



Regular Meeting of Council
Agenda

Date: December 10, 2024
Time: 9:30 am
Location: Council Chambers, City Hall, second floor

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:

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

3. National Anthem:

4. Roll Call:

5. Approval of the Agenda:

6. Declarations of Interest:

7. Proclamations:

8. Recognitions and Achievements:

9. Motion to approve Council Minutes:

Confirm the minutes of the following meeting of Council:

9.1 Regular meeting of Council November 19, 2024

9.2 Special meeting of Council November 25, 2024

10. Presentations:

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.

12. Petitions:

13. Recommendations from Standing Committees:

13.1 Committee of the Whole meeting of December 2 and 3, 2024

- a. Update on organization's strategy and business planning process (CS-09-24) (CCS)

Receive for information corporate strategy report CS-09-24, an update on the organization's efforts to date, and the approach and plan for corporate strategy development and alignment of business planning processes into 2025.

- b. Temporary Borrowing By-law (F-31-24) (CCS)

Approve the by-law attached as Appendix A to finance department report F-31-24, to authorize the temporary borrowings of monies from the Royal Bank of Canada and Scotiabank to meet the ordinary expenditures of the corporation for the 2025 fiscal year; and

Authorize the Mayor and City Clerk to execute the security agreement attached as Appendix B to finance department report F-31-24, subject to the satisfaction of the Commissioner, Legal and Legislative Services/City Solicitor.

- c. 2025 Interim Tax Levy By-law (F-33-24) (CCS)

Approve the by-law attached as Appendix A to finance department report F-33-24 which provides for the levy of the 2025 Interim taxes.

- d. 2024 to 2025 group benefits renewal (HR-08-24) (CCS)

Renew Sun Life as the provider for the City's group benefits plan including extended health, dental, long-term disability and life insurance for the benefit year December 1, 2024 to November 30, 2025 as outlined in human resources department report HR-08-24.

- e. Municipal Accommodation Tax (MAT) update - proposed 2025 projects (RCC-18-24) (CCS)

Approve the recreation, community and culture department report RCC-18-24 providing the Municipal Accommodation Tax (MAT) update - proposed 2025 projects; and

Authorize the Chief Financial Officer to fund the projects identified in report RCC-18-24 with the City's Municipal Accommodation Tax Reserve Fund; and

Direct the Director of Recreation, Community and Culture in collaboration with the Executive Director of Burlington Economic Development and Tourism Burlington to investigate the feasibility of implementing MAT for short-term accommodations and report back by the end of Q2 2025.

- f. Amendment to Procedure By-law 59-2024 (CL-26-24) (CCS)

Enact a by-law to amend Procedure By-law No. 59-2024, substantially attached as Appendix A to legislative services department report CL-26-24.

- g. Seasonal outdoor patio program update (PL-77-24) (GM)

Receive for information community planning department report PL-77-24 as an update on the Burlington seasonal outdoor patio program.

- h. 2024 Community Benefits Strategy and By-law (F-05-24)

Note: Item 20.6 provides supplemental information regarding this item.

Approve the Community Benefits Charge Strategy dated

November 4, 2024, attached as Appendix A, to finance department report F-05-24; and

Adopt the approach to calculate the community benefit charges on a uniform city-wide basis as set out in the Community Benefits Charge Strategy dated November 4, 2024; and

Approve the capital project listing set out in Chapter 4 of the Community Benefits Charge Strategy dated November 4, 2024, subject to further annual review during the capital budget process; and

Determine that no further public consultation is required; and

Approve the By-law, as amended, to establish Community Benefits Charges for the City of Burlington, as set out in Appendix B to finance department report F-05-24, and repeal By-law 66-2022.

i. Fare-free Transit Study (TR-02-24, SD-19-24)

Receive for information, the results of the Burlington study to explore fare-free transit, completed by consultants Left Turn Right Turn attached as Appendix A to transit department report TR-02-24; and

Direct the Director of Transit to report back on the implementation to cap the monthly fare for youth at \$38 or 20 rides by the December 10, 2024 Council meeting ; and

Direct the Director of Transit to report back on the feasibility of implementing a pilot project for fare-free transit for youth in the 2025 summer (July and August) by the February 10, 2025 Committee of the Whole meeting; and

Direct the Director of Transit to include the information from the Fare-free Transit Study report in the Transit Business Plan. (SD-19-24)

j. Council Composition and Ward Boundary Review interim report (CL-27-24)

Direct the Consultant Team to investigate and recommend council composition and ward boundary options where all councillors are local and regional councillors, as it relates to legislative services department report CL-27-24.

- k. Update on strategic initiatives and organizational services (CM-10-24)

Receive for information chief administrative officer report CM-10-24 providing an update on strategic initiatives and organizational services.

- l. Council Remuneration (HR-09-24, SD-18-24)

Receive for information human resources department report HR-09-24 regarding council remuneration; and

Repeal By-law No. 129-2006, a by-law to set the remuneration to be paid to the Mayor and Members of Council; and

Direct the City Clerk to bring back a Terms of Reference to constitute the Council Remuneration Working Group in Q1 2025. (SD-18-24)

- m. Seeking project endorsement for Community Sport and Recreation Infrastructure Fund (RCC-17-24)

Direct the Director of Recreation, Community and Culture to work with government relations to apply to stream two of the Community Sport and Recreation Infrastructure Fund (CSRIF) for the re-development of the west side of Sherwood Forest Park as outlined in recreation, community and culture report RCC-17-24.

- n. Flood hazard impacts and mitigation assessment (ES-04-24)

Receive for information engineering services department report ES-04-24 regarding the flood hazard impacts and mitigation assessment.

- o. Bronte Creek Meadows Area-Specific Planning Project update and proposed policy directions (PL-81-24)

Endorse the policy directions contained in community planning department report PL-81-24 to guide the development of the Bronte Creek Meadows Area Specific Plan; and

Direct the Director of Community Planning to continue work on the Bronte Creek Area Specific Plan in coordination with the landowner and communicate and engage with the public on the

proposed policy directions and area specific plan framework.

- p. Confidential legal update on litigation matter regarding Nelson Aggregate Co. appeals (L-29-24)

Receive for information confidential legal department report L-29-24 providing a legal update on a litigation matter regarding appeals by Nelson Aggregate Co.

- q. Draft Official Plan and Zoning By-law Amendments to increase housing options (PL-92-24)

Direct the Director of Community Planning to consider Council, agency, and community feedback received as part of this statutory public meeting, prior to bringing forward a subsequent staff report recommending adoption of Official Plan Amendment No. 3 and a Zoning By-law Amendment in January 2025.

- r. Official Plan and Zoning By-law Amendments for 141, 147 and 153 Plains Road West (PL-90-24)

Note: Item 20.4 provides supplemental information regarding this item.

Approve the applications for Official Plan Amendment and Zoning By-law Amendment submitted by Goldberg Group on behalf of 2412947 Ontario Ltd, Dr. Laith Al-Dabbagh and 2381798 Ontario Ltd. proposing a 12-storey mixed use building; and

Approve Official Plan Amendment No. 154 to the City of Burlington Official Plan, as provided in Appendix D of community planning department report PL-90-24, to modify the “Mixed Use General” Designation at the lands located at 141, 147 and 153 Plains Road West; and

Deem that the Official Plan Amendment No. 154 is consistent with The Planning Act; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 154 as contained in Appendix D to community planning department report PL-90-24 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; and

Approve Zoning By-law 2020.492, attached as Appendix E to

community planning department report PL-90-24, to rezone the lands at 141, 147 and 153 Plains Road West from “MXG” to “H-MXG-545”; and

Deem that Zoning By-law 2020.492 will conform to the Official Plan of the City of Burlington once Official Plan Amendment No. 154 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 154 is adopted; and

Deem that the lands described as 141, 147 and 153 Plains Road West are classified as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines.

s. Zoning By-law Amendment for 759 Maple Avenue (PL-88-24)

Approve the Zoning By-law Amendment application for the property located at 759 Maple Avenue to permit four (4) townhouse units of 4-storeys in height within one (1) building block with access to Maple Avenue via a private road; and

Approve Zoning By-law 2020.489, attached as Appendix D to community planning department report PL-88-24, which amends the zoning ‘Residential Medium Density’ (H-RM5) with a Holding provision to ‘Residential Medium Density’ (H-RM2-546) with a Holding provision and site-specific exceptions for the lands located at 759 Maple Avenue; and

Deem that the amending zoning by-law will conform to the Regional Official Plan, to the City of Burlington Official Plan and that there are no applications to alter the Official Plans with respect to the subject lands.

t. Official Plan and Zoning By-law Amendments for 291 North Service Road (PL-89-24)

Note: Item 20.3 provides supplemental information regarding this item.

