48. Marilyn Baker
- 49. Marnie Hamilton
- 50. Meera Ranade
- 51. Nancy Steadman
- 52. Nina Karachi-Khaled
- 53. Pamela Baswick
- 54. Penny Hersh
- 55. Ross Hamilton
- 56. Shelia Gore
- 57. Susan MacPhail
- 58. Susan Gow
- 59. Bruce Smith
- 60. Caterina Shea
- 61. Deborah Lewzuk
- 62. Gary Shea
- 63. Linda Lankester
- 64. Steven Keech
- 65. Stephen Pichoicki
- 66. Mary Rose
- 67. Dennis and Coleen Williams

From: [Ted Reesor](#)
To: [Mailbox, Clerks](#)
Cc: [LIST - Office of Ward 2](#)
Subject: A Petition to Maintain Checks and Balances in Burlington Governance
Date: Friday, April 5, 2024 11:57:35 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern;

My name is Edward Reesor I live at [REDACTED], Burlington and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Burlington deserves governance that reflects its community's integrity, not the unchecked power of a single office holder. Join us in upholding the values that make Burlington strong.

Together, we can keep Burlington a city of unified vision, not divided authority. Let's keep our checks and balances intact for the betterment of Burlington now, and for generations to come.

Sincerely,

Edward Reesor

[REDACTED]

Burlington, ON

From: John Clarke
To: [Mailbox_Clerks](#); [Kearns, Lisa](#)
Subject: Agenda item
Date: Thursday, April 11, 2024 11:13:09 AM

My name is John Clarke I live at
[REDACTED] and I request that Mayor
Meed Ward delegate those powers she is
permitted to under the amended Municipal Act,
including: appointing a chief administrative
officer; appointing chairs and vice-chairs of
local boards; creating, dissolving, assigning
functions and appointing chairs and vice-chairs
of council committees; hiring municipal division
heads; and changing the organizational
structure of the municipality.
Please include this email as correspondence in
the April 16th Council Agenda.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: [Marc Boyer](#)
To: [Mailbox, Clerks](#)
Cc: [LIST - Office of Ward 2](#)
Subject: Amendment to Municipal Act
Date: Saturday, April 6, 2024 9:16:29 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Marc Boyer, I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Marc Boyer

From: John Clarke
To: [Mailbox, Clerks](#); [Kearns, Lisa](#)
Subject: Another agenda item
Date: Thursday, April 11, 2024 11:14:10 AM

My name is JOHN CLARKE I live at
[REDACTED] and I request that Mayor
Meed Ward delegate those powers she is
permitted to under the amended Municipal Act,
including: appointing a chief administrative
officer; appointing chairs and vice-chairs of
local boards; creating, dissolving, assigning
functions and appointing chairs and vice-chairs
of council committees; hiring municipal division
heads; and changing the organizational
structure of the municipality.
Please include this email as correspondence in
the April 16th Council Agenda.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: [Betsy](#)
To: [LIST - Office of Ward 2](#); [Mailbox, Clerks](#)
Subject: April 16 City Council meeting
Date: Friday, April 5, 2024 9:37:47 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Betsy Coleman live at [REDACTED] in Burlington, and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality. Please include this email as correspondence in the [April 16th Council Agenda](#).

Sincerely
Betsy Coleman

Sent from iPhone

From: [LESIA LANE](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: April 16th Council Agenda - Delegate strong Mayor powers
Date: Tuesday, April 9, 2024 7:59:31 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Email Clerks@Burlington.ca and my office Ward2@Burlington.ca and say:

My name is Lesia Lane I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Regards

Lesia Lane

From: [Joanne DeGrace](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: April 16th Council Agenda.
Date: Sunday, April 7, 2024 10:11:46 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Joanne DeGrace I live in Burlington on [REDACTED], and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

From: [Richard](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Burlington and Strong Mayor Powers
Date: Saturday, April 6, 2024 11:03:21 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Richard Earl. I live at [REDACTED].

I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

This was a terrible decision by the Ford government to grant these powers and we should not be compounding it by accepting them in Burlington.

Please include this email as correspondence in the April 16th Council Agenda.

Thanks
Richard Earl

From: [Donna Marchand-Hajduczek](#)
To: [Mailbox, Clerks; LIST - Office of Ward 2](#)
Subject: Correspondence for April 16 Council meeting
Date: Saturday, April 6, 2024 2:57:29 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is DONNA MARCHAND-HAJDUCZEK

and I live at [REDACTED]

I request that Mayor Meed Ward delegate those powers she is permitted to under the Amended Municipal Act including : appointing a chief administrative officer, appointing chairs and vice-chairs of local boards ,creating,dissolving assigning functions and appointing chairs and vice-chairs of council committees,hiring municipal division heads and changing the organizational structure of the municipality.

Centralization of power not only undermines collective leadership but also diminishes the voice of our community in the decision-making process.

Please include this email as correspondence in the April 16 Council Agenda.

Donna Marchand-Hajduczek

From: [Bob Hajduczek](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Correspondence for April 16th Council Meeting
Date: Friday, April 5, 2024 11:35:49 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is ROBERT HAJDUCZEK and I live at [REDACTED] BURLINGTON, ONTARIO.
[REDACTED].

I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Proven time and time again that ***One person cannot run a large establishment effectively! It takes a team and teamwork!***

Please include this email as correspondence in the April 16th Council Agenda.

Bob Hajduczek
[REDACTED]

Burlington, ON
[REDACTED]

From: [Prof Paula](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Delegate Strong Mayor Powers
Date: Saturday, April 6, 2024 10:57:32 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Clerks and Ward 2 Councillor,

My name is Paula Ogg. I live at [REDACTED] Burlington.

I request that Mayor Meed Ward delegate the strong mayor powers permitted under the amended Municipal Act at the April 16th, 2024 Council Agenda.

These strong mayor powers include:

- Appointing a chief administrative officer.
- Appointing chairs and vice-chairs of local boards.
- Creating, dissolving, assigning functions to, and appointing chairs and vice-chairs of council committees.
- Hiring municipal division heads.
- Changing the organizational structure of the municipality.

Burlington cannot fall into the centralized unchecked power of a single office holder. There is already a serious issue of the Mayor and the Councillors not responding to emails and contact forms to provide representative government. To have an even more diminished voice in the decision-making process seriously undermines of collective leadership.

Sincerely,

Paula Ogg

Burlington ON [REDACTED]

From: [Joe Sinasac](#)
To: [Mailbox, Clerks](#)
Cc: [LIST - Office of Ward 2](#)
Subject: Delegation of mayoral powers
Date: Friday, April 5, 2024 2:19:14 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Meed Ward:

I read Joan Little's recent column in The Spectator, your response to that column, the op ed penned by Councillor Rory Nissan and an email on the issue from my ward councillor, Lisa Kearns. Clearly, the use of strong mayor powers is causing concern and tension on council. That atmosphere places in peril the work councillors need to do and erodes Burlington citizens' expectation that democracy is a fundamental principle underlying decisions made at City Hall.

In order to restore trust in your leadership and in the workings at City Hall, I request that you delegate those powers you are permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Tawny Sinasac,

From: [Mike Cioci](#)
To: [Mailbox, Clerks](#)
Subject: Give back powers allowed under the new legislation
Date: Friday, April 5, 2024 3:14:04 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Michael Cioci I live at [REDACTED] Burlington and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

signed

Michael Cioci

Sent from [Outlook](#)

From: [Lesley Simpson](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Date: Saturday, April 6, 2024 8:28:15 AM

My name is Lesley Simpson I live at [REDACTED] Burlington, and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

--
Lesley Simpson
[REDACTED]

From: [Sylvia](#) [Marshall](#)
To: [Mailbox](#), [Clerks](#)
Date: Sunday, April 7, 2024 8:54:22 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Sylvia Marshall I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

--

Sylvia Marshall 

From: [Donna Lewczuk](#)
To: [Mailbox, Clerks](#); ward@burlington.ca
Subject: Mayoral powers
Date: Friday, April 5, 2024 3:48:02 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Donna Lewczuk. I live at [REDACTED], Burlington, ON. I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Thank you.

From: golfergirlca@yahoo.com
To: [Mailbox, Clerks; LIST - Office of Ward 2](#)
Subject: Mayoral Strong Powers
Date: Friday, April 5, 2024 10:39:45 PM

My name is Sharon Dickerson. I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Regards,
Sharon Dickerson

Yahoo Mail: Search, Organize, Conquer

From: [Caren Burcher](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: RE: April 16th Council Meeting - Please include this email as correspondence in the Council Agenda for April 16/24
Date: Thursday, April 11, 2024 4:46:28 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attention: Burlington City Council:

My name is Caren Burcher and I reside in the City of Burlington and I request Mayor Meed Ward delegate all powers she is permitted to under

the amended Municipal Act, including appointing a chief administrative officer, appointing chairs and vice-chairs of local boards; creating, dissolving,

assigning functions and appointing chairs and vice-chairs of Council committees; hiring municipal division heads; and changing the organizational

structure of the municipality.

PLEASE include this email correspondence in the April 16th, 2024 Council Agenda.

Thank you,

Caren Burcher

From: [Thurman, Dania](#)
To: [Bruce Smith](#); [Kearns, Lisa](#)
Cc: [Mailbox, Clerks](#)
Subject: RE: restoration of democracy at the Burlington city council
Date: Tuesday, April 9, 2024 10:20:47 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi Bruce,

We are in receipt of your feedback, thank you for taking the time to reach out. I have copied Clerks so your email goes on record.

Dania Thurman

**Councillor Administrator & Community Liaison
Ward 2 City of Burlington & Region of Halton**

P. 905 335 7600 | E. dania.thurman@burlington.ca
Address 426 Brant Street, P.O. Box 5013
Burlington, Ontario L7R 3Z6
City of Burlington | burlington.ca/ward2

Our working hours may be different. You are not obligated to reply outside of your typical working hours.



 Please consider the environment before printing this e-mail

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From: Bruce Smith [REDACTED]
Sent: Monday, April 8, 2024 7:58 PM
To: Kearns, Lisa <Lisa.Kearns@burlington.ca>
Cc: LIST - Office of Ward 2 <ward2@burlington.ca>
Subject: restoration of democracy at the Burlington city council

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Paulette Moser I live at [REDACTED]

[REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs

and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Sign the petition: <https://www.change.org/p/restoration-of-democracy-at-burlington-city-council>

Burlington deserves governance that reflects its community's integrity, not the unchecked power of a single office holder. Join us in upholding the values that make Burlington strong.

Paulette Moser



From: [Thurman, Dania](#)
To: [David Gooderham](#)
Cc: [Mailbox, Clerks](#)
Subject: RE: Strong Mayor powers
Date: Monday, April 8, 2024 11:03:38 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi David,

We are in receipt of your email, thank you for taking the time to share your thoughts. I have copied Clerks so your email will go on record.

Dania Thurman

Councillor Administrator & Community Liaison

Ward 2 City of Burlington & Region of Halton

P. 905 335 7600 | E. dania.thurman@burlington.ca

Address 426 Brant Street, P.O. Box 5013

Burlington, Ontario L7R 3Z6

City of Burlington | burlington.ca/ward2

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From: David Gooderham [REDACTED]
Sent: Saturday, April 6, 2024 11:17 AM
To: LIST - Office of Ward 2 <ward2@burlington.ca>
Subject: Strong Mayor powers

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My name is David Gooderham, I live at [REDACTED], and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

From: [Thurman, Dania](#)
To: [Keith Marshall](#)
Cc: [Mailbox, Clerks](#)
Subject: RE: Strong Mayor Powers
Date: Monday, April 8, 2024 11:10:57 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi Keith,

We are in receipt of your email, thank you for taking the time to share your thoughts. I have copied clerks so your feedback goes on record.

Dania Thurman

Councillor Administrator & Community Liaison

Ward 2 City of Burlington & Region of Halton

P. 905 335 7600 | E. dania.thurman@burlington.ca

Address 426 Brant Street, P.O. Box 5013

Burlington, Ontario L7R 3Z6

City of Burlington | burlington.ca/ward2

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 Please consider the environment before printing this e-mail

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From: Keith Marshall [REDACTED]
Sent: Friday, April 5, 2024 3:30 PM
To: LIST - Office of Ward 2 <ward2@burlington.ca>
Subject: Strong Mayor Powers

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Keith Ian Marshall, I live at [REDACTED] Burlington and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Keith Marshall

From: [Thurman, Dania](#)
To: [mhenders](#)
Cc: [Mailbox, Clerks](#)
Subject: RE: Strong Mayor Powers
Date: Monday, April 8, 2024 11:07:37 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi mark,

We are in receipt of your email, thank you for taking the time to share your thoughts. I have copied Clerks so your feedback goes on record.

Dania Thurman

Councillor Administrator & Community Liaison

Ward 2 City of Burlington & Region of Halton

P. 905 335 7600 | E. dania.thurman@burlington.ca

Address 426 Brant Street, P.O. Box 5013

Burlington, Ontario L7R 3Z6

City of Burlington | burlington.ca/ward2

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 Please consider the environment before printing this e-mail

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From: mhenders [REDACTED]

Sent: Friday, April 5, 2024 9:22 PM

To: LIST - Office of Ward 2 <ward2@burlington.ca>

Subject: Strong Mayor Powers

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Lisa,

Thank you so much for bringing this issue to my attention.

Good mayor, bad mayor, good decision or bad decision; it doesn't matter...Strong Mayor Powers inevitably open the entire system and every decision to suspicion and rumour!

The "Strong Mayor Powers" are dangerous in that they imperil the faith that we MUST have that majority rules, that all voices are heard and that in the end, democracy matters at every level of our country.

I commend you for your efforts on this.

Can you tell me if there will be another opportunity to delegate at Council on this issue on

the 16th?

Mark Henderson

[REDACTED]

Burlington

[REDACTED]

From: [Thurman, Dania](#)
To: [susan.wallace](#)
Cc: [Mailbox, Clerks](#)
Subject: RE: Strong Mayor Powers
Date: Monday, April 8, 2024 12:02:18 PM
Attachments: [image002.png](#)
[image003.png](#)

Hi Susan,

We are in receipt of your email, thank you for taking the time to share your thoughts. I have copied Clerks so your feedback goes on record.

Dania Thurman

**Councillor Administrator & Community Liaison
Ward 2 City of Burlington & Region of Halton**

P. 905 335 7600 | E. dania.thurman@burlington.ca
Address 426 Brant Street, P.O. Box 5013
Burlington, Ontario L7R 3Z6
City of Burlington | burlington.ca/ward2

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 Please consider the environment before printing this e-mail

STAY Connected – [SUBSCRIBE to the WARD 2 Newsletter](#)



From: susan wallace [REDACTED]
Sent: Friday, April 5, 2024 2:41 PM
To: LIST - Office of Ward 2 <ward2@burlington.ca>
Subject: Strong Mayor Powers

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is _Susan Wallace .