Approve the applications for Official Plan Amendment and Zoning By-law Amendment submitted by DeLoyde Development Solutions on behalf of King Paving proposing asphalt manufacturing with outdoor open storage of aggregates; and

Approve Official Plan Amendment No. 155 to the City of

Burlington Official Plan 1997, as provided in Appendix D of community planning department report PL-89-24, to modify the “Business Corridor” Designation at the lands located at 291 North Service Road; and

Deem that the Official Plan Amendment No. 155 is consistent with The Planning Act; and

Approve Official Plan Amendment No. 5 to the City of Burlington Official Plan 2020, as provided in Appendix E of community planning department report PL-89-24, to modify the “Business Corridor” Designation at the lands located at 291 North Service Road; and

Deem that the Official Plan Amendment No. 5 is consistent with The Planning Act; and,

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 155 and Official Plan Amendment No. 5 as contained in Appendices D and E to community planning department report PL-89-24 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; and

Approve Zoning By-law 2020.493, attached as Appendix F to community planning department report PL-89-24, to rezone the lands at 291 North Service Road from “H-BC2” to “H-BC2-547” and H-BC2 to O3-549; and

Deem that Zoning By-law 2020.493 will conform to the 1997 Official Plan of the City of Burlington once Official Plan Amendment No. 155 is adopted; and

Deem that Zoning By-law 2020.493 will conform to the 2020 Official Plan of the City of Burlington once Official Plan Amendment No. 5 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 155 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 5 is adopted.

- u. Official Plan and Zoning By-law Amendments - 5051 Harvester Road (PL-83-24)

Note: Item 20.2 provides supplemental information regarding

this item.

Approve the applications for Official Plan Amendment and Zoning By-law Amendment submitted with modifications by MHBC proposing a five-storey commercial, retail and office development at 5051 Harvester Road; and

Approve Official Plan Amendment No. 153 to the City of Burlington Official Plan, as provided in Appendix D of community planning department report PL-83-24, to modify the “Business Corridor” Designation at the lands located at 5051 Harvester Road; and

Deem that the Official Plan Amendment No. 153 is consistent with The Planning Act; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 153 as contained in Appendix D to community planning department report PL-83-24 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; and

Approve Zoning By-law 2020.491, attached as Appendix C to community planning department report PL-83-24, to rezone the lands at 5051 Harvester Road from “BC1-62” to “H-BC1-62” and “H-BC1-548”; and

Deem that Zoning By-law 2020.491 will conform to the Official Plan of the City of Burlington once Official Plan Amendment No. 153 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 153 is adopted.

13.2 Audit Committee meeting of December 4, 2024

a. Status of Management Action Plans (CA-16-24)

Receive for information city auditor's office report CA-16-24 providing a summary of the Management Action Plans in progress.

b. Quarterly dashboard for office of the city auditor (CA-17-24)

Receive for information office of the city auditor's report CA-17-24 providing a quarterly dashboard of City Auditor Key

Performance Indicators (KPI's) attached as Appendix A.

c. Evaluation of Audit Committee effectiveness (CA-18-24)

Receive for information office of the city auditor's report CA-18-24 regarding a summary of the results of the Audit Committee's effectiveness evaluation.

d. Anti-Fraud Information & Education Program - update (CA-19-24)

Receive for information office of the city auditor's report CA-19-24 regarding an update of the Anti-Fraud Information & Education Program.

e. Financial highlights for the period ended September 30, 2024 (F-14-24)

Receive for information finance department report F-14-24 providing financial highlights as at September 30, 2024.

f. External audit plan for the fiscal year ended December 31, 2024 (F-21-24)

Approve the external audit plan for the fiscal year ended December 31, 2024, attached as appendix A to finance department report F-21-24 and as presented by Deloitte LLP at the Audit Committee meeting of December 4, 2024.

g. 2025 Annual Audit Plan for office of the city auditor (CA-20-24)

Refer Item 4.2 Annual Audit Plan for the office of the city auditor CA-20-24 back to the City Auditor and report back at the March 6, 2025 Audit Committee meeting and include an audit in the development and growth management department in the 2025 audit plan.

h. Risk management update (CS-08-24)

Endorse corporate strategy report CS-08-24 providing a risk management update.

i. City Auditor performance evaluation 2024 (CM-11-24)

Direct the Audit Committee Chair and the Head of Corporate Affairs to deliver the Audit Committee's final performance rating and feedback from committee discussions to the City Auditor,

ensuring the information is submitted to human resources for inclusion in the merit program where applicable contained in corporate affairs department report CM-11-24.

- j. Election of Chair and Vice Chair effective March 6, 2025 for the term to expire November 14, 2026

Defer Item 4.5 Election of Chair and Vice Chair to the March 6, 2025 Audit Committee meeting.

13.3 Pipeline to Permit Committee meeting of December 5, 2024

There were no recommendations from this Committee.

14. Motion to Approve Standing Committee Minutes:

Approve the following minutes:

14.1	Committee of the Whole meeting minutes of December 2 and 3, 2024	1 - 17
14.2	Audit Committee meeting minutes of December 4, 2024	18 - 21
14.3	Pipeline to Permit Committee meeting minutes of December 5, 2024	22 - 23

15. Urgent Business:

15.1	Sound of Music Festival – 2024 event recap and future city support (RCC-19-24)	24 - 42
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Note: Item 20.5 provides supplemental information regarding this item.

Consider the three options for city financial support and re-payment plan presented in recreation, community and culture department report RCC-19-24 Sound of Music Festival - 2024 event recap and future city support.

15.2	Appointments to Advisory Committees	43 - 47
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Approve the appointments to the Heritage Burlington Advisory Committee, Burlington Agricultural and Rural Affairs Advisory Committee, Burlington Accessibility Advisory Committee, Mundialization Committee, Burlington Seniors' Advisory Committee, Burlington Inclusivity Advisory Committee, and Integrated Transportation Advisory Committee, as outlined in confidential Appendix A of legislative services report CL-28-24 and following approval from Council make the recommended names for appointments public.

16. Confidential Items and Closed Meeting:

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

16.1 Motion to approve closed meeting minutes:

Confirm the following confidential closed meeting minutes:

- a. Confidential closed meeting minutes from Committee of the Whole meeting December 2 and 3, 2024
- b. Confidential closed meeting minutes for Audit Committee meeting of December 4, 2024

16.2 Confidential Appendix A, Appointments to Advisory Committees (CL-28-24)

17. Rise and Report:

18. Motions of Members:

19. Council Information Package:

19.1 Council Information Package November 22, 2024

19.2 Council Information Package November 29, 2024

19.3 Council Information Package December 6, 2024

20. Motion to Receive and File Information Items:

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

20.1	Memorandum from Catherine Baldelli, Director of Transit regarding Fare-free Transit Study (TR-02-24, SD-19-24)	48 - 49
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Note: This item provides supplemental information regarding 13.1.i.

20.2	Memorandum from Alicia West, Planner regarding Official Plan and Zoning By-law Amendment for 5051 Harvester Road (PL-83-24)	50 - 54
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Note: This item provides supplemental information regarding item 13.1.u.

20.3	Memorandum from Elyse Meneray, Planner regarding Official Plan	55 - 62
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Amendment and Zoning By-law Amendment for 291 North Service Road
(PL-89-24)

Note: This item provides supplemental information regarding item 13.1.
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| 20.4 | Memorandum from Elyse Meneray, Planner regarding Official Plan Amendment and Zoning By-law Amendment for 141, 147 and 153 Plains Road West (PL-90-24) | 63 - 69 |
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Note: This item provides supplemental information regarding item 13.1.r.

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| 20.5 | Memorandum from Emilie Cote, Director of Recreation, Community and Culture regarding Sound of Music Festival- 2024 Event Re-cap and Future City Support (RCC-19-24) | 70 - 71 |
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Note: This item provides supplemental information regarding item 15.1

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| 20.6 | Memorandum from Reena Bajwa Manager of Financial Strategies & Business Consulting & Alison Enns; Manager of Policy & Community Initiatives regarding 2024 Community Benefits Strategy and By-law (F-05-24) | 72 - 80 |
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Note: This item provides supplemental information regarding item
13.1.h.

The attachment for this item was replaced December 9, 2024.

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| 20.7 | Public correspondence regarding Seeking project endorsement for Community Sport and Recreation Infrastructure Fund (RCC-17-24) | 81 - 88 |
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| 20.8 | Correspondence from Victoria Mortelliti representing BiLD regarding 2024 Community Benefits Strategy and By-law (F-05-24) | 89 - 104 |
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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:

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| 22.1 | 73-2024: A by-law to amend By-law 86-2007, as amended, being a by-law for the regulation of traffic. | 105 - 105 |
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Delegated Authority

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| 22.2 | 74-2024: A by-law to adopt Official Plan Amendment No. 153 to modify the "Business Corridor" designation at 5051 Harvester Road. | 106 - 109 |
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	Report PL-83-24 Committee of the Whole December 3, 2024	
22.3	75-2024: A by-law to adopt Official Plan Amendment No. 154 to modify the "Mixed Use General" designation at 141, 147 and 153 Plains Road West.	110 - 113
	Report PL-90-24, Committee of the Whole December 3, 2024	
22.4	76-2024: A by-law to adopt Official Plan Amendment No. 155 to add a site specific policy to the lands located at 291 North Service Road.	114 - 117
	Report PL-89-24 Committee of the Whole December 3, 2024	
22.5	77-2024: A by-law to adopt Official Plan Amendment No. 5 to the Burlington Official Plan 2020 to amend the site specific policy on the lands at 291 North Service Road within the City of Burlington	118 - 120
	Report PL-89-24, Committee of the Whole December 3, 2024	
22.6	78-2024: A by-law to authorize the temporary borrowings of monies from the Royal Bank of Canada and Scotiabank.	121 - 122
	Report F-31-24, Committee of the Whole December 3, 2024	
22.7	79-2024: A by-law to levy 2025 interim taxes and establish penalty and interest rates.	123 - 125
	Report F-33-24, Committee of the Whole December 3, 2024	
22.8	80-2024: A by-law to amend By-law 59-2024 as amended to provide for the changes to the Delegation Section.	126 - 126
	Report CL-26-24, Committee of the Whole December 3, 2024	
22.9	81-2024: A By-law to establish Community Benefits Charges for the City of Burlington, and to repeal By-law 66-2022, Community Benefits Charges By-law for the City of Burlington.	127 - 137
	Report F-05-24, Committee of the Whole December 3, 2024	
22.10	2020.489 A By-law to amend By-law 2020, as amended; 759 Maple Avenue.	138 - 142
	Report PL-88-24, Committee of the Whole December 3, 2024	
22.11	2020.491: A By-law to amend By-law 2020, as amended for 5051 Harvester Drive to facilitate the development of a 5-storey self-storage building with office uses and related retail space.	143 - 147
	Report PL-83-24, Committee of the Whole December 3, 2024	

22.12 2020.492: A By-law to amend By-law 2020, as amended; 141, 147 and 148 - 153
153 Plains Road West.

Report PL-90-24, Committee of the Whole December 3, 2024

22.13 2020.493: A By-law to amend By-law 2020, as amended; 291 North 154 - 158
Service Road.

Report PL-89-24, Committee of the Whole December 3, 2024

23. Confirmatory By-law: 159 - 160

Enact and pass By-law Number 82-2024 being a by-law to confirm the
proceedings of Council at its meeting held December 10, 2024 being read a
first, second and third time.

24. Statements by Members and Staff:

25. Motion to Adjourn:

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



Committee of the Whole Meeting

Minutes

Date: December 2, 2024
Time: 9:30 am
Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Lisa Kearns (Chair), Kelvin Galbraith, Rory Nisan, Shawna Stolte, Paul Sharman, Angelo Bentivegna, Mayor Marianne Meed Ward

Staff Present: Hassaan Basit, Blake Hurley, Sue Evfremidis, Jacqueline Johnson, Scott Hamilton, Curt Benson, Craig Millar, Chad MacDonald, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), 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 45.2 of the Procedure By-law 59-2024, to allow an extension of a staff presentation beyond the 10-minute maximum (20 minutes total) for Item 8.2 2025 Fare-free Transit Study (TR-02-24).

CARRIED

Moved by Councillor Galbraith

Approve the agenda as presented.

CARRIED

Moved by Councillor Stolte

Motion to suspend the rules for section 45.2 of the Procedure By-law 59-2024, to allow an extension of a staff presentation beyond the 10-minute maximum for Item 8.1 2024 Community Benefits Strategy and By-law (F-05-24).

CARRIED

Moved by Councillor Stolte

Motion to suspend the rules for section 45.2 of the Procedure By-law 59-2024, to allow an extension of a staff presentation beyond the 10-minute maximum for Item 8.3 Council Composition and Ward Boundary review interim report (CL-27-24).

CARRIED

Moved by Councillor Stolte

Motion to suspend the rules for section 46.8 of the Procedure By-law 59-2024, to allow an extension of a delegation's speaking time beyond the 10-minute maximum for Item 13.1 Draft Official Plan and Zoning By-law Amendment (PL-92-24).

Note: this motion was passed on Tuesday, December 3, 2024

CARRIED

Moved by Councillor Galbraith

Motion to suspend the rules for section 46.8 of the Procedure By-law 59-2024, to allow an extension of a delegation's speaking time beyond the 10-minute maximum for Item 13.2 Official Plan and Zoning By-law Amendments for 141, 147 & 153 Plains Road West (PL-90-24).

Note: this motion was passed on Tuesday, December 3, 2024

CARRIED

4. Declarations of Interest

None

5. Delegation(s)

- 5.1 Mike Collins-Williams, West End Home Builders' Association, spoke regarding flood hazard impacts and mitigation assessment (ES-04-24)
- 5.2 Michelle Diplock, West End Home Builders' Association, spoke regarding 2024 Community Benefits Strategy and By-law (F-05-24)
- 5.3 Dave Sheppard, Sound of Music Festival, spoke regarding Sound of Music Festival – 2024 event recap and future city support (RCC-19-24)
- 5.4 Doug Brown, Burlington for Accessible, Sustainable Transit, spoke regarding Fare-free Transit Study (TR-02-24)
- 5.5 Jim Young spoke regarding Fare-free Transit Study (TR-02-24)
- 5.6 Daintry Klein, Millcroft Greenspace Alliance, spoke regarding flood hazard impacts and mitigation assessment (ES-04-24)

6. Presentation(s)

None

7. Consent Items

- 7.1 Update on organization's strategy and business planning process (CS-09-24) (CCS)

Moved by Councillor Sharman

Receive for information corporate strategy report CS-09-24, an update on the organization's efforts to date, and the approach and plan for corporate strategy development and alignment of business planning processes into 2025.