I live at [REDACTED], Burlington and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating,

dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

From: [Thurman, Dania](#)
To: [Mark Reed](#)
Cc: [Mailbox, Clerks](#)
Subject: RE: Strong Mayor Powers Topic
Date: Tuesday, April 9, 2024 11:30:30 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi Mark,

Thank you for providing feedback in this matter, I have copied Clerks to make note of it.

Dania Thurman

Councillor Administrator & Community Liaison
Ward 2 City of Burlington & Region of Halton

P. 905 335 7600 | E. [REDACTED]
Address 426 Brant Street, P.O. Box 5013
Burlington, Ontario L7R 3Z6
City of Burlington | burlington.ca/ward2

Our working hours may be different. You are not obligated to reply outside of your typical working hours.



 Please consider the environment before printing this e-mail

STAY Connected – [SUBSCRIBE to the WARD 2 Newsletter](#)



From: Mark Reed [REDACTED]
Sent: Thursday, April 4, 2024 9:31 PM
To: LIST - Office of Ward 2 <ward2@burlington.ca>
Subject: Strong Mayor Powers Topic

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Mark Reed, I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda

Kind regards,

Mark Reed

From: [Kathy Philip](#)
To: [Thurman, Dania](#)
Cc: [Mailbox, Clerks](#)
Subject: Re: Strong Mayor Powers: Your Action Needed to Maintain Checks and Balances at City Hall
Date: Tuesday, April 9, 2024 1:13:46 PM
Attachments: [image002.png](#)
[image003.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I confirm I would like the following statement part of the April 16th Council Agenda.

On Tue., Apr. 9, 2024, 12:51 p.m. Thurman, Dania, [REDACTED] wrote:

HI Kathy,

On behalf of Councillor Kearns, thank you for taking time to provide feedback. Can you kindly reply all and confirm you would like the following statement included as correspondence in the April 16th Council Agenda? Clerks will make note of your request.

Thank you!

My name is [REDACTED] Kathy Philip [REDACTED] I live at [REDACTED]
[REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Dania Thurman

Councillor Administrator & Community Liaison

Ward 2 City of Burlington & Region of Halton

P. 905 335 7600, ext 7368 | E. [REDACTED]

Address 426 Brant Street, P.O. Box 5013

Burlington, Ontario L7R 3Z6

City of Burlington | burlington.ca/ward2

Our working hours may be different. You are not obligated to reply outside of your typical working hours.



 Please consider the environment before printing this e-mail

STAY Connected – [SUBSCRIBE](#) to the WARD 2 Newsletter



From: Kathy Philip [REDACTED]

Sent: Tuesday, April 9, 2024 12:46 PM

To: Kearns, Lisa <Lisa.Kearns@burlington.ca>

Subject: Fwd: Strong Mayor Powers: Your Action Needed to Maintain Checks and Balances at City Hall

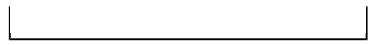
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: **Ward 2 Councillor Lisa Kearns** <lisa.kearns@burlington.ca>

Date: Thu, Apr 4, 2024 at 7:11 PM

Subject: Strong Mayor Powers: Your Action Needed to Maintain Checks and Balances at City Hall

[Web Version](#) [Forward](#)



Dear Residents,

I am writing to alert you to a pressing concern in Burlington City Hall. The regular April Newsletter will arrive to your inbox tomorrow. Please see below and share.

Reach out to me with any additional questions or commentary.

Councillor Kearns

A Call to Maintain Checks and Balances in Burlington Governance

The recent amendments to the Municipal Act have opened a door that Burlington residents should be cautious about walking through. At the heart of the matter is the significant expansion of powers to mayoral authority—often referred to as "strong mayor" powers—which puts into question the balance of power that is fundamental to the nature of our local government. It is true, we have had these in place for a while now, but we should have been more vigilant around how far we could push back and to have commended more vocally the mayors who willingly shed these on receipt (Guelph, Milton, Halton Hills, Kingston, Kitchener).

Our City Council has requested Mayor Marianne Meed Ward to consider delegating/giving back powers allowed under the new legislation. These powers include appointing key administrative positions, leading the structural organization of the municipality, and directing council committees.

It is a dangerous mix for one person to have the unilateral ability to hire or fire senior staff (as well as the City Manager!), configure decision making committees of council AND the immovable powers of dictating the City Budget! Yikes, what an environment to work in. Imagine being a civil servant carrying out the work supported by Council as a whole...then, whammo a mayor could come in and tell you to go in a different direction that aligns with their agenda. What a difficult position to be in! Of course anyone who wants to keep their job would bend to the political will. And that is the crux, staff aren't political. They operate under the checks and balances that the City Manager gatekeeps to ensure that resourcing and finances remain in check with what the Council as a whole make political decisions on. This is how democracy works. These 'strong mayor powers' turn that upside down and threaten the governance structure that Council as a whole must be ruled by. In essence, such consolidated power could upset the very fabric of our city's democratic processes.

Why Should Burlington Resist Strong Mayor Powers?

1. Collective Wisdom Over Centralized Decision-Making

The strength of a council lies in its diverse representation of all residents and its collective wisdom in decision making. When power is concentrated in the hands of a single individual, we detract from the benefits of having multiple perspectives that can challenge, refine, and improve decisions impacting our community. We must ask who we are there to serve at every decision.

2. Transparency and Accountability

With strong mayor powers, the transparency of appointments and organizational

changes risks becoming obscured. Residents deserve a clear view into how and why decisions are made, ensuring accountability across all actions of local government.

3. Checks and Balances

Checks and balances are vital to prevent any form of governance from overreaching. By allowing Mayor Meed Ward—or any mayor—the ability to make unilateral decisions without the council’s majority support, we risk undermining this safeguard. Power without boundaries must not be allowed in our community.

4. Community Representation

Council members are elected to be the voice of their constituents. Diminishing their roles in key committee leadership dilutes their capacity to represent the interests of the people who elected them. Councillors will be reduced to observers of the decision-making process – that means your voice and ours is gone.

Your Voice is Vital

The question of strong mayor powers is not just about governance structures; it’s about the values upon which Burlington was built—a city that thrives on active citizenry and community-based decision-making. The reality is, sure we do make many decisions that are ‘unanimous’, but that is not an indicator of a collaborative council and should not be used to dismiss this call to action. We also disagree – and very few see the constructive challenges that occur behind the scenes to get to the best outcome for our community. Also, listing mayoral decisions is not transparency. Some of the decisions shouldn’t be made in the first place – that’s what we are asking you to help advocate for.

We urge Burlington residents to engage with this topic actively, to understand the ramifications of holding onto mayoral powers that may irreversibly alter how our city is managed.

Act Now for Burlington's Future

Don't be a silent observer amidst these changes. The mayor says she is in ‘thoughtful consideration’ of the matter – tell her to give it up. Already a majority of Council support this because we know you care about democracy and that your voice must be heard. We cannot allow actions that have the momentum to create a toxic work environment to take hold of our City Hall. You are the taxpayer and this Council and the actions of Staff are your investment – don’t you want to ensure that power is not concentrated in the hands of one position? Imagine a bigwig executive at a big company that has the ability to override or dismiss employees without consultation – would you think of that company as a good investment? Probably not!

Attend the upcoming City Council meeting April 16th where your voice can have impact. Be part of a collective effort to ensure that our governance remains equitable, transparent, and representative.

Email Clerks@Burlington.ca and my office Ward2@Burlington.ca and say:

My name is _____ Kathy Philip _____ I live at _____
_____ and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

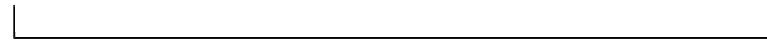
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Sign the petition: <https://www.change.org/p/restoration-of-democracy-at-burlington-city-council>

Burlington deserves governance that reflects its community's integrity, not the unchecked power of a single office holder. Join us in upholding the values that make Burlington strong.

Together, we can keep Burlington a city of unified vision, not divided authority. Let's keep our checks and balances intact for the betterment of Burlington now, and for generations to come.





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From: [Thurman, Dania](#)
To: [JAMES N WEBB](#)
Cc: [Mailbox, Clerks](#)
Subject: RE: Super Powers
Date: Monday, April 8, 2024 10:40:36 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi Marilyn,

Thank you for your email. I have copied clerks so your request can go on record.

Dania Thurman

Councillor Administrator & Community Liaison

Ward 2 City of Burlington & Region of Halton

P. 905 335 7600, ext 7368 | E. dania.thurman@burlington.ca

Address 426 Brant Street, P.O. Box 5013

Burlington, Ontario L7R 3Z6

City of Burlington | burlington.ca/ward2

Our working hours may be different. You are not obligated to reply outside of your typical working hours.



 Please consider the environment before printing this e-mail

STAY Connected – SUBSCRIBE to the WARD 2 Newsletter



From: JAMES N WEBB [REDACTED]
Sent: Monday, April 8, 2024 10:33 AM
To: LIST - Office of Ward 2 <ward2@burlington.ca>
Subject: Super Powers

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Marilyn Webb and I live at [REDACTED], Burlington, Ont. and I definately think our Mayor should relinquish the new super power.

From: [Bob Hajduczek](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Correspondence for April 16th Council Meeting
Date: Friday, April 5, 2024 11:35:49 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is ROBERT HAJDUCZEK and I live at [REDACTED]
[REDACTED].

I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Proven time and time again that ***One person cannot run a large establishment effectively! It takes a team and teamwork!***

Please include this email as correspondence in the April 16th Council Agenda.

Bob Hajduczek
[REDACTED]
[REDACTED]
[REDACTED]

From: [Cathy Lanc](#)
To: [Kearns, Lisa](#); [Mailbox, Clerks](#)
Subject: Strong Mayoral Powers
Date: Friday, April 5, 2024 8:33:02 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Our names are Catherine Lanc and Daniel Lanc. We live at [REDACTED] [REDACTED]. We request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

C

Cathy Lanc

From: [Chris Osborne](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Strong Mayor Power
Date: Thursday, April 4, 2024 7:27:45 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Chris Osborne. I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Best regards

Chris Osborne

From: [Corry Legacy](#)
To: [LIST - Office of Ward 2; Mailbox, Clerks](#)
Subject: Attention Lisa Kearns & Clerks
Date: Thursday, April 4, 2024 11:42:25 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Corry Legacy I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Thank you ensuring the public and municipality's well-being,

Corry Legacy

From: [Bonanno](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Strong Mayor Powers
Date: Friday, April 5, 2024 10:05:10 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you Lisa,

For your excellent newsletter, keeping us informed, keep up the good work. I hope this works

Please forward to the Clerks@Burlington.ca

My name is Fay Bonanno and I live at [REDACTED], Burlington, and I request that Mayor Meed Ward delegate those powers she is permitted under the Municipal Act. I believe in democracy.

Signed

D.F. Bonanno

From: [David Gore](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Strong mayor powers
Date: Thursday, April 4, 2024 8:02:30 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,
My name is David Gore and I live at [REDACTED] in Burlington.

I request that Mayor Meed Ward delegate those powers she is permitted to exercise under the amended Municipal Act including:

Appointing a CAO,
Appointing Chairs and Vice Chairs of local boards,
Creating, dissolving, assigning functions and appointing chairs and vice chairs of council committees,
Hiring municipal division heads, and
Changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Yours truly
David Gore

Sent by David Gore from my I Pad

From: Deborah
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Delegation of Strong mayor Powers
Date: Thursday, April 4, 2024 8:52:20 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Deborah Arbour I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Deborah Arbour

From: [Deedee](#)
To: [Mailbox, Clerks](#)
Cc: [LIST - Office of Ward 2](#)
Subject: Strong Mayor Powers
Date: Thursday, April 4, 2024 8:02:33 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Clerks:

My name is Deedee Davies. I live at [REDACTED] in Burlington and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality. I think it is important that these powers be diversified across Council to keep our representation democratic.

Please include this email as correspondence in the April 16th Council Agenda.

Sincerely,

Deedee Davies
[REDACTED]

From: fletch@cogeco.ca
To: [Mailbox, Clerks](#)
Subject: Strong Mayor Powers in Burlington
Date: Thursday, April 4, 2024 8:18:00 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Don Fletcher & I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

This in no way reflects negatively in my confidence & belief in the integrity & motivation of our Mayor, Marianne Meed Ward.

Please include this email as correspondence in the April 16th Council Agenda

Regards, Don Fletcher

From: [Doug Philip](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Mayor Petion
Date: Friday, April 5, 2024 9:40:37 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is ___ Doug Philip _____ I live at _____
[REDACTED] _____ and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

From: [Gillian Young](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Strong Mayors
Date: Friday, April 5, 2024 7:37:30 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is _Gillian Young_ I live at _____
_____ and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Sincerely,

Gillian Young

From: [Helen Bobis](#)
To: [Mailbox, Clerks](#); Ward02@Burlington.ca
Subject: Fw: Strong Mayor Powers: Your Action Needed to Maintain Checks and Balances at City Hall
Date: Thursday, April 4, 2024 7:46:56 PM
Attachments: [Outlook-efb3haib.png](#)

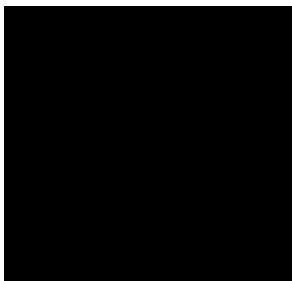
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day,

My is [Helen Bobis](#) I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Regards,

Helen Bobis



From: Ward 2 Councillor Lisa Kearns <lisa.kearns@burlington.ca>
Sent: April 4, 2024 7:06 PM
To: Helen [REDACTED]
Subject: Strong Mayor Powers: Your Action Needed to Maintain Checks and Balances at City Hall



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Councillor Kearns

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The recent amendments to the Municipal Act have opened a door that Burlington residents should be cautious about walking through. At the heart of the matter is the significant expansion of powers to mayoral authority—often referred to as "strong mayor" powers—which puts into question the balance of

power that is fundamental to the nature of our local government. It is true, we have had these in place for a while now, but we should have been more vigilant around how far we could push back and to have commended more vocally the mayors who willingly shed these on receipt (Guelph, Milton, Halton Hills, Kingston, Kitchener).

Our City Council has requested Mayor Marianne Meed Ward to consider delegating/giving back powers allowed under the new legislation. These powers include appointing key administrative positions, leading the structural organization of the municipality, and directing council committees. It is a dangerous mix for one person to have the unilateral ability to hire or fire senior staff (as well as the City Manager!), configure decision making committees of council AND the immovable powers of dictating the City Budget! Yikes, what an environment to work in. Imagine being a civil servant carrying out the work supported by Council as a whole...then, whammo a mayor could come in and tell you to go in a different direction that aligns with their agenda. What a difficult position to be in! Of course anyone who wants to keep their job would bend to the political will. And that is the crux, staff aren't political. They operate under the checks and balances that the City Manager gatekeeps to ensure that resourcing and finances remain in check with what the Council as a whole make political decisions on. This is how democracy works. These 'strong mayor powers' turn that upside down and threaten the governance structure that Council as a whole must be ruled by. In essence, such consolidated power could upset the very fabric of our city's democratic processes.