CARRIED

- 7.2 Temporary Borrowing By-law (F-31-24) (CCS)

Moved by Councillor Sharman

Approve the by-law attached as Appendix A to finance department report F-31-24, to authorize the temporary borrowings of monies from the Royal Bank of Canada and Scotiabank to meet the ordinary expenditures of the corporation for the 2025 fiscal year; and

Authorize the Mayor and City Clerk to execute the security agreement attached as Appendix B to finance department report F-31-24, subject to

the satisfaction of the Commissioner, Legal and Legislative Services/City Solicitor.

CARRIED

7.3 2025 Interim Tax Levy By-law (F-33-24) (CCS)

Moved by Councillor Sharman

Approve the by-law attached as Appendix A to finance department report F-33-24 which provides for the levy of the 2025 Interim taxes.

CARRIED

7.4 2024 to 2025 group benefits renewal (HR-08-24) (CCS)

Moved by Councillor Sharman

Renew Sun Life as the provider for the City's group benefits plan including extended health, dental, long-term disability and life insurance for the benefit year December 1, 2024 to November 30, 2025 as outlined in human resources department report HR-08-24.

CARRIED

7.5 Seeking project endorsement for Community Sport and Recreation Infrastructure Fund (CSRIF) (RCC-17-24) (CCS)

Note: this item was moved to the Community and Corporate Services Regular Items

7.6 Municipal Accommodation Tax (MAT) update - proposed 2025 projects (RCC-18-24) (CCS)

Moved by Councillor Sharman

Approve the recreation, community and culture department report RCC-18-24 providing the Municipal Accommodation Tax (MAT) update - proposed 2025 projects; and

Authorize the Chief Financial Officer to fund the projects identified in report RCC-18-24 with the City's Municipal Accommodation Tax Reserve Fund; and

Direct the Director of Recreation, Community and Culture in collaboration with the Executive Director of Burlington Economic Development and

Tourism Burlington to investigate the feasibility of implementing MAT for short-term accommodations and report back by the end of Q2 2025.

CARRIED

7.7 Amendment to Procedure By-law 59-2024 (CL-26-24) (CCS)

Moved by Councillor Sharman

Enact a by-law to amend Procedure By-law No. 59-2024, substantially attached as Appendix A to legislative services department report CL-26-24.

CARRIED

7.8 Seasonal outdoor patio program update (PL-77-24) (GM)

Moved by Councillor Sharman

Receive for information community planning department report PL-77-24 as an update on the Burlington seasonal outdoor patio program.

CARRIED

8. Community and Corporate Services Regular Items

Note: view [December 3, 2024 video](#) for discussion of item 8.6

8.1 2024 Community Benefits Strategy and By-law (F-05-24)

Moved by Councillor Galbraith

Approve the Community Benefits Charge Strategy dated November 4, 2024, attached as Appendix A, to finance department report F-05-24; and

Adopt the approach to calculate the community benefit charges on a uniform city-wide basis as set out in the Community Benefits Charge Strategy dated November 4, 2024; and

Approve the capital project listing set out in Chapter 4 of the Community Benefits Charge Strategy dated November 4, 2024, subject to further annual review during the capital budget process; and

Determine that no further public consultation is required; and

Approve the By-law, as amended, to establish Community Benefits Charges for the City of Burlington, as set out in Appendix B to finance department report F-05-24, and repeal By-law 66-2022.

CARRIED

8.2 Fare-free Transit Study (TR-02-24, SD-19-24)

Moved by Mayor Meed Ward

Receive for information, the results of the Burlington study to explore fare-free transit, completed by consultants Left Turn Right Turn attached as Appendix A to transit department report TR-02-24; **and**

Direct the Director of Transit to report back on the implementation to cap the monthly fare for youth at \$38 or 20 rides by the December 10, 2024 Council meeting; and

Direct the Director of Transit to report back on the feasibility of implementing a pilot project for fare-free transit for youth in the 2025 summer (July and August) by the February 10, 2025 Committee of the Whole meeting; and

Direct the Director of Transit to include the information from the Fare-free Transit Study report in the Transit Business Plan. (SD-19-24)

CARRIED

Amendment:

Moved by Mayor Meed Ward

Direct the Director of Transit to report back on the implementation to cap the monthly fare for youth at \$38 or 20 rides by the December 10, 2024 Council meeting; and

Direct the Director of Transit to report back on the feasibility of implementing a pilot project for fare-free transit for youth in the 2025 summer (July and August) by the February 10, 2025 Committee of the Whole meeting; and

Direct the Director of Transit to include the information from the Fare-free Transit Study report in the Transit Business Plan. (SD-19-24)

CARRIED

- 8.3 Council Composition and Ward Boundary Review interim report (CL-27-24)

Moved by Mayor Meed Ward

Direct the Consultant Team to investigate and recommend council composition and ward boundary options where all councillors are local and regional councillors, as it relates to legislative services department report CL-27-24.

CARRIED

- 8.4 Update on strategic initiatives and organizational services (CM-10-24)

Moved by Mayor Meed Ward

Receive for information chief administrative officer report CM-10-24 providing an update on strategic initiatives and organizational services.

CARRIED

- 8.5 Sound of Music Festival – 2024 event recap and future city support (RCC-19-24)

Moved by Councillor Nisan

Refer Item 8.5 Sound of Music Festival – 2024 event recap and future city support (RCC-19-24) to the December 10, 2024 Council meeting.

CARRIED

- 8.6 Council Remuneration (HR-09-24, SD-18-24)

Moved by Mayor Meed Ward

Receive for information human resources department report HR-09-24 regarding council remuneration; and

IN FAVOUR: (7): Councillor Kearns, Councillor Galbraith, Councillor Nisan, Councillor Stolte, Councillor Sharman, Councillor Bentivegna, and Mayor Meed Ward

CARRIED

Moved by Mayor Meed Ward

Repeal By-law No. 129-2006, a by-law to set the remuneration to be paid to the Mayor and Members of Council; and

IN FAVOUR: (6): Councillor Kearns, Councillor Galbraith, Councillor Stolte, Councillor Sharman, Councillor Bentivegna, and Mayor Meed Ward

OPPOSED: (1): Councillor Nisan

CARRIED

Moved by Mayor Meed Ward

Direct the City Clerk to bring back a Terms of Reference to constitute the Council Remuneration Working Group in Q1 2025. (SD-18-24)

IN FAVOUR: (6): Councillor Kearns, Councillor Galbraith, Councillor Stolte, Councillor Sharman, Councillor Bentivegna, and Mayor Meed Ward

OPPOSED: (1): Councillor Nisan

CARRIED

Amendment:

Moved by Councillor Nisan

Defer the discussion of OMERS-related compensation equity to the next remuneration committee.

LOST

- 8.7 Seeking project endorsement for Community Sport and Recreation Infrastructure Fund (RCC-17-24)

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

Moved by Councillor Sharman

Direct the Director of Recreation, Community and Culture to work with government relations to apply to stream two of the Community Sport and Recreation Infrastructure Fund (CSRIF) for the re-development of the west side of Sherwood Forest Park as outlined in recreation, community and culture report RCC-17-24.

CARRIED

9. Confidential Items and Closed Session

Moved by Councillor Stolte

Proceed into closed session on December 2, 2024 at 1:03 p.m. in accordance with the following provision under the Municipal Act:

Pursuant to Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, regarding **Item 9.1**

CARRIED

9.1 Confidential legal update on litigation matter regarding Nelson Aggregate Co. appeals (L-29-24)

10. Rise and Report

Committee reconvened into public session on December 2, 2024 at 2:13 p.m.

Moved by Councillor Stolte

Receive for information confidential legal department report L-29-24 providing a legal update on a litigation matter regarding appeals by Nelson Aggregate Co.

CARRIED

11. Public Works Regular Items

Note: view [December 3, 2024 video](#) for discussion of item 11.1

11.1 Flood hazard impacts and mitigation assessment (ES-04-24)

Moved by Councillor Sharman

Receive for information engineering services department report ES-04-24 regarding the flood hazard impacts and mitigation assessment.

CARRIED

12. Growth Management Regular Items

Note: view [December 3, 2024 video](#) for discussion of item 12.1

- 12.1 Bronte Creek Meadows Area-Specific Planning Project update and proposed policy directions (PL-81-24)

Moved by Councillor Sharman

Endorse the policy directions contained in community planning department report PL-81-24 to guide the development of the Bronte Creek Meadows Area Specific Plan; and

Direct the Director of Community Planning to continue work on the Bronte Creek Area Specific Plan in coordination with the landowner and communicate and engage with the public on the proposed policy directions and area specific plan framework.

CARRIED

13. Statutory Public Meeting

Note: view [December 3, 2024 video](#) for discussion of items 13.1 to 13.5

- 13.1 Draft Official Plan and Zoning By-law Amendments to increase housing options (PL-92-24)

The Committee of the Whole, in accordance with the Planning Act, held Public Meeting No. 17-24 on December 3, 2024, regarding Draft Official Plan and Zoning By-law Amendments to increase housing options. Having considered the oral and written comments received from staff and the public, the Committee of the Whole approved the recommendation contained in community planning department report PL-92-24.

Moved by Councillor Stolte

Direct the Director of Community Planning to consider Council, agency, and community feedback received as part of this statutory public meeting, prior to bringing forward a subsequent staff report recommending adoption of Official Plan Amendment No. 3 and a Zoning By-law Amendment in January 2025.

CARRIED

- a. Daniel Segal, Segal Construction, spoke regarding Draft Official Plan and Zoning By-law Amendments to increase housing options (PL-92-24)
- b. Garth Brown spoke regarding Draft Official Plan and Zoning By-Law Amendments to increase housing options (PL-92-24)

- c. Staff presentation regarding Draft Official Plan and Zoning By-law Amendments to increase housing options (PL-92-24)
 - d. Correspondence from Anthony Salemi, West End Home Builders' Association, regarding Draft Official Plan and Zoning By-law Amendments to increase housing options (PL-92-24)
 - e. Correspondence from Julie Sergi, Cornerstone Association of REALTORS, regarding Draft Official Plan and Zoning By-law Amendments to increase housing options (PL-92-24)
 - f. Delegation material from Daniel Segal, Segal Construction, regarding Draft Official Plan and Zoning By-law Amendments to increase housing options (PL-92-24)
 - g. Delegation material from Garth Brown regarding Draft Official Plan and Zoning By-law Amendments to increase housing options (PL-92-24)
- 13.2 Official Plan and Zoning By-law Amendments for 141, 147 and 153 Plains Road West (PL-90-24)

The Committee of the Whole, in accordance with the Planning Act, held Public Meeting No. 18-24 on December 3, 2024, regarding Official Plan and Zoning By-law Amendments for 141, 147 and 153 Plains Road West. Having considered the oral and written comments received from staff and the public, the Committee of the Whole approved the recommendation contained in community planning department report PL-90-24.

Moved by Councillor Galbraith

Approve the applications for Official Plan Amendment and Zoning By-law Amendment submitted by Goldberg Group on behalf of 2412947 Ontario Ltd, Dr. Laith Al-Dabbagh and 2381798 Ontario Ltd. proposing a 12-storey mixed use building; and

Approve Official Plan Amendment No. 154 to the City of Burlington Official Plan, as provided in Appendix D of community planning department report PL-90-24, to modify the "Mixed Use General" Designation at the lands located at 141, 147 and 153 Plains Road West; and

Deem that the Official Plan Amendment No. 154 is consistent with The Planning Act; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 154 as contained in Appendix D to community planning department report PL-90-24 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; and

Approve Zoning By-law 2020.492, attached as Appendix E to community planning department report PL-90-24, to rezone the lands at 141, 147 and 153 Plains Road West from “MXG” to “H-MXG-545”; and

Deem that Zoning By-law 2020.492 will conform to the Official Plan of the City of Burlington once Official Plan Amendment No. 154 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 154 is adopted; and

Deem that the lands described as 141, 147 and 153 Plains Road West are classified as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines.

CARRIED

- a. Adam Layton, Goldberg Group, spoke regarding Official Plan and Zoning By-law Amendments for 141, 147 and 153 Plains Road West (PL-90-24)
- b. Tom Muir spoke regarding Official Plan and Zoning By-law Amendments for 141, 147, and 153 Plains Road West (PL-90-24)
- c. Staff presentation regarding Official Plan and Zoning By-law Amendments for 141, 147 and 153 Plains Road West (PL-90-24)
- d. Delegation material from Adam Layton, Goldberg Group, regarding Official Plan and Zoning By-law Amendments for 141, 147, and 153 Plains Road West (PL-90-24)
- e. Delegation material from Tom Muir regarding Official Plan and Zoning By-law Amendments for 141, 147 and 153 Plains Road West (PL-90-24)

13.3 Zoning By-law Amendment for 759 Maple Avenue (PL-88-24)

The Committee of the Whole, in accordance with the Planning Act, held Public Meeting No. 19-24 on December 3, 2024, regarding Zoning By-law Amendment for 759 Maple Avenue. Having considered the oral and written comments received from staff and the public, the Committee of the Whole approved the recommendation contained in community planning department report PL-88-24.

Moved by Councillor Sharman

Approve the Zoning By-law Amendment application for the property located at 759 Maple Avenue to permit four (4) townhouse units of 4-storeys in height within one (1) building block with access to Maple Avenue via a private road; and

Approve Zoning By-law 2020.489, attached as Appendix D to community planning department report PL-88-24, which amends the zoning 'Residential Medium Density' (H-RM5) with a Holding provision to 'Residential Medium Density' (H-RM2-546) with a Holding provision and site-specific exceptions for the lands located at 759 Maple Avenue; and

Deem that the amending zoning by-law will conform to the Regional Official Plan, to the City of Burlington Official Plan and that there are no applications to alter the Official Plans with respect to the subject lands.

CARRIED

- a. Paul Fleming spoke regarding Zoning By-law Amendment for 759 Maple Avenue (PL-88-24)
- b. Mike Crough, Arcadis Professional Services (Canada) Inc., spoke regarding Zoning By-law Amendment for 759 Maple Avenue (PL-88-24)
- c. Jack Bolzan spoke regarding Zoning By-law Amendment for 759 Maple Avenue (PL-88-24)
- d. Staff presentation regarding Zoning By-law Amendment for 759 Maple Avenue (PL-88-24)
- e. Delegation material from Mike Crough, Arcadis Professional Services (Canada) Inc., regarding Zoning By-law Amendment for 759 Maple Avenue (PL-88-24)

13.4 Official Plan and Zoning By-law Amendments for 291 North Service Road (PL-89-24)

The Committee of the Whole, in accordance with the Planning Act, held Public Meeting No. 20-24 on December 3, 2024, regarding Official Plan and Zoning By-law Amendments for 291 North Service Road. Having considered the oral and written comments received from staff and the public, the Committee of the Whole approved the recommendation contained in community planning department report PL-89-24.

Moved by Councillor Galbraith

Approve the applications for Official Plan Amendment and Zoning By-law Amendment submitted by DeLoyde Development Solutions on behalf of King Paving proposing asphalt manufacturing with outdoor open storage of aggregates; and

Approve Official Plan Amendment No. 155 to the City of Burlington Official Plan 1997, as provided in Appendix D of community planning department report PL-89-24, to modify the “Business Corridor” Designation at the lands located at 291 North Service Road; and

Deem that the Official Plan Amendment No. 155 is consistent with The Planning Act; and

Approve Official Plan Amendment No. 5 to the City of Burlington Official Plan 2020, as provided in Appendix E of community planning department report PL-89-24, to modify the “Business Corridor” Designation at the lands located at 291 North Service Road; and

Deem that the Official Plan Amendment No. 5 is consistent with The Planning Act; and,

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 155 and Official Plan Amendment No. 5 as contained in Appendices D and E to community planning department report PL-89-24 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; and

Approve Zoning By-law 2020.493, attached as Appendix F to community planning department report PL-89-24, to rezone the lands at 291 North Service Road from “H-BC2” to “H-BC2-547” and H-BC2 to O3-549; and

Deem that Zoning By-law 2020.493 will conform to the 1997 Official Plan of the City of Burlington once Official Plan Amendment No. 155 is adopted; and

Deem that Zoning By-law 2020.493 will conform to the 2020 Official Plan of the City of Burlington once Official Plan Amendment No. 5 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 155 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 5 is adopted.