Why Should Burlington Resist Strong Mayor Powers?

1. Collective Wisdom Over Centralized Decision-Making

The strength of a council lies in its diverse representation of all residents and its collective wisdom in decision making. When power is concentrated in the hands of a single individual, we detract from the benefits of having multiple perspectives that can challenge, refine, and improve decisions impacting our community. We must ask who we are there to serve at every decision.

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Checks and balances are vital to prevent any form of governance from overreaching. By allowing Mayor Meed Ward—or any mayor—the ability to make unilateral decisions without the council's majority support, we risk

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Act Now for Burlington's Future

Don't be a silent observer amidst these changes. The mayor says she is in 'thoughtful consideration' of the matter – tell her to give it up. Already a majority of Council support this because we know you care about democracy and that your voice must be heard. We cannot allow actions that have the momentum to create a toxic work environment to take hold of our City Hall. You are the taxpayer and this Council and the actions of Staff are your investment – don't you want to ensure that power is not concentrated in the hands of one position? Imagine a bigwig executive at a big company that has the ability to override or dismiss employees without consultation – would you think of that company as a good investment? Probably not!

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Sign the petition: <https://www.change.org/p/restoration-of-democracy-at-burlington-city-council>

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Together, we can keep Burlington a city of unified vision, not divided authority. Let's keep our checks and balances intact for the betterment of Burlington now, and for generations to come.



Strong Mayor



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From: [Jamie Paul](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Cc: [Kearns, Lisa](#)
Subject: Maintain Checks and Balances in Burlington Governance
Date: Thursday, April 4, 2024 9:07:25 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Jamie Paul-Galipeau, I live at [REDACTED]
[REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Jamie Paul-Galipeau

[REDACTED]

From: 1jslaunwhite@gmail.com
To: [Mailbox, Clerks](#); [Kearns, Lisa](#)
Subject: Fwd: Strong Mayor Powers: Your Action Needed to Maintain Checks and Balances at City Hall
Date: Thursday, April 4, 2024 10:09:03 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Janice Slaunwhite, both my husband and I are very concerned about the mayors powers. This should be clawed back or removed. Dictatorship s have no place in our democracy.
We live at [REDACTED].
Janice Slaunwhite

Sent from my iPad

Begin forwarded message:

From: Ward 2 Councillor Lisa Kearns <lisa.kearns@burlington.ca>
Date: April 4, 2024 at 7:11:23 PM EDT
To: Janice [REDACTED]
Subject: Strong Mayor Powers: Your Action Needed to Maintain Checks and Balances at City Hall

[Web Version](#) [Forward](#)



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With strong mayor powers, the transparency of appointments and organizational changes risks becoming obscured. Residents deserve a clear view into how and why decisions are made, ensuring accountability across all actions of local government.

3. Checks and Balances

Checks and balances are vital to prevent any form of governance from overreaching. By allowing Mayor Meed Ward—or any mayor—the ability to make unilateral decisions without the council's majority support, we risk undermining this safeguard. Power without boundaries must not be allowed in our community.

4. Community Representation

Council members are elected to be the voice of their constituents. Diminishing their roles in key committee leadership dilutes their capacity to represent the interests of the people who elected them. Councillors will be reduced to observers of the decision-making process – that means your voice and ours is gone.

Your Voice is Vital

The question of strong mayor powers is not just about governance structures; it's about the values upon which Burlington was built—a city that thrives on

active citizenry and community-based decision-making. The reality is, sure we do make many decisions that are 'unanimous', but that is not an indicator of a collaborative council and should not be used to dismiss this call to action. We also disagree – and very few see the constructive challenges that occur behind the scenes to get to the best outcome for our community. Also, listing mayoral decisions is not transparency. Some of the decisions shouldn't be made in the first place – that's what we are asking you to help advocate for.

We urge Burlington residents to engage with this topic actively, to understand the ramifications of holding onto mayoral powers that may irreversibly alter how our city is managed.

Act Now for Burlington's Future

Don't be a silent observer amidst these changes. The mayor says she is in 'thoughtful consideration' of the matter – tell her to give it up. Already a majority of Council support this because we know you care about democracy and that your voice must be heard. We cannot allow actions that have the momentum to create a toxic work environment to take hold of our City Hall. You are the taxpayer and this Council and the actions of Staff are your investment – don't you want to ensure that power is not concentrated in the hands of one position? Imagine a bigwig executive at a big company that has the ability to override or dismiss employees without consultation – would you think of that company as a good investment? Probably not!

Attend the upcoming City Council meeting April 16th where your voice can have impact. Be part of a collective effort to ensure that our governance remains equitable, transparent, and representative.

Email Clerks@Burlington.ca and my office Ward2@Burlington.ca and say:

My name is _____ I live at _____ and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Sign the petition: <https://www.change.org/p/restoration-of-democracy-at-burlington-city-council>

Burlington deserves governance that reflects its community's integrity, not the unchecked power of a single office holder. Join us in upholding the values that make Burlington strong.

Together, we can keep Burlington a city of unified vision, not divided authority. Let's keep our checks and balances intact for the betterment of Burlington now, and for generations to come.



Strong Mayor



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From: [Jill Donohue](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Strong Mayor Legislation
Date: Thursday, April 4, 2024 7:19:01 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Jill Donohue I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Jill Donohue

From: [Joseph Sinasac](#)
To: [Mailbox, Clerks](#)
Cc: [LIST - Office of Ward 2](#)
Subject: Strong Mayor Powers
Date: Friday, April 5, 2024 10:06:55 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

, Burlington. I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Ontario Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council agenda.

Many thanks,
Joseph Sinasac

From: [Karen](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Strong Mayor Power
Date: Thursday, April 4, 2024 7:29:45 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Karen Osborne. I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Best regards

Karen Osborne

From: [Liza Bouchard-Bain](#)
To: [Kearns, Lisa](#); [Mailbox, Clerks](#)
Subject: Delegate powers
Date: Thursday, April 4, 2024 7:59:33 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Liza Bouchard-Bain I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Thank you

Liza Bouchard-Bain

Sent from my iPhone

From: [Labell](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Request for Mayoral super power to delegated or suspended
Date: Friday, April 5, 2024 11:19:27 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is luxmi I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

From: [Lydia Thomas](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#); [Galbraith, Kelvin](#)
Subject: Delegation of Strong Mayor Powers in Burlington
Date: Friday, April 5, 2024 12:17:44 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Our names are Lydia and John Thomas. We live at [REDACTED] in Ward 1 and we request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Thank-you,

Lydia Thomas

John Thomas

From: Lynn
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: April 16 Council Agenda - Written Comments on Motion for Mayor to Delegate Strong Mayor Powers
Date: Thursday, April 4, 2024 10:56:22 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Clerk:

Please include this email as correspondence in the April 16th Council Agenda.

My name is Lynn Crosby. I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

In my opinion, this should be simple. It is about democracy, and its fundamental tenet of majority rule - full stop. You either value it above all else - as an elected official, how can you not? - or you don't. It isn't something you need time to "think about."

Mayor Meed Ward had a choice, back when this Motion was first presented over a month ago, and again at the council meeting on March 26. This choice was made by mayors in the same situation in multiple other cities and towns across Ontario easily and quickly: to choose to stand up for democracy, to show respect to your councillors, all residents who are represented by them, and to staff, by delegating the undemocratic powers back to the City Manager and the duly-elected councillors, at the request of a majority of those councillors, as soon as the request was made. Our mayor didn't. Instead she delayed, she deflected, she dithered. She tried to justify the unjustifiable: thumbing her nose at democracy and thinking she should have any right to control unilaterally any of the above-referenced matters. None of what she has written on this is anything but self-serving spin, in my opinion. There is no way that she would have accepted any other mayor having these powers and shutting down her own ability to have a voice and speak for her constituents back when she was a councillor.

I will quote former long-time Ajax Mayor Steve Parish, who spoke out against the strong mayor powers back in July 2023: "*Granting the mayor sole authority to appoint the municipality's chief administrative officer is particularly troubling. Arguably, there is nothing more important to the success of a city than the professional competency of its chief administrative officer and management team. What is to stop a strong mayor from appointing a political crony who lacks those skills? The input of professional HR staff and a majority of council is essential in doing this right. And what about that minor detail called democracy? Local government has always been where government is close and subject to popular will. Not anymore, when one third of council can call the shots. And what if you have an autocratic or incompetent mayor? No check on that risk. Mayors are truly strong because they have good judgment, leadership skills and the ability to build and keep consensus and unity on council. This gets results on all fronts.*"

It's quite obvious there isn't unity on council - including "behind the scenes" - in Burlington. And with strong mayor powers, there can't be. Good leaders shouldn't need nor want the powers.

Mayor: delegate the powers as requested in the Motion without further delay.

Lynn Crosby

From: [Lynn Kirouac](#)
To: [Galbraith, Kelvin](#); [Mailbox, Clerks](#)
Subject: Strong Mayor Powers
Date: Friday, April 5, 2024 10:14:33 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello

My name is Lynn Kirouac and I live at [REDACTED]

I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Thank you.

From: [Marilyn Baker](#)
To: [Mailbox, Clerks](#)
Subject: Strong Mayor powers
Date: Thursday, April 4, 2024 7:18:22 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Marilyn Baker I live at _____ Burlington _____ and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

From: [Marnie Hamilton](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Relinquish Strong Mayoral Powers
Date: Thursday, April 4, 2024 7:21:21 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Email Clerks@Burlington.ca and my office Ward2@Burlington.ca and say:

My name is Marnie Hamilton and I live at [REDACTED] Burlington, Ontario and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda

Sign the petition: <https://www.change.org/p/restoration-of-democracy-at-burlington-city-council>

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Together, we can keep Burlington a city of unified vision, not divided authority. Let's keep our checks and balances intact for the betterment of Burlington now, and for generations to come.

From: [Meera R](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Mayor Marianne Meed should not become a dictator
Date: Friday, April 5, 2024 9:35:30 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ladies from Burlington, I got an email from Liza Kearns and it goes like this.....Dear Residents,

I am writing to alert you to a pressing concern in Burlington City Hall. The regular April Newsletter will arrive to your inbox tomorrow. Please see below and share. Reach out to me with any additional questions or commentary.

Councillor Kearns

A Call to Maintain Checks and Balances in Burlington Governance

The recent amendments to the Municipal Act have opened a door that Burlington residents should be cautious about walking through. At the heart of the matter is the significant expansion of powers to mayoral authority—often referred to as "strong mayor" powers—which puts into question the balance of power that is fundamental to the nature of our local government. It is true, we have had these in place for a while now, but we should have been more vigilant around how far we could push back and to have commended more vocally the mayors who willingly shed these on receipt (Guelph, Milton, Halton Hills, Kingston, Kitchener).

Our City Council has requested Mayor Marianne Meed Ward to consider delegating/giving back powers allowed under the new legislation. These powers include appointing key administrative positions, leading the structural organization of the municipality, and directing council committees.

It is a dangerous mix for one person to have the unilateral ability to hire or fire senior staff (as well as the City Manager!), configure decision making committees of council AND the immovable powers of dictating the City Budget! Yikes, what an environment to work in. Imagine being a civil servant carrying out the work supported by Council as a whole...then, whammo a mayor could come in and tell you to go in a different direction that aligns with their agenda. What a difficult position to be in! Of course anyone who wants to keep their job would bend to the political will. And that is the crux, staff aren't political. They operate under the checks and balances that the City Manager gatekeeps to ensure that resourcing and finances remain in check with what the Council as a whole make political decisions on. This is how democracy works. These 'strong mayor powers' turn that upside down and threaten the governance structure that Council as a whole must be ruled by. In essence, such consolidated power could upset the very fabric of our city's democratic processes.

Why Should Burlington Resist Strong Mayor Powers?

1. Collective Wisdom Over Centralized Decision-Making

The strength of a council lies in its diverse representation of all residents and its collective wisdom in decision making. When power is concentrated in the hands of a single individual, we detract from the benefits of having multiple perspectives that can challenge, refine, and improve decisions impacting our community. We must ask who we are there to serve at every decision.

2. Transparency and Accountability

With strong mayor powers, the transparency of appointments and organizational changes risks becoming obscured. Residents deserve a clear view into how and why decisions are made, ensuring accountability across all actions of local government.

3. Checks and Balances

Checks and balances are vital to prevent any form of governance from overreaching. By allowing Mayor Meed Ward—or any mayor—the ability to make unilateral decisions without the council's majority support, we risk undermining this safeguard. Power without boundaries must not be allowed in our community.

4. Community Representation

Council members are elected to be the voice of their constituents. Diminishing their roles in key committee leadership dilutes their capacity to represent the interests of the people who elected them. Councillors will be reduced to observers of the decision-making process – that means your voice and ours is gone.

Your Voice is Vital

The question of strong mayor powers is not just about governance structures; it's about the values upon which Burlington was built—a city that thrives on active citizenry and community-based decision-making. The reality is, sure we do make many decisions that are 'unanimous', but that is not an indicator of a collaborative council and should not be used to dismiss this call to action. We also disagree – and very few see the constructive challenges that occur behind the scenes to get to the best outcome for our community. Also, listing mayoral decisions is not transparency. Some of the decisions shouldn't be made in the first place – that's what we are asking you to help advocate for.

We urge Burlington residents to engage with this topic actively, to understand the ramifications of holding onto mayoral powers that may irreversibly alter how our city is managed.

Act Now for Burlington's Future

Don't be a silent observer amidst these changes. The mayor says she is in 'thoughtful consideration' of the matter – tell her to give it up. Already a majority of Council support this because we know you care about democracy and that your voice must be heard. We cannot allow actions that have the momentum to create a toxic work environment to take hold of our City Hall. You are the taxpayer and this Council and the actions of Staff are your investment – don't you want to ensure that power is not concentrated in the hands of one position? Imagine a bigwig executive at a big company that has

Email Clerks@Burlington.ca and my office Ward2@Burlington.ca and say:

My name is _____ Meera Ranade _____ I live at _____
Burlington _____ and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

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Sign the petition: <https://www.change.org/p/restoration-of-democracy-at-burlington-city-council>

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Together, we can keep Burlington a city of unified vision, not divided authority. Let's keep our checks and balances intact for the betterment of Burlington now, and for generations to come.

From: [Nancy](#)
To: [Mailbox, Clerks](#); [Kearns, Lisa](#)
Subject: April 16 Council Agenda item - Strong mayor powers
Date: Thursday, April 4, 2024 11:19:37 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Nancy Steadman. I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

I voted for a mayor and councillor whom I thought would work together on behalf of my neighbourhood and my city. I did not vote to be ruled by a dictator, especially one enabled by Doug Ford and his minions. I feel like my vote for mayor was obtained fraudulently and I'm very appreciative that my councillor and others are speaking out on the undemocratic nature of the mayor recognizing, accepting and using "strong mayor" powers. This is neither transparent nor collaborative.

Best regards,

Nancy Steadman

Please include this email as correspondence in the April 16th Council Agenda.

From: [nina.karachi-khaled](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Maintain checks and balances in Burlington's governance
Date: Friday, April 5, 2024 9:30:45 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Nina Karachi-Khaled and I live at [REDACTED] in Burlington, Ontario. I request that Mayor Marianne Meed Ward delegate those powers she is permitted to under the amended Municipal Act including appointing a Chief Administrative Officer; appointing chairs and vice chairs of local boards; creating, dissolving, assigning functions, and appointing chairs and vice-chairs of council committees; hiring municipal division heads, and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Sincerely,

Nina Karachi-Khaled
[REDACTED]

From: [Pamela Baswick](#)
To: [Mailbox, Clerks](#)
Subject: Majority Council Support for Ward2
Date: Thursday, April 4, 2024 8:00:52 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am in total support of the Mayor of Burlington not being able to make decision without full council support, this is Burlington and we are all about democracy and community involvement in any major decisions made by the elected Mayor of Burlington.

Signed
Pamela Baswick

Sent from my iPad

From: [Penny Hersh](#)
To: [Mailbox, Clerks](#)
Cc: [LIST - Office of Ward 2](#)
Subject: Re: Democracy for Residents of Burlington
Date: Thursday, April 4, 2024 7:59:13 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Penny Hersh I live at [REDACTED] Burlington and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Penny Hersh

[REDACTED]

From: [Marnie Hamilton](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Cc: [Ross Hamilton](#)
Subject: Relinquish Strong Mayoral Powers
Date: Thursday, April 4, 2024 7:20:40 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Ross Hamilton and I live at [REDACTED], Burlington, Ontario and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda

From: [SheilaG](#)
To: [Mailbox, Clerks](#)
Cc: [LIST - Office of Ward 2](#)
Subject: Mayor's Powers
Date: Thursday, April 4, 2024 7:27:04 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Sheila Gore and I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer, appointing chairs and vice chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email in the April 16th Council Agenda.

Sent from Sheila's IPad

From: [susan macphail](#)
To: [LIST - Office of Ward 2; Mailbox, Clerks](#)
Subject: strong mayor powers
Date: Friday, April 5, 2024 12:18:57 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Susan MacPhail and I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

From: [Susan Gow](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Request to Delegate Mayor's power under the amended Municipal Act
Date: Thursday, April 11, 2024 4:10:28 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Susan Gow. I live at [REDACTED] Burlington Ontario and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

From: [Bruce Smith](#)
To: [Mailbox, Clerks](#)
Subject: Restoration of Democracy at Burlington City Council
Date: Monday, April 8, 2024 6:03:51 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is _Bruce F. Smith _____ I live at [REDACTED]
and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Sign the petition: <https://www.change.org/p/restoration-of-democracy-at-burlington-city-council>

Burlington deserves governance that reflects its community's integrity, not the unchecked power of a single office holder. Join us in upholding the values that make Burlington strong.

Together, we can keep Burlington a city of unified vision, not divided authority. Let's keep our checks and balances intact for the betterment of Burlington now, and for generations to come.

Bruce Smith
[REDACTED]

From: [Cathy Shea](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#); [Nisan, Rory](#)
Subject: Strong Mayor Powers
Date: Saturday, April 6, 2024 11:26:39 AM

My name is CaterinaShea. I live at [REDACTED], Burlington and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act. Please include this email as correspondence in the April 16th Council Agenda.

Regards,
Caterina Shea

From: Deb
To: LIST - Office of Ward 2; Mailbox, Clerks
Subject: strong mayor powers
Date: Saturday, April 6, 2024 8:41:19 PM

Hello Councillor Kearns,

A special thanks to you and fellow Councillors for taking a very public stand against strong mayor powers. Obviously Council has had some vigorous dialogue concerning this matter, and you've brought a great deal of transparency to the issue. Coupled with the recent departure of several senior staff from the City, the inference that the strong mayor powers may have been a contributing factor is of concern, to say the least.

My name is Deborah Lewczuk, I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Regards,

Deborah Lewczuk

From: [Gary Shea](#)
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Strong Mayor Powers
Date: Saturday, April 6, 2024 11:31:01 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Gary Shea. I live at [REDACTED] Burlington and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act. Please include this email as correspondence in the April 16th Council Agenda

Regards
Gary Shea
[REDACTED]

Email: [REDACTED]

From: [Linda Lankester](#)
To: [Mailbox, Clerks](#)
Subject: Strong Mayor Powers
Date: Saturday, April 6, 2024 12:20:08 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

My name is Linda Lankester, I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Regards,

Linda Lankester

From: Linda Lankester on behalf of Steve Keech
To: Mailbox, Clerks
Subject: Strong Mayor Powers
Date: Saturday, April 6, 2024 12:21:33 PM

Good afternoon,

My name is Steve Keech, I live at [REDACTED] and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Regards,
Steve Keech

The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

From: [Stephen Pichocki](#)
To: [Mailbox, Clerks](#)
Cc: [Nisan, Rory](#)
Subject: Strong Mayor Powers: A Citizen's Perspective
Date: Friday, April 5, 2024 11:48:23 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Stephen Pichocki, I reside at [REDACTED] and I request that Mayor Meed Ward decline those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality. If she is unable to decline these powers then delegate them such that the the balance of power, which is fundamental to the nature of our local government, is maintained.

Please include this email as correspondence in the April 16th Council Agenda.

Regards,

Stephen Pichocki
[REDACTED]

From: [Mary Rose](#)
To: [Mailbox, Clerks](#)
Subject: strong power for mayors
Date: Wednesday, April 10, 2024 9:06:21 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Mary Rose and I live at [REDACTED].

I have always been against this new idea of strong powers for one person.

I request that the Mayor delegate the powers she is permitted to under the Municipal Act. I support the request by the councillors because it is the democratic way. All our councillors are elected and should be involved in a co-operative way when dealing with all issues, with leadership from the mayor.

Please include this email as correspondence in the April 16th Council Agenda

Mary C. Rose

From: [Denny Williams](#)
To: [Mailbox, Clerks](#)
Cc: [Mailbox, Office of the Mayor](#)
Subject: Mayoral powers
Date: Friday, April 5, 2024 11:21:57 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Dennis Williams. My wife Colleen and I live at [REDACTED] and we **request that Mayor Meed Ward soldier on and NOT delegate** those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality. **Mayor Meed Ward has done an outstanding job of leading this City over the past several years and I fully support her continuing to do so.** Respectfully, D Williams / [REDACTED] / [REDACTED]

ADRO-Investigation Report

CM-07-24

To : Council

April 16, 2024

Ombudsman's Recommendation

- All Members of Council for the City should be Vigilant in adhering to their individual and collective obligations to ensure compliance with their responsibilities under the Municipal Act 2001 and the City's procedural by-law.
- I urge the City to determine a set of rules it wishes to live by and the commit itself to living within them.

Ombudsman's Observation

- I sense that this would probably require a cultural shift at the City among both it's members of council and office of the City Clerk.
- Ombudsman fails to give advice on how to achieve that shift.

Clerks Office.

- Clerks Office needs refresher training on their duties under the Municipal Act and the Procedure By-law
- Council needs to direct that Agendas are to conform to the Procedure By-law.
- The review of the Procedure Bylaw needs to be finished with the above in mind.

Council

- Councillors need training on how to chair a meeting and on Roberts Rules
- Councillors need to actually follow the Procedure By-law. They shouldn't need to waive the rules as often as they do.
- Councillors frequently talk about transparency and accountability, but don't walk the talk.



***The Office of Mayor Marianne Meed Ward
City of Burlington***

Open Letter to Burlington City Council and the Community on Democracy, Governance and Pressing Reset

Memorandum to: Burlington City Council, Staff, and the Community

From: Burlington Mayor Marianne Meed Ward

Re: Democracy, governance and pressing reset

April 10, 2024

Dear colleagues,

As you are aware, effective July 1, 2023, the Province extended new powers and duties to the Mayor as Head of Council to any municipality that had previously accepted a housing pledge. In March 2023, Council unanimously endorsed the housing target of 29,000 units assigned to the City of Burlington by the Province. There was no ability for municipalities or Mayors to “opt out” of this legislation; it was automatically assigned to those municipalities that had accepted a housing pledge.

Three of the new powers and duties under the legislation can be delegated to staff or Council. Most cannot and are now established powers and duties of the Mayor as the Head of Council and Chief Executive Officer of the Corporation under *The Municipal Act, 2001*.

I am committed to fulfilling these required responsibilities to the best of my ability and with the primary goal of serving the best interests of our community.

It has appeared to me to be politically performative to delegate the three powers noted in the legislation, as these can be undelegated at any time. I believe it is more transparent and accountable to openly acknowledge these powers and duties exist, and then work with staff and our community to determine how we will govern together in this new context.

The legislation has been in effect in our community for the last eight months, and these duties over that time have been fulfilled in a collaborative, transparent and accountable way, with decisions posted online as required by the legislation, and reviewed quarterly by Council. I have confidence that will continue.

You can see the full list of Mayoral Decisions on the City of Burlington's webpage at Burlington.ca/mayoraldecisions

You can review the list of Mayoral Decisions by Ontario municipality at opencouncil.ca/strong-mayor-powers-ontario

Of the 44 municipalities that have received the additional powers and duties under the legislation, 12 Mayors delegated all duties that could be delegated, 16 delegated none of the duties, and 16 delegated some of them.

It is appropriate to periodically review how we are governing together in this new context, and the transition of the City Manager/Chief Administrative Officer (hereinafter referred to as the CAO) has provided an opportune time for that review. It was important to complete the recruitment process, that began last October with the departure announcement of our current CAO. The imminent arrival of our new CAO, who understands and embraces strategic, people and operational leadership, has provided an opportunity to look ahead to our future, and take the time to consider responsibly delegating some of these new duties.

I have welcomed this opportunity and dialogue.

Delegation of Duties

A summary of what can be delegated, under Section 284.13 of *The Municipal Act, 2001*, and what has been delegated, guided by Section 6 “Limitations on Delegation” of Ontario Regulation 530/22, is below. The delegation decisions will be posted on the [Mayoral Decisions](#) City webpage, and shared with the community along with this explanatory memo.

1. Section 284.5 (appoint a chief administrative officer). Limitation: Can be delegated only to Council. Not delegated.
2. Section 284.6 (organizational structure and staffing)
 - a. (1) Organizational structure. Limitation: Can be delegated to Council or the CAO. Delegated to the new CAO effective their start date of April 22, 2024
 - b. (2) Hire or dismiss staff. Limitation: Can be delegated to Council or the CAO. Delegated to the new CAO effective their start date of April 22, 2024
3. Section 284.7 (select Chair/Vice Chair of any prescribed local boards or classes of local boards). To date, no local boards or classes of local boards have been prescribed by the Province through a Regulation. Until the Province identifies local boards or classes of local boards through a Regulation, a Mayor as Head of Council does not have any power to appoint chairs and vice-chairs of any local boards. Per our Corporation Counsel, there is nothing to delegate at this time.
4. Section 284.8 (establish committees of council). Limitation: Can be delegated only to Council. Delegated to Council. Effective April 22, 2024.

Rationale

1. Regarding the Chief Administrative Officer:

The City of Burlington will have a new CAO effective April 22, 2024. The extensive search for the CAO began in October 2023, with the participation of City Council, City staff, community leaders, and led by an external search firm. The process included an open call for applicants via public postings of the position, and collaboration and consultation with Council members who participated in developing the job description and role competencies, selecting the short list of candidates, and participating in the interviews with candidates. If, and when, the time comes to recruit a new CAO, a similar process would be followed.

The Mayor has unique roles in *The Municipal Act* as Head of Council and Chief Executive Officer of the Corporation, that existed prior to the recent changes in legislation. Additionally, the Mayor is the only member of Council elected by the entire city. As such, the Mayor has a unique relationship with the CAO, and it is essential for the good of the community and the Corporation this relationship be compatible.

The short- and long-term priorities of the CAO will be driven by Council's strategic plan and shared with Council annually to ensure there is alignment between the Mayor, Council and CAO in terms of key priorities. This will ensure a collaborative process to set priorities and provide input on performance.

Should the Mayor choose to direct the CAO (or any other staff member) to take action, the legislation requires this to be publicly posted on the Mayoral Decisions page. There is no similar transparency requirement for Council members to publicly post any requests they may give to staff.

I have every confidence in the professionalism of our CAO and all of our civil servants that if they receive a request from a member of Council, they would provide their best professional advice, suggest practical alternatives where appropriate, and/or request the member of Council put their request of staff into a staff direction for consideration by Council.

It is the responsibility of every one of us on Council, individually and collectively, to foster a respectful workplace and culture, where staff are welcomed and supported to fulfill their responsibilities and provide their professional advice to us, publicly and privately.

For the most part, Council members have conducted themselves in a respectful manner towards staff and have brought any directions to staff into the open via a public staff direction for democratic vote by their colleagues. In fact, this is a requirement of our Council Code of Good Governance, Section 17, specifically:

- "We will respect the relative roles of Council to govern, and staff to manage. We will not direct staff, attempt to influence their professional advice to Council, and will not make public comments that impugn their performance. We will actively create and sustain an environment where staff are comfortable providing their professional advice to Council, even when it may be difficult or controversial."

It is of vital importance the role between governance (Council) and management (City administration) be clearly defined and respected. The incoming CAO has a track record of effective and often transformative leadership in ensuring alignment between strategy, structure, and people. To be very clear, the CAO should operate with the confidence of the Mayor and Council and retains

responsibility for City administration and operations. The CAO is Council's sole liaison for the administration; all staff at the City, in turn, work for and are accountable to the CAO.

Retaining decision-making regarding the CAO with the Mayor, as outlined in the legislation, helps to circumvent the potential for undue pressure behind the scenes by any member of Council; maintains public transparency, given that any direction given to the CAO by the Mayor must be documented and publicly posted; and recognizes the roles and responsibilities uniquely held by the Mayor that pre-date the recent legislation.

Collaborative governance is maintained in that the Mayor and Council may still, by majority vote in Council session, direct staff and the CAO to take action. That preserves democracy, transparency, and accountability.

2. Regarding Organizational Structure and Staffing

The legislation provides the option to delegate the organizational structure and staffing to Council or the CAO. Delegating this responsibility to the CAO and not to Council avoids the politicization of the civil service and respects the role of the CAO to exercise general control and management of the affairs of the City of Burlington.