- a. Leo DeLoyde, DeLoyde Development Solutions, representing King Paving, spoke regarding Official Plan and Zoning By-Law Amendments for 291 North Service Road (PL-89-24)
 - b. Staff presentation regarding Official Plan and Zoning By-law Amendments for 291 North Service Road (PL-89-24)
 - c. Correspondence from Dominic Maniccia regarding Official Plan and Zoning By-law Amendments for 291 North Service Road (PL-89-24)
 - d. Delegation material from Leo DeLoyde, DeLoyde Development Solutions, representing King Paving, regarding Official Plan and Zoning By-law Amendments for 291 North Service Road (PL-89-24)
- 13.5 Official Plan and Zoning By-law Amendments – 5051 Harvester Road (PL-83-24)

The Committee of the Whole, in accordance with the Planning Act, held Public Meeting No. 21-24 on December 3, 2024, regarding Official Plan and Zoning By-law Amendments for 5051 Harvester Road. Having considered the oral and written comments received from staff and the public, the Committee of the Whole approved the recommendation contained in community planning department report PL-83-24.

Moved by Councillor Sharman

Approve the applications for Official Plan Amendment and Zoning By-law Amendment submitted with modifications by MHBC proposing a five-storey commercial, retail and office development at 5051 Harvester Road; and

Approve Official Plan Amendment No. 153 to the City of Burlington Official Plan, as provided in Appendix D of community planning department report PL-83-24, to modify the “Business Corridor” Designation at the lands located at 5051 Harvester Road; and

Deem that the Official Plan Amendment No. 153 is consistent with The Planning Act; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 153 as contained in Appendix D to community planning department report PL-83-24 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; and

Approve Zoning By-law 2020.491, attached as Appendix C to community planning department report PL-83-24, to rezone the lands at 5051 Harvester Road from “BC1-62” to “H-BC1-62” and “H-BC1-548”; and

Deem that Zoning By-law 2020.491 will conform to the Official Plan of the City of Burlington once Official Plan Amendment No. 153 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 153 is adopted.

CARRIED

- a. Staff presentation regarding Official Plan and Zoning Bylaw Amendments - 5051 Harvester Road (PL-83-24)

14. Information Items

Moved by Councillor Stolte

Receive and file the following 12 items, having been given due consideration by the Committee of the Whole.

CARRIED

- 14.1 Legislative Services forecast of standing committee reports (COW-25-24)
- 14.2 Public correspondence regarding seeking project endorsement for Community Sport and Recreations Infrastructure Fund (CSRIF) (RCC-17-24)
- 14.3 Consultant presentation regarding 2024 Community Benefits Strategy and By-law (F-05-24)
- 14.4 Consultant presentation regarding Fare-free Transit Study (TR-02-24)
- 14.5 Delegation material from Doug Brown, Burlington for Accessible, Sustainable Transit, regarding Fare-free Transit Study (TR-02-24)
- 14.6 Delegation material from Jim Young regarding Fare-free Transit Study (TR-02-24)
- 14.7 Consultant presentation regarding Council Composition and Ward Boundary Review interim report (CL-27-24)
- 14.8 Staff presentation regarding flood hazard impacts and mitigation assessment (ES-04-24)

- 14.9 Correspondence from Michelle Diplock, West End Home Builders' Association, regarding flood hazard impacts and mitigation assessment (ES-04-24)
- 14.10 Correspondence from Mark Bales, Carriage Gate, regarding flood hazard impacts and mitigation assessment (ES-04-24)
- 14.11 Delegation material from Daintry Klein regarding flood hazard impacts and mitigation assessment (ES-04-24)
- 14.12 Correspondence from Matt Johnson and Scott Beedie, Urban Solutions, regarding flood hazard impacts and mitigation assessment (ES-04-24)

15. Staff Remarks

16. Committee Remarks

17. Adjournment

10:43 a.m. (recessed), 10:51 a.m. (reconvened), 12:01 p.m. (recessed), 1:01 p.m. (reconvened), 1:03 p.m. (closed), 2:13 p.m. (public), 4:24 p.m. (recessed)

Note: Mayor Meed Ward joined the meeting at 10:50 a.m. on Monday, December 2, 2024

Note: Councillor Nisan was present from 9:20 a.m. to 10:15 a.m., 10:25 a.m. to 11:05 a.m., and 2:20 p.m. to 4:00 p.m.

Meeting was reconvened on December 3, 2024 at 9:30 a.m.

10:13 a.m. (recessed), 10:20 a.m. (reconvened), 11:08 a.m. (recessed), 11:15 a.m. (reconvened), 12:15 p.m. (recessed), 12:18 p.m. (reconvened), 12:19 p.m. (recessed), 1:10 p.m. (reconvened), 1:53 p.m. (recessed), 2 p.m. (reconvened), 2:13 p.m. (recessed), 2:20 p.m. (reconvened), 3:13 p.m. (recessed), 3:23 p.m. (reconvened)

Note: Councillor Nisan was present from 2:30 p.m. to 4 p.m. on Tuesday, December 3, 2024

Chair adjourned the meeting at 4:42 p.m.



Audit Committee Meeting

Minutes

Date: December 4, 2024
Time: 3:30 pm
Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Councillor Lisa Kearns, Michael Di Iulio, Kartik Gupta, Mathew Moore

Member Regrets: Etienne Durafour, Councillor Paul Sharman, Mayor Marianne Meed Ward

Staff Present: Hassaan Basit, Maciej Jurczyk, Leah Bortolotti, Mark Vytvytskyy, Craig Millar, Richard Bellemare (Audio/Video Specialist), Suzanne Gillies (Clerk)

1. Declarations of Interest:

None

2. Delegation(s):

None

3. Consent Items:

3.1 Status of Management Action Plans (CA-16-24)

Moved by: Mathew Moore

Receive for information city auditor's office report CA-16-24 providing a summary of the Management Action Plans in progress.

CARRIED

3.2 Quarterly dashboard for office of the city auditor (CA-17-24)

Moved by: Mathew Moore

Receive for information office of the city auditor's report CA-17-24 providing a quarterly dashboard of City Auditor Key Performance Indicators (KPI's) attached as Appendix A.

CARRIED

3.3 Evaluation of Audit Committee effectiveness (CA-18-24)

Moved by: Mathew Moore

Receive for information office of the city auditor's report CA-18-24 regarding a summary of the results of the Audit Committee's effectiveness evaluation.

CARRIED

3.4 Anti-Fraud Information & Education Program - update (CA-19-24)

Moved by: Mathew Moore

Receive for information office of the city auditor's report CA-19-24 regarding an update of the Anti-Fraud Information & Education Program.

CARRIED

3.5 Financial highlights for the period ended September 30, 2024 (F-14-24)

Moved by: Mathew Moore

Receive for information finance department report F-14-24 providing financial highlights as at September 30, 2024.

CARRIED

4. Regular Items:

4.1 External audit plan for the fiscal year ended December 31, 2024 (F-21-24)

Moved by: Michael Di Iulio

Approve the external audit plan for the fiscal year ended December 31, 2024, attached as appendix A to finance department report F-21-24 and as presented by Deloitte LLP at the Audit Committee meeting of December 4, 2024.

CARRIED

4.2 2025 Annual Audit Plan for office of the city auditor (CA-20-24)

Moved by: Mathew Moore

Refer Item 4.2 Annual Audit Plan for the office of the city auditor CA-20-24 back to the City Auditor and report back at the March 6, 2025 Audit Committee meeting and include an audit in the development and growth management department in the 2025 audit plan.