It also further reinforces our commitment under the Council Code of Good Governance, Section 17, to "respect the relative roles of Council to govern and staff to manage," under the direction of the CAO.

The CAO will determine the most appropriate way to consult Council in these matters. This delegation will take effect on the new CAO's start date.

3. Regarding Chairs/Vice-Chairs of Local Boards

As noted above, until the Province identifies local boards or classes of local boards through a Regulation, a Mayor as Head of Council does not have any power to appoint Chairs and Vice-Chairs of any local boards. Per consultation with our Corporation Counsel, there is no power or duty that can be delegated at this time.

4. Regarding Establishing Committees of Council

The legislation provides the option to delegate establishing or dissolving committees; appointing Chairs and Vice-Chairs of committees; and assigning functions to committees. This applies only to committees consisting solely of Council members, of which there are three: Committee of the Whole (and its subsections), Budget, and Council Workshop.

Given that Council has, by unanimous vote, already established the committees of Council, appointed Chairs/Vice-Chairs (modified once by Mayoral Decision 08-2023), and assigned their functions for the balance of the term, delegating these duties to Council is redundant.

Nevertheless, Council may wish to make changes to the existing structure, and so the duties with respect to existing committees have been delegated to Council with the following guidance, to ensure respectful and collaborative decision-making:

- that the current Chair and Vice-Chair agree to any changes to their roles;
- that changes to existing committees proceed in the normal fashion via a reconsideration as prescribed in the Procedure By-law; and

- In the event an Integrity Commissioner finding recommends removing a Chair or Vice-Chair, that would take precedence.

Establishment of new committees, functions and Chairs/Vice-Chairs has also been delegated to Council, with the following guidance to respect staff capacity:

- that the CAO confirm whether there is capacity for a new committee; and
- if capacity does not exist, that alternatives may be suggested for Council to consider.

That completes the delegation decisions, as no other duties under *The Municipal Act* can be delegated and remain the sole responsibility of the Mayor as the Head of Council and CEO of the Corporation. I will continue to fulfill these duties with the primary consideration of serving in the best interests of the community.

Respectful Governance and Pressing Reset

Unfortunately, there has been much speculation, rumour, fear-mongering and misinformation circulating in the community: about the nature of these new responsibilities; about how they might have been used, or could be used; and about the role of Councillors - that the Mayor now runs the City and Councillors are observers.

This misinformation has hampered our ability as a Council and the community to have the thoughtful, respectful, and fact-based review about this new way of governing together that I was hoping to have, just as our new CAO joins us.

As a result, the last few weeks have been difficult for staff, the community and Council.

It is time to press the reset button.

For the sake of our community, we have an opportunity with a new CAO starting, and new senior leadership staff coming on board, to recommit to each other, and to current and future staff, to work together in a respectful, collaborative manner – including, and perhaps especially, when we disagree.

Differences of perspective are welcomed. A variety of opinions strengthens our conversations. Debate and discussion that is informed by facts and evidence, and values opinions that are different from our own, are the hallmarks of a strong democracy.

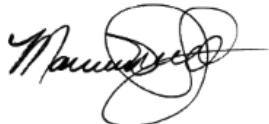
We each have a role to play in ensuring that information about the new legislation, or indeed any matter before Council, is accurately and respectfully conveyed to the community, and that we treat each other with professionalism, respect and accuracy.

Let us each recommit to fulfilling this role for the balance of our term together, to do our part not to spread – and to actively stamp out – rumours, misinformation, and speculation when we hear them; to convey accurate information to our community about the decisions of Council; and to express our opinions about these matters in a way that is respectful of each other, and staff. This is in keeping with our [Council Code of Good Governance](#) Sections 10, 11, 13, 17 and 18.

This includes accurately and respectfully conveying the decisions outlined here, and any opinions you may have about them.

I trust that we will all do our part, as we continue to govern together in the best interests of our residents.

Sincerely,



Mayor Marianne Meed Ward
City of Burlington



Related Links:

- City of Burlington webpage: [Mayoral decisions made pursuant to *The Municipal Act, 2001*](#)
- List of Mayoral Decisions by Ontario Municipality at [OpenCouncil.ca](#)
- [Statement of Burlington Mayor Meed Ward on Democracy & Governance at City Hall – March 26, 2024](#)
- Letter to the Editor in *The Hamilton Spectator* – March 30, 2024: ['Mayors remain accountable to our communities for the decisions we make'](#)
- [Burlington City Council Code of Good Governance](#)

From: [REDACTED]
To: [Mailbox, Clerks](#); [Rudy, Jo-Anne](#)
Subject: Special Council Meeting, April 16, 2024 - Written Delegation CORRESPONDENCE
Date: Monday, April 15, 2024 11:42:00 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

[REDACTED]

Hello,

Please accept my correspondence to Council on the my opinion and my favoring and support of the following and wish to sign the petition.

[REDACTED]

Thanks,

Tom Muir

To Burlington City Council

From: Tom Muir; resident Ward 1

Subject: Special Council Meeting, April 16, 2024 - Written Delegation

I am very interested in how Council is going to treat this opportunity to fully debate the Motion from the Mayor on the sharing of power, with delegations of responsibilities and what is perceived as fair distribution of power at City Hall. I ask, are we going to learn from this new capability for learning some new sets of relations between the members of Council.

What I had hoped would emerge from the initiative of the 4 Councilors initial Motion, is a cooperative action aimed to make the Council of today more of a “partnership” form of power, in contrast to the domination form of power Council that is the aim of the latest Ford

policy mutation.

Given what I have seen and read, I fear that the quality we get in Council and citizen life will depend on how Council selects for power on April 16. The consequences of choosing between an aggressive power maximizing stance, and will that be resisted, such that not every way but the ways to power be blocked.

How Council decides, and what it chooses, does not have neutral consequences. Movement to partnership thinking, possibly with more staff being considered, and power sharing organizational outcomes, involves contexts of more parts and interactions, and multiple intellects and ideas. Systemically, where the synergies emerge from the system emergent properties, that when things come together, new things happen. Something for nothing - COUNCILORS – BE HAPPY IN YOUR WORK.

In the synergistic system, the interaction of the parts, the sharing of power, contributes to the good functioning of the whole. However, if Council chooses the domination of power model, a resentful ceaseless struggle for power can emerge, and the conflict can gain an ever increasing sway even though we do not wish it.

In this competitive political conflict system, everyone loses in a minus sum-game.

Power is corrupting: it does not serve an essential sustaining function for the collective as a whole. We absolutely do not need a Mayor in charge of everything that matters in the wielding of power.

I don't think the Mayor wants to eat the power-dense bulk of a delegation takeover of power by Council.

Council must have regard for the items and powers she has decided to delegate. What share of real overall decision power does this comprise? It would be wise to calculate this.

The latest Ford tinkering with the anarchic policy, and emerging insolvable, so-called failed "affordable housing" plan is not really working as it is just too big, and does not account for economic and financial factors change.

This plan might ameliorate some problems for some, but will not deflect us from the abyss of the financial, infrastructure need, capital

investment and fiscal debt hole, that Ford insists on digging with the Power - Maximizing system he is retaining and growing with more dictatorship moved down at/to the municipal level. This is never going to produce affordable housing. Who of Council is going to represent citizens of Burlington when the cost of the political download crap hits the fan?

Those really in needs still can't afford the cost of what can be built. Remember in the planning, that municipalities don't build houses; they have to plan and shepherd; developers and their workers build them. The Plan build rate demanded is too high to get them ready to occupy so that the real need for occupancies is met.

Is Council fully prepared to download every single plan to load needed taxes on City residents. Will the Mayor take over the responsibility to do this?

Some power she has that she can take back sometime, is not something that she is, in fact, giving back.

Power is corrupting; it does not serve an essential life sustaining function for the collectivity as a whole. (Information and Ideas from: (Lester W. Milbrath Envisioning a Sustainable Society. Learning our way out. SUNY Press. 1989)

I don't know at the moment who is delegated the power in these following categories. The Mayor list of excluded positions states;

The following positions, relevant to the City of Burlington, are excluded, under Section 284.6 (3): I am not sure what this means, but from my City politics experiences several of these first 4 are critical for who has the power. The Clerk is responsible for enforcing the Procedural By-Laws. Another delegation assignment that is key to me from experience is the Code of Good Governance relationship to the Integrity Commissioner assignment to get it enforced and the Clerk is responsible and must get it done. The Ombudsman is also a position that must be enforced by the Code.

A second aspect regarding the IC Procedural process is (2). That any finding or recommendations arising from an Integrity Commissioner (IC) investigation of a violation of the Council Code of Good Governance

overrides Guidance section 1, and would be dealt with in the normal course of Council dealing with an IC report and recommendation; Decision Number: 07-2024

My experience with IC investigation was that Code of Good Governance was not enforced by the IC or the Clerk, or Deputy Clerk. Further, there was also no attention paid to this contravention of Code by anyone on Council, including the Mayor. There was also serious public interference and intervention, in my opinion, conflicts of interest, led by the Mayor and the Complaint Member and other Councilors, contrary to stated Procedural practice by the Mayor and Complaint Member and IC, as being third party, independent, impartial adjudicators, not to be influenced by any member of Council.

In addition, there was no public Council release and Agenda item discussion of the IC report or recommendations – the IC closed its file and stopped work at the very same time it gave a November 29/22 Disposition Report to the Complainant and the Member, just 15 hours after I submitted a November 28/22 complaint about Mayoral and Council public and media interference with the IC investigation on November 25/22. The IC Report has been buried apparently, with no public Council trace.

Regarding Procedural By-Laws, I noticed that there were frequent issues regarding lack of enforcement of By-Laws by the Clerk of the Day, and nothing was done, again, by anyone. Overall, it seemed there were issues arising from the misuse and abuse of power by the Mayor and some Councilors.

A careful, explicit weighing of the balance of power best serving the Council and the citizens of Burlington is needed in your deliberations debate. Competitive power-seeking won't get us there.

1. the clerk or deputy clerk
2. a treasurer or deputy treasurer
3. an Integrity Commissioner
4. an Ombudsman
5. an Auditor General
6. a registrar for lobbying matters, as described in section 223.11 of the Act
7. a chief building official, as defined in the Building Code Act, 1992
8. a fire chief, as defined in the Fire Protection and Prevention Act, 1997
9. other officers or heads of divisions required to be appointed under the Municipal Act, 2001, the City of Toronto Act, 2006, or any other Act

10. any other persons identified in regulation

April 15, 2024

Strong Mayor Correspondence

Some correspondence may appear more than once as part of an email chain.

1. Warren Lines
2. Lisa Hayes
3. Kim Field
4. Tom Costello

From: [REDACTED]
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: Request to delegate Mayor's powers under the amended Municipal Act
Date: Sunday, April 14, 2024 12:48:52 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Warren Lines. I live at [REDACTED].., Burlington Ontario and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Sent from my iPad

From: [REDACTED]
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#)
Subject: April 16 council agenda
Date: Saturday, April 13, 2024 5:09:07 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is __Lisa Hayes__ I live at [REDACTED] Burlington__ and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

Lisa Hayes

From: [REDACTED]
Cc: [REDACTED] [Clerks](#)
Subject: [LIST - Office of Ward 3](#)
Date: Mayoral Powers
Saturday, April 13, 2024 11:58:08 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Kim Field I live at [REDACTED] Burlington and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, including: appointing a chief administrative officer; appointing chairs and vice-chairs of local boards; creating, dissolving, assigning functions and appointing chairs and vice-chairs of council committees; hiring municipal division heads; and changing the organizational structure of the municipality.

Please include this email as correspondence in the April 16th Council Agenda.

@@
[REDACTED]

From: [REDACTED]
To: [Mailbox, Clerks](#); [LIST - Office of Ward 2](#); [LIST - Office of Ward 1](#)
Subject: Support Checks and Balances in Burlington Governance
Date: Saturday, April 13, 2024 6:52:25 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

In recent years, we have witnessed a concerning trend towards the concentration of power in the hands of individual officeholders.

Such centralization not only undermines the principle of collective leadership but also diminishes the voice of our community in the decision-making process. It is for this reason that I am reaching out to you today.

My name is Tom Costello. I live at [REDACTED], Burlington and I request that Mayor Meed Ward delegate those powers she is permitted to under the amended Municipal Act, as outlined above. Please include this email as correspondence in the April 16th Council Agenda.

Let's keep our checks and balances intact for the betterment of Burlington now, and for generations to come.

Sincerely, Tom Costello

The Corporation of the City of Burlington
City of Burlington By-law 14-2024

A by-law to adopt Official Plan Amendment No. 142 to permit a mixed-use development comprising three tall buildings of maximum 30, 32, and 34 storeys with 1165 residential units and ground-level non-residential uses at 1120 Cooke Boulevard.

File: 505-01/22 (PL-04-24)

Whereas the Council of the Corporation of the City of Burlington in accordance with the provisions of Section 17 and 21 of the Planning Act, 1990, as amended, approved recommendation PL-04-24 at its meetings held on March 19, 2024.

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

1. That Amendment No.142 to the Official Plan (1994) of the Burlington Planning Area, as amended, consisting of the attached amendment and supporting documentation is hereby adopted.
2. That this by-law shall come into full force and take effect on the final day of passing thereof.

Enacted and passed this 16th day of April, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

**AMENDMENT NO.142 TO THE OFFICIAL PLAN
OF THE CITY OF BURLINGTON**

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. 142 to the Official Plan of the City of Burlington, as amended.

PART A - PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to permit a mixed-use development consisting of three residential towers of maximum 30, 32, and 34 storeys (plus mechanical penthouse). The development is comprised of 1,165 dwelling units, 6 levels of underground parking, and minimum 475 square metres of ground-related non-residential space at 1120 Cooke Boulevard with a maximum floor area ratio of 9.1:1.

2. SITE AND LOCATION

The subject site is comprised of one parcel of land located on the north side of Masonry Court between Cooke Boulevard and Waterdown Road and is nearly square-shaped with frontages of approximately 104 metres on Masonry Court, 100 metres on Waterdown Road, and 91 metres on Cooke Boulevard. The area of the subject site is 0.95 hectares.

To the north of the site is floodplain storage and a planned public park, to the east is a residential development consisting of two 6-storey mid-rise apartment buildings and townhouse units, to the south are low-rise employment uses, and to the west are employment uses.

3. BASIS FOR THE AMENDMENT

The proposed development:

- a) Intensifies a vacant brownfield site in proximity to higher-order transit with residential and retail/service commercial uses in a manner that is consistent with the policies of the Provincial Policy Statement (PPS). The PPS promotes the achievement of complete communities that are efficient, compact, and transit-supportive. The proposed development provides an increase in supply and mix of housing options in a higher density form that supports existing and planned transit options and encourages non-automobile modes of transportation including active transportation;
- b) Conforms to the Growth Plan for the Greater Golden Horseshoe, 2020, as amended, and the Halton Region Official Plan, as amended, by providing for appropriate intensification within the delineated built-up area, close to rapid transit, and on a site that carries a growth designation in the Official Plan, contributing to the diversification of the housing supply and meeting Provincial growth and density targets;
- c) Is identified within the delineated boundary of the *Aldershot GO Major Transit Station Area* as shown on Map 1H, Regional Urban Structure, of the Halton Region Official Plan, and supports the Regional Growth Management strategy as articulated in Halton Region's Official Plan;
- d) Responds to the intent of the Tall Building Guidelines by providing for a human-scaled, street-related building form with appropriate transitions to nearby built forms and slender tower forms with adequate separation distances that contribute to a visually interesting skyline;
- e) Responds appropriately to the direction of the City's Major Transit Station Area-Specific Planning Project for the Aldershot GO MTSA, which contemplates buildings of up to 30 storeys on the subject site;
- f) Provides for an appropriate parking ratio that ensures that parking demand generated by the building can generally be accommodated on-site while recognizing the transit accessibility of the subject site and promoting non-automobile-based modes of travel;
- g) Contributes to the pedestrian realm of the area by enhancing the public realm on boundary streets, providing permeability through the site, and contributing publicly-accessible private green spaces that create linkages to public park space and the Aldershot GO station;
- h) Subject to the implementation of mitigation measures as part of the development of the residential uses, is compatible with existing major facilities and employment

uses, and transportation infrastructure in relation to air quality, odours, noise, and vibration;

- i) Does not create unacceptable wind or shadow impacts on abutting sidewalks, open spaces, or adjacent properties, including the lower-scaled residential lands to the east and south;
- j) Is located on lands that can utilize existing servicing infrastructure on the abutting rights-of-way and near transit routes, commercial uses and community amenities and meets Official Plan policies by providing new housing units that increase the supply and diversity of the housing stock in the area while promoting non-automobile transportation options; and,
- k) Is supported by technical studies and reports that have been submitted by the applicant and provide adequate and appropriate information regarding the proposed development.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change: None proposed

Text Change:

The text of the City of Burlington Official Plan, as amended, is hereby amended by adding the following site-specific policy (n) to Part III, Subsection 5.3.3.2 as follows:

1120 Cooke Boulevard	<p>(n) <i>Development</i> on the lands described as 1120 Cooke Boulevard <i>shall</i> be in accordance with the following:</p> <ul style="list-style-type: none">(i) <i>Development shall</i> incorporate measures to avoid or minimize and mitigate potential adverse effects to the <i>development</i> from noise and air emissions including odour.(ii) <i>Development shall</i> incorporate measures to avoid or minimize and mitigate potential impacts on industrial, manufacturing, or other uses, including reducing the risk of complaints, and to ensure the ability of major facilities to comply with
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	<p>environmental approvals, registrations, legislation, regulations, and guidelines for both current and future operations.</p> <p>(iii) Notwithstanding the use, floor area ratio, height, and design policies contained in Part III, Subsections 5.3.2 c), d) (i) and (ii), and g) (i) and (v), and 5.3.3.2 c) and e) (i) and (ii), of this Plan, for the lands described as 1120 Cooke Boulevard, the following policies <i>shall</i> apply:</p> <ul style="list-style-type: none"> a. a mixed-use <i>development</i> comprising three buildings, with a combined maximum 1165 <i>dwelling units</i> and a combined maximum <i>Floor Area Ratio</i> of 9:1:1 <i>shall</i> be permitted; b. a maximum building height of 34 storeys (plus mechanical) <i>shall</i> be permitted; c. non-residential uses <i>shall</i> be located at ground level in two of the three buildings; d. surface parking spaces for residential visitors and/or non-residential uses may be provided.
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2. INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with Section 3.0, Interpretation policies of Part VI, Implementation, of the Official Plan of the Burlington Planning Area.

3. IMPLEMENTATION

This Official Plan Amendment will be implemented in accordance with the appropriate “Implementation” policies of Part VI of the Official Plan of the Burlington Planning Area.

The Corporation of the City of Burlington

By-Law Number 26-2024

A by-law to designate 620 Brant Street, in the City of Burlington, in the Regional Municipality of Halton, to be of cultural heritage value or interest pursuant to the provisions of the *Ontario Heritage Act*, R.S.O. 1990, chapter O.18, as amended
PL-69-23

Whereas Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18 (as amended) authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest; and

Whereas authority was granted by Council to designate the property at 620 Brant Street as being of cultural heritage value or interest; and

Whereas the Council of the City of Burlington has caused to be served upon the owners of the lands and premises known as 620 Brant Street and upon the Ontario Heritage Trust, Notice of Intention to designate the property in accordance with notice requirements under the Ontario Heritage Act; and

Whereas the municipal heritage committee (Heritage Burlington) supports the designation of the property described herein; and

Whereas a Notice of Intention to Designate has been published in the Hamilton Spectator on Dec. 21, 2023 in accordance with the Act; and

Whereas a Notice of Objection was served on the City Clerk of the City of Burlington and considered by Council in accordance with section 29 (6) of the Ontario Heritage Act, R.S.O. 1990, Chapter O. 18 (as amended); and

Whereas the reasons for designation are set out in Schedule A to this By-law;

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

1. That the property at 620 Brant Street, PLAN 144 PT LOT15 RP 20R20600 PARTS 2,3,4; Burlington, more particularly described in Schedule "A", is hereby designated as being of cultural heritage value or interest pursuant to Part IV of the *Ontario Heritage Act*.
2. That the City Clerk shall cause a copy of this by-law to be registered against the property described in Schedule "A" to this by-law in the proper Land Registry Office.

3. That the City Clerk shall cause a copy of this by-law to be served upon the owners of the property at 620 Brant Street and upon the Ontario Heritage Trust and to cause notice of this by-law to be published in a newspaper having general circulation in the City of Burlington as required by the *Ontario Heritage Act*.
4. That this by-law shall take effect on the date of its passing.

Enacted and passed this 16th day of April, 2024.

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

Schedule “A”

The property at 620 Brant Street meets two out of nine criteria presented in Ontario Heritage Act Regulation 9/06 and therefore has cultural heritage value for design/physical and contextual reasons. Accordingly, the municipality may designate the property under Part IV, Section 29 of the Ontario Heritage Act.

Description of Property:

The property at 620 Brant Street comprises a two-and-a-half storey building that was constructed circa 1912. The red brick house was constructed in a foursquare architectural style with hipped roof and centre dormer. The residential building was converted to a commercial use in the mid twentieth century. The property is located on a corner lot fronting Brant Street on the south side of Baldwin Street in the downtown core of the City of Burlington.

Legal Description:

PLAN 144 PT LOT15 RP 20R20600 PARTS 2,3,4; City of Burlington, Regional Municipality of Halton.

Property Identifier: 07085-0228

Statement of Cultural Heritage Value or Interest

620 Brant Street is a good example of a property that expresses an architectural style and built form representative of early twentieth-century developments patterns that characterized Brant Street, Downtown Burlington's long-standing primary commercial artery. The primary building on the property is representative of a Foursquare architectural style. The two-and-a-half storey former residence maintains elements of the style through its overall fenestration pattern and symmetrical arrangement of the front façade, footprint and massing, stone or cast concrete lintels and sills, bay window, front porch supported by piers and clustered columns and hipped roof with centered dormers on all but the rear (west) elevations. The Foursquare style is a subcategory of Edwardian Classical, one of the dominant styles used in early twentieth century residences in Downtown Burlington, which is used throughout the St. Luke's Neighbourhood Precinct. Further, the property maintains features representative of early twentieth-century residential development, displayed through the grassed front and side lawns, setback, and paved pathway from Brant Street and Baldwin Street to the entrance of the building.

The property at 620 Brant Street supports and maintain the streetscape character of the west side of Brant Street between Caroline Street and Baldwin Street. The 1997 City of Burlington Official Plan identifies the west side of Brant Street between Baldwin Street

and Caroline Street as having a distinct character within the Brant streetscape, defined by the existing low-rise, residential building typologies. The streetscape in this area is characterized by a combination of residential structures, now converted to commercial uses, dating to approximately the first quarter of the twentieth century, and low-scale commercial buildings and commercial strips. The development of Brant Street in this area was characterized first by the subdivision of a former fruit tree farm into a residential subdivision in the early twentieth century, known as the Apple Park Survey.

The subject property is located within the second phase of development of the Apple Park Survey and sits at the boundary of the historical core of Downtown Burlington at the corner of Brant Street and Baldwin Street. Following the Apple Park Survey, the streetscape evolved into a commercial corridor in the mid twentieth century in response to increasing pressure to expand commercial activities from the downtown core. The transition to a commercial corridor resulted in the loss of many of the residences that were located along Brant Street north of Caroline Street, however, 620 Brant Street has remained. The property retains its setback and landscaping and Foursquare architectural style expressed through its once residential building, allowing the site to contribute to the evolved Brant Street streetscape.

Heritage Attributes

Attributes that contribute to the value of the property at 620 Brant Street as a representative example of Foursquare style and as an early twentieth-century residential built form typology include:

- The form, scale and massing of the building as a rectangular, two-and-a-half storey residential building typology
- The hipped roof with centred dormers
- Symmetrical arrangement of the primary elevation
- The red brick exterior
- The rectangular window openings with masonry lintels and sills
- Front porch supported by piers and clustered columns
- Bay window
- Setback of the residential built form from the street
- Landscaped front and side lawn with pedestrian paths from Brant Street and Baldwin Street

Attributes that contribute to the contextual value of 620 Brant Street as it maintains and defines its surroundings include:

- The setback, placement, and orientation of the house in its original location on Brant Street
- Location at the historical northern limits of the Village of Burlington, marking the entrance to Downtown Burlington
- Landscaped lawn separating primary building from Brant Street and Baldwin Street

- Pedestrian walkway from the sidewalk along Brant Street and Baldwin Street to the primary entrance
- Access from Baldwin Street to rear parking.

The Corporation of The City of Burlington

By-Law Number 27-2024

A by-law to designate 574 Brant Street, in the City of Burlington, in the Regional Municipality of Halton, to be of cultural heritage value or interest pursuant to the provisions of the *Ontario Heritage Act*, R.S.O. 1990, chapter O.18, as amended
PL-69-23

Whereas Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18 (as amended) authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest; and

Whereas authority was granted by Council to designate the property at 574 Brant Street as being of cultural heritage value or interest; and

Whereas the Council of the City of Burlington has caused to be served upon the owners of the lands and premises known as 574 Brant Street and upon the Ontario Heritage Trust, Notice of Intention to designate the property in accordance with notice requirements under the Ontario Heritage Act; and

Whereas the municipal heritage committee (Heritage Burlington) supports the designation of the property described herein; and

Whereas a Notice of Intention to Designate has been published in the Hamilton Spectator on Dec. 21, 2023 in accordance with the Act; and

Whereas a Notice of Objection was served on the City Clerk of the City of Burlington and considered by Council in accordance with section 29 (6) of the Ontario Heritage Act, R.S.O. 1990, Chapter O. 18 (as amended); and

Whereas the reasons for designation are set out in Schedule A to this By-law;

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

1. That the property at 574 Brant Street, LT 8, PL 144 , EXCEPT PT 1, 20R4184; BURLINGTON, more particularly described in Schedule "A", is hereby designated as being of cultural heritage value or interest pursuant to Part IV of the *Ontario Heritage Act*.
2. That the City Clerk shall cause a copy of this by-law to be registered against the property described in Schedule "A" to this by-law in the proper Land Registry Office.

3. That the City Clerk shall cause a copy of this by-law to be served upon the owners of the property at 574 Brant Street and upon the Ontario Heritage Trust and to cause notice of this by-law to be published in a newspaper having general circulation in the City of Burlington as required by the *Ontario Heritage Act*.
4. That this by-law shall take effect on the date of its passing.

Enacted and passed this 16th day of April, 2024.

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

Schedule “A”

The property at 574 Brant Street meets two out of nine criteria presented in Ontario Heritage Act Regulation 9/06 and has cultural heritage value for design/physical and contextual reasons. Accordingly, the municipality may designate the property under Part IV, Section 29 of the Ontario Heritage Act.

Description of Property:

The property at 574 Brant Street comprises a two-and-a-half storey building that was constructed circa 1921. The red brick house was constructed in an Edwardian Classical style with hipped roof with front gable feature. The residential building was converted to a commercial use in the mid-twentieth century. The property is on a corner lot fronting Brant Street on the south side of Blenheim Street in the downtown core of the City of Burlington.

Legal Description:

LT 8 , PL 144 , EXCEPT PT 1, 20R4184 ; BURLINGTON
Property Identifier (PIN): 07085-0155

Statement of Cultural Heritage Value or Interest

574 Brant Street is a good example of a property that expresses an architectural style and built form representative of early twentieth-century developments patterns that characterized Brant Street, Downtown Burlington's long-standing primary commercial artery. The primary building on the property is representative of the Edwardian Classical style. The two-and-a-half storey former residence maintains elements of the style through its overall fenestration pattern and arrangement of the front façade, footprint and massing, stone or cast concrete sills, segmental arch window shape used throughout, and hipped roof with front gable feature. The Edwardian Classical style is one of the dominant styles used in early twentieth-century residences in Downtown Burlington and is particularly evident in the St. Luke's and Emerald Precincts. Further, the property maintains features representative of early twentieth-century residential development, displayed through the grassed front and side lawns, setback, and paved pathway from Brant Street and Blenheim Street to the entrance of the building.

The property at 574 Brant Street supports and maintains the streetscape character of the west side of Brant Street between Caroline Street and Baldwin Street. The 1997 City of Burlington Official Plan identifies the west side of Brant Street between Baldwin Street and Caroline Street as having a distinct character within the Brant streetscape, defined by the existing low-rise, residential building typologies. The streetscape in this area is characterized by a combination of residential structures, now converted to commercial uses, dating to approximately the first quarter of the twentieth century, and low-scale commercial buildings and commercial strips. The development of Brant Street in this area was characterized first by the subdivision of a former fruit tree farm into a residential

subdivision in the early twentieth century, known as the Apple Park Survey. The streetscape then evolved into a commercial corridor in the mid twentieth-century in response to increasing pressure to expand commercial activities from the Downtown core. The transition to a commercial corridor resulted in the loss of many of the residences that were located along Brant Street north of Caroline Street, however, 574 Brant Street has remained. The property retains its setback and landscaping and Edwardian Classical architectural style expressed through its once residential building, allowing the site to contribute to the evolved Brant Street streetscape.