CARRIED

4.3 Risk management update (CS-08-24)

Moved by: Mathew Moore

Endorse corporate strategy report CS-08-24 providing a risk management update.

CARRIED

4.4 City Auditor performance evaluation 2024 (CM-11-24)

Moved by: Mathew Moore

Direct the Audit Committee Chair and the Head of Corporate Affairs to deliver the Audit Committee's final performance rating and feedback from committee discussions to the City Auditor, ensuring the information is submitted to human resources for inclusion in the merit program where applicable contained in corporate affairs department report CM-11-24.

CARRIED

4.5 Election of Chair and Vice Chair effective March 6, 2025 for the term to expire November 14, 2026

Moved by: Mathew Moore

Defer Item 4.5 Election of Chair and Vice Chair to the March 6, 2025 Audit Committee meeting.

CARRIED

5. Confidential Items and Closed Session:

Moved by: Mathew Moore

Proceed into closed session on December 4, 2024 at 4:14 p.m. in accordance with the following provision under the Municipal Act:

Pursuant to Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees regarding City Auditor performance evaluation (CM-11-24 Appendix A).

CARRIED

5.1 Confidential Appendix B regarding status of management action plans (CA-16-24)

5.2 Confidential Appendix A regarding City Auditor performance evaluation (2024) (CM-11-24)

6. Rise and Report from Closed Session

Committee reconvened into public session on December 4, 2024 at 4:27 p.m.

7. Information Items:

Moved by: Michael Di Iulio

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

CARRIED

7.1 Staff presentation regarding risk management update (CS-08-24)

8. Staff Remarks:

9. Committee Remarks:

10. Adjournment:

4:14 p.m. (closed), 4:27 p.m. (public)

Chair adjourned the meeting at 4:30 p.m.



Pipeline to Permit Committee

Minutes

Date: December 5, 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, Bianca Steer, Elisha Vankleef, Jason Sheldon, Jim Dunn, John Doyle, Kellie McCormack, Mike Collins-Williams

Member Regrets: Jackie Isada, Kristen Delong

Staff Present: Hassaan Basit, Curt Benson, Nick Anastasopoulos, Jamie Tellier, Richard Bellemare (Audio/Video Specialist), Lisa Palermo (Clerk)

1. Entrance

1.1 Call to Order

The Chair called the meeting to order at 9:30 a.m.

1.2 Land Acknowledgement

The Chair read the Land Acknowledgement.

1.3 Approval of the Agenda

Moved by Councillor Sharman

Approve the agenda as presented.

CARRIED

1.4 Declarations of Interest

None.

1.5 Written Delegations

None.

2. Enlightenment

2.1 Presentations

None.

3. N2: News and Numbers

3.1 Pipeline to Permit Report

Jamie Tellier, Director of Community Planning and Nick Anastasopoulos, Director, Building Services & Chief Building Official reviewed the City's Pipeline to Permit Self-Serve Dashboard that shows the City's progress in hitting building permit and planning approval targets.

[Click here for the Desktop Pipeline to Permit dashboard](#)

[Click here for the Mobile Pipeline to Permit dashboard](#)

3.2 Contextual Updates

4. Enactions

4.1 Next Steps and Action Identification

4.2 Information Items

Moved by Mike Collins-Williams

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

CARRIED

a. Staff memo regarding resubmission of building permits (PP-27-24)

4.3 Adjournment

10:08 a.m. (recessed), 10:23 a.m. (reconvened).

Jim Dunn joined the meeting at 11:04 a.m.

The Chair adjourned the meeting at 11:19 a.m.



SUBJECT: Sound of Music Festival – 2024 event recap and future city support

TO: Committee of the Whole

FROM: Recreation, Community and Culture

Report Number: RCC-19-24

Wards Affected: all

Date to Committee: December 2, 2024

Date to Council: December 10, 2024

Recommendation:

Consider the three options for city financial support and re-payment plan presented in recreation, community and culture department report RCC-19-24 Sound of Music Festival - 2024 event recap and future city support.

PURPOSE:

Vision to Focus Alignment:

- ☒ Designing and delivering complete communities
 - ☒ Providing the best services and experiences
 - ☐ Protecting and improving the natural environment and taking action on climate change
 - ☐ Driving organizational performance
-

Executive Summary:

This report aims to provide a comprehensive overview of the 2024 Sound of Music Festival, including the city's support, and to offer recommendations for future city involvement in a way that aligns with the following guiding principles:

1. Fostering community connections.
2. Supporting the delivery of festivals and events in Burlington.
3. Promoting the sustainability of festivals and events in Burlington.

4. Respecting the reputation and historical significance of key events to Burlington's legacy.

As a key partner in the delivery of festivals and events in Burlington, the city plays a vital role alongside other stakeholders, including Sound of Music. Given the rising costs of events, the city remains committed to working closely with event organizers to ensure the financial sustainability and long-term viability of these cultural initiatives, making them as accessible as possible to the community.

A new partnership between Sound of Music and Burlington Performing Arts Centre was established for the 2024 festival, and both organizations are committed to strengthening this collaboration, with a similar sponsorship agreement already in place for the 2025 festival.

The city has long been a strong supporter of events like Sound of Music, offering relationship management, process support, and other forms of assistance. As detailed in Appendix B, Sound of Music Board of Directors is requesting additional financial support from the city to help recover from the 2024 festival and to support planning for the 2025 event.

Background and Discussion:

Sound of Music Inc. (SOM) is a non-profit organization that has been bringing people to the City of Burlington's waterfront to enjoy music and cultural entertainment for over 40 years. Each June, SOM hosts the annual Sound of Music Festival, a signature event that not only celebrates the cultural and community spirit of Burlington, but also provides significant economic benefits to local businesses.

To deliver this beloved festival, SOM partners with various organizations, including local government bodies, sponsors, the City of Burlington, and dedicated volunteers. Together, these partners make it possible to offer the festival free of charge to the community. Over the years, however, SOM has faced a number of challenges, including the impact of the pandemic, rising costs, difficulties in talent acquisition, and turnover among both the Board of Directors (BOD) and staff.

The festival's primary revenue sources are beverage and merchandise sales, supplemented by contributions from partners. To maintain financial sustainability, SOM has explored several strategies, such as introducing a paid ticket component, seeking additional sponsorship, reducing expenses, and applying for more grants. Historically, the City of Burlington has supported the festival through both in-kind services and an annual grant. For the 2024 festival, however, additional support was required due to

rising costs and operational pressures. In response, the city provided increased in-kind and cash contributions, totaling approximately \$142,000.

In addition, SOM requested a short-term loan of \$125,000 from the City of Burlington to address cash flow challenges leading up to the 2024 event. The total financial contribution from the City for the 2024 festival is estimated to be just over \$415,000.

The Burlington Performing Arts Centre served as the festival's title sponsor for 2024, contributing both cash and in-kind support.

Despite these efforts, maintaining a large-scale, free festival in the face of rising costs continues to be a significant challenge. Changes in staffing and leadership have also added financial pressure but the BOD is working hard to re-build and thinking about various ways to return the festival to its original cost neutral financial position.

The BOD remains committed to preserving the festival's legacy and offering it free to the public. The City of Burlington has expressed its continued support for SOM but seeks Council's direction with respect to financial support. It's important to recognize that many event organizers have expressed challenges in providing free community events due to rising costs. In response, staff plan to review community investment and grant programs in 2025 to ensure the right support structures are in place, helping Burlington continue to offer these valuable events for the community.

In October 2024, the City of Burlington issued SOM a consolidated invoice for over \$95,000 in outstanding payments and notified SOM that the loan approved earlier in the year is due for repayment by December 11, 2024. The city has requested that SOM either settle these outstanding invoices or propose a repayment plan for discussion. A proposed payment plan is included in Appendix B of this report.