Heritage Attributes

Attributes that contribute to the value of the property at 574 Brant Street as a representative example of Edwardian Classical style and as an early twentieth-century residential built form typology include:

- The form, scale and massing of the building as a rectangular, two-and-a-half storey residential building typology
- The hipped roof with overhanging eaves and front gable feature
- Asymmetrical arrangement of the primary elevation
- The red brick exterior
- The segmental and semi-elliptical arch window openings with masonry sills
- The decorative elements featured in the gable end of the primary elevation, including the wood shingle cladding and Palladian window
- Bay and oriel windows
- Setback of the residential built form from the street
- Landscaped front lawn

Attributes that contribute to the contextual value of 574 Brant Street as it maintains and defines its surroundings include:

- The setback, placement, and orientation of the house in its original location on Brant Street
- Landscaped lawn separating the roadway and primary building

The Corporation of the City of Burlington

City of Burlington By-law 28-2024

A by-law to designate 400 Brant Street, in the City of Burlington, in the Regional Municipality of Halton, to be of cultural heritage value or interest pursuant to the provisions of the *Ontario Heritage Act*, R.S.O. 1990, chapter O.18, as amended.

(PL-18-24)

Whereas Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18 (as amended) authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest; and

Whereas authority was granted by Council to designate the property at 400 Brant Street as being of cultural heritage value or interest; and

Whereas the Council of the City of Burlington has caused to be served upon the owners of the lands and premises known as 400 Brant Street and upon the Ontario Heritage Trust, Notice of Intention to designate the property in accordance with notice requirements under the Ontario Heritage Act; and

Whereas the municipal heritage committee (Heritage Burlington) supports the designation of the property described herein; and

Whereas a Notice of Intention to Designate has been published in the Hamilton Spectator on November ##, 2023 in accordance with the Act; and

Whereas no Notice of Objection has been served on the City Clerk of the City of Burlington; and

Whereas the reasons for designation are set out in Schedule A to this By-law;

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

1. That the property at 400 Brant Street, PLAN 92 BLK X PT LOT 6, Roll Number: 2402060605007000000, City of Burlington, Regional Municipality of Halton, more particularly described in Schedule "A" and Schedule "B", is hereby designated as being of cultural heritage value or interest pursuant to Part IV of the *Ontario Heritage Act*.
2. The City Clerk shall cause a copy of this by-law to be registered against the property described in Schedule "B" to this by-law in the proper Land Registry Office.

3. The City Clerk shall cause a copy of this by-law to be served upon the owners of the property at 400 Brant Street and upon the Ontario Heritage Trust and to cause notice of this by-law to be published in a newspaper having general circulation in the City of Burlington as required by the *Ontario Heritage Act*.
4. That this by-law shall take effect on the date of its passing.

Enacted and passed this 16th day of April, 2024.

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

Schedule “A”-

STATEMENT OF SIGNIFICANCE: 400 BRANT STREET

Introduction

The property at 400 Brant Street is recommended for designation pursuant to Part IV of the Ontario Heritage Act based on its design and physical value, historical and associative value, and its contextual value. It is believed to meet criteria 1, 2, 4, 6, 7, 8 and 9 under Ontario Regulation 9/06.

Description

400 Brant Street is in downtown Burlington on the west side of Brant Street at the northwest corner of the intersection of Brant Street and Elgin Street. It is adjacent to Civic Square and Burlington City Hall. Situated on the property is a three-and-a-half-storey brick veneer building (the “Queen’s Hotel”), constructed in 1860. The building has featured hospitality uses for most of its 163-year history, including the Queen’s Head Restaurant and Bar from 2003 to 2023. Although the upper two storeys contain rental apartments today, the building was designed as a hotel. Initially called the Zimmerman House, it was renamed the Queens Hotel, and then the Sherwood Hotel.

The Queen’s Hotel features a U-shaped plan with two wings extending west from Brant Street and framing a one-storey portion at the ground floor. Beyond this is a non-original, flat roof, one-storey addition extending out from the wings to the west end of the property. Above the third storey of the building is a truncated, hipped roof with two outward-facing, gabled dormers at each elevation. The chamfered corner at Elgin Street and Brant Street used to feature the building’s main entrance, but it was infilled and the main entrance is now located on the east elevation facing Brant Street. Window openings on all facades are vertically aligned and have segmental arches at the top, and projecting sills at the bottom. Decorative wooden brackets along the eaves add vertical emphasis to each set of openings. Originally the windows were a two-over-two sash design, but all have been replaced.

Design & Physical Value

The original portion of the Queen’s Hotel exhibits design value in the orderly composition of its exterior façade, its chamfered corner emphasizing the intersection of Brant and Elgin Street and its U-shaped plan, which allows natural light and ventilation to all interior rooms at the second and third floor. Its masonry façade displays a high degree of craftsmanship. It is considered a good, representative example of a 19th century hotel whose U-shaped plan and dormer windows are indications of its former use.

Described in 1877 as "a fine, handsome three-story brick veneer building, erected at a large cost", the building is believed to have originally been a two- or three-storey frame structure with timber likely supplied by the Zimmerman sawmill.

The stretcher-bond brick veneer was likely added as a fireproofing measure. The Queen's Hotel may have been enlarged from a simple rectangular structure to its present U-shaped footprint prior to, or coinciding with, the addition of the brick veneer. The property demonstrates a high degree of craftsmanship in its construction assemblies, in particular the masonry exterior wall constructed over a frame structure. Jabez Bent, a skilled brick mason noted as having an excellent reputation, and his brother James Cushie Bent are credited as the builders. They were also responsible for the Calgary Baptist Church, now Eglise St. Phillippe, at the corner of Locust Street and Ontario Street, in 1875. Jabez also built the brick wall for the Union Burying Grounds.

There is no pictorial record of the earliest stage of the hotel. Martha Craig's 1902 photograph and other early twentieth-century photographs are in the archives of the Burlington Historical Society at the Central Public Library. They show the hotel at its present three-and-a-half-storey height: gabled dormers with small four-paned windows to light the top storey. Hotel employees may have been accommodated on this level. The 1877 reference to three storeys probably ignored the level above the three public guest levels.

Historical Associative Value

400 Brant Street has historical and associative value for its association with the Zimmerman family, its historic uses as a hotel with a ground floor restaurant or pub, and for the information it reveals about Burlington's economy in the 1800s. It was constructed during the economic boom of the 1860's, when Wellington Square's lumber industry was thriving, and a tourism industry had emerged along Burlington Beach. The area had become popular with vacationing city dwellers who could now access Wellington Square by rail.

The Illustrated Atlas of the County of Halton, published in 1877, includes this paragraph in its essay on the village of Burlington:

Of hotels there are three. *The Zimmerman house, a fine, handsome three-story brick veneer building, erected at a large cost by one Peter M. Zimmerman, and by him rented to Mr Peter Evans, whose hostelry is a first-class resting place for the weary traveller.* There is also the Burlington, kept by Mrs. De Garmo [built in 1864, later known as the Hotel Raymond, now the Coronation Inn, at 380 Brant Street] and the Lake View kept by John Wray [demolished long ago]. Speaking of hotels, we must not omit mention of the justly celebrated "Brant House", which although not within the limits of the corporation, may be said to be in the suburbs.

The hotel is associated with Peter M. Zimmerman, a member of the historically significant pioneer Zimmerman family. His grandfather Peter Zimmerman, with his wife and ten children and two brothers and their families, immigrated from New Jersey in 1794 and settled south of Beamsville. In 1814, two of the next generation, Peter the younger and his brother Matthias, moved to Halton County, to settle on land claims of their own. Peter and his children farmed on Appleby Line near Twelve Mile Creek (now Bronte Creek) and developed the village of Zimmerman, with a grist mill and then a sawmill and turning factory which flourished until the best timber was gone, in 1865.

Matthias and his family, including his son Peter M., settled in Wellington Square and farmed in the southern part of Nelson Township. When Matthias died, Peter M. took over the family farm. Peter Zimmerman's land is shown in the 1877 Halton Atlas with the farmhouse located on Shoreacres Creek. Part of his farm is now the McNichol Shoreacres Estate. According to Dorothy Turcotte in *Burlington: Memories of Pioneer Days* (1989), pp. 176—177, Peter M. and his sons Levi and Charles had secondary enterprises in addition to farming, such as: land deals; a reaping and harvesting business; liquor sales; and horse trading.

The history of the Hotel is known only in outline: no anecdotes or vignettes have been collected. Martha Craig, in *The Garden of Canada*, published in 1902, includes her photograph on p. 52 of "The Queen's Hotel, Burlington. W. Brush, Proprietor". The 1916 Sewerage Works Plan shows the Queen's Hotel, then owned by Mrs. R. Smith. The early photographs of the Queen's Hotel show the Radial Line trams on Elgin Street. This Hamilton - Oakville public transit link, which operated from 1899 to 1929, must have contributed significantly to the commercial success of this hotel.

The hotel is also significant because the durable and sophisticated masonry construction with stretcher bond brick and segmental arched windows reflects the work of the Bent Brothers, who constructed other Burlington landmarks.

Contextual Value

The Queen's Head has contextual value for its design qualities and location on a prime landmark location on Brant Street at the corner of Elgin Street. It has contextual value because it is important in defining, maintaining and supporting the character of Civic Square. Its north elevation frames the south end of the square, making it a valuable historical element of this public space. Because of its height, massing and position on a corner adjacent to Civic Square, all sides of the building are visible, which enables it to stand out as a landmark from the surrounding fabric of the city. It is located near the centre of the historic boundaries of Wellington Square, directly facing Brant Street, the City's historic commercial artery. It is also adjacent to the former Hamilton Electric Radial Line, which ran along Elgin Street. These aspects of its location and context make it historically and visually linked to its surroundings.

The extensive inventory of historical photographs of the Queen's Hotel from the turn of the century onwards suggest that multiple generations of the local community have considered the building to be a significant landmark and important contextual feature.

Description of Heritage Attributes

The heritage attributes that contribute to its cultural heritage value are primarily associated with the exterior elements of the original 1860 design.

Attributes that contribute to the design and physical value of 400 Brant Street as a good representative example of a 19th century hotel include:

- U-shaped plan, which enabled the hotel rooms to receive natural light and ventilation consistent with the hospitality and guest comfort functions of a hotel;
- Window openings with segmental arches and projecting sills;
- Gabled dormers above the third storey, which provide natural light and ventilation to the half level;
- Truncated hipped roof with eaves supported by decorative brackets;
- Diagonal (chamfered) corner at the intersection of Brant and Elgin Streets; and
- Larger window openings at the ground floor corresponding to the historic hospitality use.

Attributes that contribute to the design and physical value of 400 Brant Street as a building that displays a high degree of craftsmanship include:

- Stretcher bond brick veneer over a frame structure;
- Vertically aligned window openings on all elevations, especially the pattern of windows at the second and third levels of the Brant Street and Elgin Street elevations; and
- Window openings with segmental arches and projecting sills.

Attributes that contribute to the historical value of 400 Brant Street and indicate aspects of the internal functions of a 19th C. hotel include:

- Larger window openings at the ground floor corresponding to the historic hospitality uses including a restaurant and pub;
- U-shaped plan, which enabled the hotel rooms to receive natural light and ventilation consistent with the hospitality and guest comfort functions of a hotel;
- Gabled dormers above the third storey, which provide natural light and ventilation to the half level, thought to have contained rooms for hotel workers;

Attributes that contribute to the contextual value of the property at 400 Brant Street as a landmark that is visually linked to its surroundings and that defines, maintains and supports the character of the surrounding City blocks include:

- Its location at the corner of Brant Street and Elgin Street;
- The chamfered corner of the building, which emphasizes the intersection of the two streets;
- The location and visibility of the north elevation, which frames the south side of Civic Square; and
- The open space surrounding the building and a rear (west) setback that enables the building and its U-shaped plan to be viewed from all sides, unobstructed by taller abutting structures.

SCHEDULE "B"

400 BRANT STREET LEGAL DESCRIPTION

Municipal Address: 400 Brant Street

Legal Description: PLAN 92 BLK X PT LOT 6

Property ID: 39792

Roll Number: 2402060605007000000

The Corporation of the City of Burlington

City of Burlington By-law 29-2024

A By-law to provide for the reduction of property taxes for eligible low-income seniors and low-income persons with disabilities.

File: 425-04 (F-03-24)

Whereas subsection 365(1) of the *Municipal Act, 2001*, S.O., c. 25, as amended (hereinafter called the “Act”), authorizes a local municipality to pass a By-law to provide for the cancellation, reduction or refund of taxes for eligible property owners whose taxes are considered by Council to be unduly burdensome, as defined in the By-law; and

Whereas the Council of The Corporation of the City of Burlington shall give notice to the Regional Municipality of Halton in accordance with subsection 365(2) of the Act, of the fact that it has passed a By-law in accordance with subsection 365(1) of the Act; and

Whereas the Council of the Corporation of the City of Burlington deems it desirable and in the public interest to enact such a By-law;

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

PART 1: DEFINITIONS

1.1 For the purposes of this By-law, the following definitions shall apply:

“application” means a complete application for a tax reduction in accordance with this By-law;

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

“low-income person with disabilities” means a person who is eligible and in receipt of income support paid under the *Ontario Disability Support Program Act, 1997*, S.O. 1997, c.25, Sched. B;

“low-income senior” means a person who is 65 years of age or older and is eligible and in receipt of benefits paid under the Guaranteed Income Supplement (GIS) program, as established under Part II of the *Old Age Security Act*, R.S.C., 1985, c. O-9;

“owner” means a person assessed as the owner of residential real property and includes an owner within the meaning of the *Condominium Act*, 1998, S.O. 1998, c.19;

“personal residence” means the residence ordinarily inhabited by the owner;

“spouse” means a person, (1) to whom the person is married, or (2) with whom the person is living outside marriage in a conjugal relationship, if the two persons, (i) have cohabited for at least one year, (ii) are together the parents of a child, or (iii) have together entered into a cohabitation agreement under section 53 of the *Family Law Act*, R.S.O. 1990, c. F.3;

“Treasurer” means the treasurer or his/her designate of The Corporation of the City of Burlington

PART 2: APPLICATION FOR TAX REDUCTION

- 2.1 The Treasurer is authorized and directed to allow owners of residential real property located in the City a tax reduction in the amount of Five Hundred and Seventy Five Dollars (\$575.00) against real property taxes imposed by the City in respect of such real property provided that the owner meets the requirements of this By-law.
- 2.2 An owner may submit an application for a tax reduction in accordance with this By-law if:
 - (a) At the time of making the application:
 - i. the owner or the spouse of the owner is a low-income senior; or
 - ii. the owner is a low-income person with disabilities;
 - (b) The person has been the owner of the subject property for at least one year immediately preceding the date of the application;
 - (c) The property that is the subject of the application is the owner’s personal residence; and,
 - (d) For the purposes of the *Assessment Act*, R.S.O. 1990, c. A.31, the owner’s personal residence is classified in the residential property class;
- 2.3 No tax reduction shall be granted under section 2.1 of this By-law to an owner if that owner or the spouse of the owner is the owner of more than one property in the City.
- 2.4 Not more than one tax reduction shall be granted on a property in any given year under this By-law.

- 2.5 In the event an owner who has applied for a tax reduction under this By-law does not own the subject property as of December 31st of the year for which a tax reduction is claimed, that owner will not be granted a tax reduction under this By-law.
- 2.6 An owner shall complete a separate application for each year in respect of which a reduction is claimed pursuant to this By-law.
- 2.7 Applications under this By-law must be received by the Treasurer on or before December 31st of the year for which a tax reduction is claimed and such applications must be in writing, on a form prescribed by the City for this purpose. Applications must include documentation in support thereof to establish that the owner is eligible for a tax reduction in accordance with this By-law.
- 2.8 The tax reduction provided under this By-law will not be applied to tax arrears. The real property taxes for that year under this By-law must be paid in full excluding any applicable reduction under this By-law.

PART 3: MISCELLANEOUS

- 3.1 Should any section, clause or provisions of this By-law be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the part which was declared to be invalid.
- 3.2 References in this By-law to any legislation or By-law means as may be amended or replaced from time to time and include any regulations thereunder.
- 3.3 By-law 102-2020 shall be repealed effective on the coming into force and effect of this By-law.

PART 4: EFFECTIVE DATE AND TRANSITION

- 4.1 This By-law shall come into force and take effect on April 16, 2024. Any applications received in accordance with City of Burlington By-law 102-2020 prior to this date will be processed in accordance with this By-law.

Enacted and passed this 16th day, of April, 2024.

Mayor Marianne Meed Ward _____

City Clerk Samanta Yew _____

The Corporation of the City of Burlington

City of Burlington By-Law 30-2024

A by-law deeming Lots 6 and 7 of Plan M-150 not to be lots in a registered plan of subdivision for the purpose of Section 50(4) of the Planning Act,
3540-3548 Commerce Court

File: 510-01/24 (PL-24-24)

Whereas subsection 50(4) of the Planning Act, R.S.O. 1990, c. P.13, as amended, provides that a council of a local municipality may by by-law designate any plan of subdivision, or part thereof, that has been registered for eight (8) years or more, not to be a registered plan of subdivision for the purposes of subdivision control under subsection 50 (3) of the Planning Act; and

Whereas the lands described below are lots and blocks within a registered plan of subdivision registered for a period of eight (8) years or more;

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

1. That those lands described as Lots 6 and 7 of Plan M-150 in the City of Burlington, Regional Municipality of Halton, are hereby deemed not to be Lots and Blocks within a registered plan of subdivision for the purpose of Section 50(3) of the *Planning Act*.
2. That this by-law shall take effect on the date of its registration in the Land Titles Office for Halton (No. 20).
3. That notice of the passing of this by-law shall be given within 30 days of the passing thereof in accordance with Section 50(29) of the Planning Act.

Enacted and passed this 16th day, of April, 2024.

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

The Corporation of the City of Burlington

City of Burlington By-law 31-2024

A by-law to appoint the City Clerk for the Corporation of the City of Burlington, to amend By-law 40-2021 and to repeal By-law 08-2020

Whereas s. 228 of the Municipal Act, 2001, c. 25 provides that Councils shall appoint a Clerk, who shall have all the powers and duties under the Act and any other Act.

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

1. That Samantha Yew be appointed to the office of Clerk of the City of Burlington; and
2. That the powers and duties of the City Clerk shall be all those powers and duties as outlined in the Municipal Act, 2001, as amended and every other Act for a municipal Clerk; and
3. That Section 1 of By-law 40-2021 is amended by removing the following text "Samantha Yew," so that section 1 shall read as follows:
 1. That Lisa Palermo and Lisa Campion are appointed as Deputy City Clerks and Acting City Clerks when the City Clerk is absent or unable to carry on the duties of the Clerk through illness or otherwise.
4. Subject to the amendments made in this By-law, in all other respects By-law 40-2021 is hereby confirmed unchanged; and
5. That by-law 08-2020, being a by-law to appoint the City Clerk for the Corporation of the City of Burlington, be repealed.
6. This By-law comes into force on the date of its passing.

Passed this 16th day of April, 2024.

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

The Corporation of the City of Burlington

City of Burlington By-law 34-2024

A by-law to repeal by-law 40-2019 being a by-law to appoint a City Manager as the chief administrative officer for the City of Burlington and to delegate the powers, and assign the duties, accountabilities and functions of the City Manager

Whereas, the section 284.5 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides the head of Council may appoint a chief administrative officer who shall be responsible for exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient operation of the municipality, and for performing such other duties as are assigned by the municipality; and

Whereas the head of Council has appointed Hassaan Basit as City Manager/Chief Administrative Officer for the City of Burlington through Mayoral Decision 04-2024, effective April 22,2024.

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

1. That By-law 40-2019 be and is hereby repealed effective April 21, 2024 at 11:59 p.m.

Enacted and passed this 16th day of April, 2024.

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

The Corporation of The City of Burlington

City of Burlington By-law 2020.472

A by-law to amend By-law 2020, as amended; for 1120 Cooke Boulevard, for the purpose of facilitating the mixed-use development of three residential towers of maximum heights of 30, 32, and 34 storeys

File number: 520-01/22 (PL-04-24)

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

Whereas the Council of the Corporation of the City of Burlington approved PL-04-22 on March 19, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit the mixed-use development of three residential towers of maximum 30, 32, and 34 storeys;

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

1. Zoning Map Number 3 of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands identified on Schedule "A" attached hereto are hereby rezoned from MXC-26 to H-MXC-531.
3. Part 11, Appendix A, of By-law 2020, as amended, Site-Specific Requirements for Removal of an "H" Holding Symbol, is amended by creating Section 77 as follows:

77.	H-MXC-531	Map 3-E	Resolution:
Prior to the removal of the 'H' Holding Symbol, the following must be completed to the satisfaction of the Region of Halton: <ol style="list-style-type: none">1. The Owner executes a Regional Servicing Agreement for the replacement of the Cooke Boulevard sanitary sewer to address downstream sanitary sewer capacity.			

4. Part 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended with the following:

Exception 531	Zone MXC	Map 3	Amendment 2020.472	Enacted March 19, 2024
1. <u>In addition to Part 1, Subsection 2.22 and Part 5, Section 3, the following uses are prohibited:</u>				
a) Funeral Home b) Automotive uses				
2. <u>Regulations for the entire site:</u>				
<p>a) For the purposes of applying zoning regulations the property zoned MXC-531 shall be considered one lot.</p> <p>b) Notwithstanding Part 5, Section 4.1, Table 5.4.1 the maximum yard abutting any other street shall not apply.</p> <p>c) Notwithstanding Part 1, Section 2.27.1, for the purposes of establishing building setbacks or for the application of any other provisions of this By-law the deemed and actual street width of Cooke Boulevard is 17 m.</p>				
<p>d) Non-residential floor area</p> <p>i) Building A: None required</p> <p>ii) Building B & C: 475 m² combined</p>				
<p>iii) Notwithstanding the combined non-residential floor area for Buildings B and C, Buildings B and C must provide a minimum of 175 m² of non-residential floor area per building.</p>				
<p>e) Landscape Area abutting a street: None required.</p>				
<p>f) Amenity Area: 15 m² per unit</p>				
<p>g) A rooftop terrace shall maintain the principal building yards of the storey below it.</p>				
<p>h) Maximum Residential Units</p> <p>i) Building A: 450 units</p> <p>ii) Building B: 370 units</p> <p>iii) Building C:</p>				

	385 units
iv) Notwithstanding the maximum residential units in any individual building, the maximum number of residential units on the lands zoned MXC-531 shall be 1165.	
i) Maximum Floor Area Ratio:	9.1:1
j) Setbacks for a Below-grade parking structure to all lot lines:	0.9 m
k) Setback from Cooke Blvd for an above-grade access stairway building to the below grade parking structure:	6 m
l) Setback from the north lot line for an above-grade access stairway building to the below grade parking structure:	1.5 m
m) Set back to Waterdown Road for an entrance and exit ramp to a parking garage:	0 m
n) Parking: i) Occupant: ii) Visitor:	0.89 spaces/unit 0.08 spaces/unit
iii) Notwithstanding Part 5, Section 4.6(b), (c) and d) where a development is comprised of residential and non-residential uses, up to 100% of the required visitor parking located on the development site may be counted towards the required non-residential parking.	
o) Bicycle Parking: i) Long-term: ii) Short-term: iii) Vertical bicycle parking space dimensions: iv) Horizontal bicycle parking space dimensions:	0.5 spaces/unit 0.05 spaces/unit 0.6 m width 1.2 m length 0.6 m width

	1.8 m length
<p>p) Long-term bicycle parking spaces are bicycle parking spaces for use by the occupants, employees, or tenants of a building, and must be located in a building. Required long-term bicycle parking spaces in apartment buildings may not be in a dwelling unit, on a balcony, or in a storage locker.</p> <p>q) Short-term bicycle parking spaces are bicycle parking spaces for use by visitors to a building.</p> <p>r) Stacked bicycle parking spaces mean a horizontal bicycle parking space that is positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both bicycle parking spaces.</p> <p>s) All short-term bicycle parking spaces shall be provided as horizontal bicycle parking spaces and be provided at ground level.</p>	
<p>t) Accessory Structures on the ground:</p> <p>i) Maximum height:</p> <p>ii) Yard abutting Waterdown Road:</p> <p>iii) Yard abutting Masonry Court:</p> <p>iv) Yard abutting Cooke Boulevard:</p>	<p>One storey and 4 m</p> <p>1 m</p> <p>5 m</p> <p>6 m</p>
<p>u) Accessory Structures on a roof top terrace:</p> <p>i) Maximum height from the roof top:</p>	3.7 m
<p>v) Notwithstanding Part 1, Section 2.2.2 any accessory structure located on a terrace and/or roof top shall maintain the yard requirements of the floor level below the terrace and/or roof top</p> <p>w) Notwithstanding Part 5, section 4.6(f), the minimum width for a walkway connecting the sidewalk to the principal entrance of the building shall be 2 m.</p>	
<p>3. <u>Regulations applying to Building 'A' on Figure 531:</u></p>	
<p>a) Maximum height:</p>	34 storeys and 112 m
<p>b) Yard abutting Waterdown Road:</p> <p>i) Floors 1 to 12:</p> <p>ii) Floors 13 to 34:</p>	4.5 m
<p>c) Yard abutting Masonry Court:</p> <p>d) North Side Yard:</p> <p>e) Yard abutting Cooke Boulevard:</p>	9 m
	50 m

	6 m 40 m
f) Maximum Balcony Projections on the east elevations: i) Floors 2 to 7: ii) Floor 8 to 34:	2.1 m
g) Maximum balcony projections on the south elevation: i) Floors 2 to 34:	1.5 m
h) Maximum balcony projections abutting Waterdown Road: i) Floors 2 to 7: ii) Floor 8 to 34:	1.5 m
i) Maximum balcony projections on the north elevation: i) Floor 2 to 7: ii) Floor 8 to 34:	2.1 m 1.5 m
j) A pedestrian accessible door shall be provided for residential apartment lobbies facing on the south or east elevation.	2.1 m 1.5 m
4. <u>Regulations applying to buildings to Building 'B' on Figure 531:</u>	
a) Maximum height:	30 storeys and 100 m
b) Yards Abutting Waterdown Road:	55 m
c) Abutting Masonry Court: i) Floors 1 to 8: ii) Floor 8 to 30:	5 m
d) North Side Yard:	9 m
e) Cooke Boulevard:	40 m 5 m
f) Maximum balcony projections abutting Cooke Boulevard: i) Floors 2 to 7: ii) Floors 8 to 30:	3 m
g) Maximum balcony projections abutting Masonry Court:	1.5 m

i) Floors 2 to 7: ii) Floors 8 to 30: h) Maximum balcony projections on the west elevation: i) Floors 2 to 30: i) Maximum balcony projections on the north elevation: i) Floor 2 to 30:	2.1 m 1.5 m 1.5 m 1.5 m
j) A pedestrian accessible door shall be provided for residential apartment lobbies facing on the west elevation and facing Cooke Boulevard. k) A pedestrian accessible door shall be provided for all non-residential uses facing Masonry Court and/or Cooke Boulevard	
5. <u>Regulations applying to buildings to Building 'C' on Figure 531:</u>	
a) Maximum height:	32 storeys and 106 m
b) Yard Abutting Waterdown Road: c) Yard Abutting Masonry Court: d) North Side Yard: e) Yard abutting Cooke Boulevard:	3 m 5 m 50 m 50 m
f) Maximum Balcony Projections on the east building Elevations: i) Floors 2 to 32: g) Maximum balcony projections abutting Masonry Court: ii) Floors 2 to 7: iii) Floor 8 to 32: h) Maximum balcony projections abutting Waterdown Road: i) Floors 2 to 7: ii) Floor 8 to 32 i) Maximum balcony projections on the north elevation: i) Floor 2 to 6: ii) Floor 7 to 32:	1.5 m 2.1 m 1.5 m 2.1 m 1.5 m

	2.1 m 1.5 m
j) A pedestrian accessible door shall be provided for residential apartment lobbies facing on the east elevation and facing Masonry Court.	
k) A pedestrian accessible door shall be provided for all non-residential uses facing Masonry Court or on the east elevation.	
Except as amended herein, all other provisions of this By-law, as amended, shall apply.	
Figure 531:	

FIGURE 531



SUBJECT PROPERTY

WATERDOWN RD.

COOKE BLVD.

MASONRY CRT.

Date: December 08, 2023
Community Planning Department

TERANET *Burlington*

Enacted and passed this 16th day of April, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

SCHEDULE "A"



 **Area 'A'**

To be rezoned
from 'MXC-26'
to 'H-MXC-531'



Area 'A'

SCHEDULE 'A' TO BY-LAW 2020.472 AMENDING MAP NO. 3E PART 15, BY-LAW 2020 AS AMENDED.
PASSED THE 19th DAY OF MARCH, 2024

MAYOR

CITY CLERK

 
Community Planning Department

Explanation of Purpose and Effect of By-law 2020.472

By-law 2020.472 amends the zoning regulations applying to 1120 Cooke Boulevard, located on the north side of Masonry Court between Waterdown Road and Cooke Boulevard, to permit the mixed-use development of three residential towers of maximum 30, 32, and 34 storeys.

For further information regarding By-law 2020.472, please the City of Burlington's Community Planning Department at planning@burlington.ca or (905) 335-7600.

The Corporation of the City of Burlington

City of Burlington By-law 35-2024

A by-law to confirm the proceedings of the meeting of Council of the Corporation of the City of Burlington held on Tuesday, April 16, 2024

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

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

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

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

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

Enacted and passed this 16th day of April 2024.

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____