Strategy/process/risk

The challenges faced by SOM are not unique to this organization, these are seen amongst event organizers across Ontario, specifically not for profit organizations that strive to offer free events to their community. This summer, City of Toronto announced a \$2 million one-year pilot grant program through their Special Events Stabilization Initiative (SESI) that will give festival organizers access to funds to help them with rising operating costs such as security, crowd management, insurance and health and safety. Staff often hear that rising costs are one of the major reasons why event organizers either can't pursue their event idea or are forced to cancel or amend their festivals. For this reason, staff are conducting a comprehensive review of the various grant programs offered through the Recreation, Community and Culture department. This review will

include the creation of a more robust festivals and events stream to ensure these events remain a vital part of our community.

Options Considered

While considering the Sound of Music's proposal in Appendix B, staff bring forward the following options for Council's consideration:

Option 1: This option supports the SOM board proposal, as outlined in Appendix B where the city would forgive the arrears amount of approximately \$95K and proceed with the mutually agreed upon re-payment terms for the \$125K loan. In this option, staff would provide Sound of Music with its 2025 \$150K grant in January and request a comprehensive business plan for the 2026 Festival to the satisfaction of the Commissioner of Community Services, Commissioner of Legal Services and Chief Financial Officer. This status quo approach would include a detailed service level agreement, incorporating elements from the recently endorsed Accountability Framework, to guide future collaboration and ensure clear expectations moving forward.

Option 2: This option suggests that the city pause the 2025 grant, forgive the arrears amount totaling approximately \$95K and the \$125K loan. This option also recommends that SOM take a one-year hiatus from the festival to allow time for strategic planning and the exploration of potential long-term partnership opportunities. This option allows the BOD dedicated time to focus on the evolution of the festival with the goals of meeting Burlington's community needs while remaining fiscally responsible. Going forward, all future grants would be contingent upon the establishment of a detailed service level agreement, incorporating principles from the recently endorsed Accountability Framework, to ensure clear expectations and accountability moving forward.

Option 3: This option proposes that the city forgive the outstanding arrears, which total approximately \$95,000. Under this plan, the city would follow the repayment schedule outlined in Appendix B, recouping \$45,000 from the upcoming payments due from January to June 2025. This amount would be deducted from the 2025 grant, reducing it to \$105,000. The remaining \$80,000 of the loan repayment would be due by September 1, 2025, as outlined in SOM's proposal. Additionally, the city would encourage SOM's Board of Directors to consider scaling down the 2025 event as part of a strategy to rebuild and plan for future sustainability. Going forward, all future grants would be contingent upon the establishment of a detailed service level agreement that incorporates the principles from the newly endorsed Accountability Framework, ensuring clear expectations and accountability.

Financial Matters:

Total Financial Impact

The total financial and in-kind contributions from the city for the 2024 festival is estimated to be just over \$415,000. As identified earlier in the report, there are various outstanding invoices owed by SOM totaling just over \$95,000 as well as the additional \$125,000 loan due for repayment by December 11, 2024. Proposed repayment terms are included in Appendix B of this report.

Climate Implications:

Festivals and events, specifically ones held in outdoor venues are weather dependent. In fact, weather is a crucial success factor for events like SOM to achieve cost neutrality. Given the unpredictability of weather, it provides extra financial strain on these event organizers.

Engagement Matters:

Staff have engaged the event organizers and city of Burlington community through the approval of the new Festivals and Event Policy. It was evident through this engagement that the community values festivals and events very much and as such, it is prudent for the city to continue to invest in their growth and development which includes the ongoing support of SOM.

Conclusion:

In conclusion, staff wish to convey the importance of festivals and events in our community and as such consider the request presented by the SOM Board in Appendix B of this report.

Respectfully submitted,

Emilie Cote

Director of Recreation, Community and Culture

905-335-7600 ext. 7353

Appendices:

- A. Sound of Music Festival - 2024 Re-cap
- B. Sound of Music Festival - Letter to the City of Burlington
- C. Sound of Music - 2025 Proposed Budget

Notifications:

Dave Shepherd, BOD Chair for SOM

chair@soundofmusic.ca

Ken Smithard, BOD Chair for BPAC

bpacboard@gmail.com

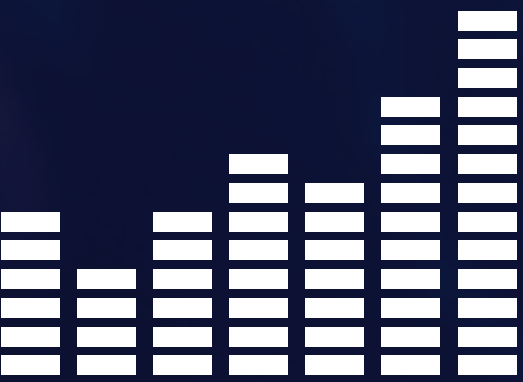
Report Approval:

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



SOUND OF MUSIC FESTIVAL

BURLINGTON ONTARIO



2024
SPONSORSHIP
FULFILLMENT
REPORT

SURVEY

SPONSORS RECALLED AND APPRECIATED BY ATTENDEES

- 60% would switch brands if sponsor made a meaningful contribution to their favourite event

MAJORITY BELIEVE FESTIVAL IS A WORLD-CLASS EVENT

- 81% agreed that Sound of Music Festival is world-class
- 80% felt it was one of the largest music festivals in the GTA

SPONSOR INITIATIVES ENHANCED FESTIVAL EXPERIENCE

- 81% agreed that sponsor activations were appreciated

EVENT HIGHLY RATED BY ATTENDEES

- Majority of respondents rated all aspects of event favourably
- 99% submitted positive ratings to quality of entertainment



2024 FESTIVAL DEMOGRAPHICS

437,000 ATTENDEES

Being Canada’s Largest Free Outdoor Music Festival means we enjoy a rich demographic of individuals who travel locally, regionally, nationally and internationally to attend our world class entertainment and facilities. Our core demographic remains as follows:

Male **44%**
Female **53%**
Non-Binary **3%**

68% Reside Within 40km
20% 40-100km away
12% farther than 100km

Average Attendee Age	
19 and under	16%
20 - 29	21%
30 - 39	18%
40 - 49	14%
50 - 59	18%
60 and over	13%

Household Income	
Under \$50K	17%
\$50k - \$74,999	17%
\$75K - \$99,999	19%
\$100k - \$149,999	18%
\$200k - \$299,999	9%
Over \$300k	7%

WHAT WAS YOUR FAVOURITE THING ABOUT THE FESTIVAL?

“Brought the entire family this year and wasn’t disappointed. Something for everyone from 3 to 40!”

– Female, 36, from Hamilton

“Honestly, we used to head to the cottage for Sound of Music as it was just too crowded and we didn’t love the bands. The past two years though, we clear our schedules and head to Spencer Smith! WOW this thing has gotten AMAZING!”

– Female, 47, from Burlington

“Without question this years festival has put Burlington on the map. I’ve never seen a lineup this good and such a well run event. Home run!”

– Male, 51, from New York

“So great to see SOM back and bigger than ever. The programming gets even better every year. Bravo!”

– Male, 57, from Windsor

“Easily the best fest in Canada. Hands down”

– Male, 28, from St. Catharines

MEDIA PARTNERS & MARKETING

Sponsors receive exposure through print, radio, television, internet and social media. The Festival’s extensive advertising and promotional campaign is designed to attract new attendees and reach a wide demographic. Advertisers include Bell Media, WUTV FOX, Entercom Radio Buffalo, Corus Radio Hamilton and Toronto, Indie 88, The Burlington Post and The Hamilton Spectator.

MOST POPULAR SOURCES OF EVENT INFO

- Facebook/Instagram 45%
- Website 28%
- Radio Ad 18%
- Print Article 7%
- Television or News Ad 2%

SUMMARY 2024

- Social Media Engagement: 18,500,000+
- Weekly Print Readership: 450,000
- Weekly Radio Listeners: 22,000,000
- Web Visits: 1,244,000
- Social Engagement: 57%

JUST HOW BIG IS SOUND OF MUSIC?

437,000 Visitors in 2024
Over 50 Acts Over 3 Stages
4 Days Long

ACCOLADES

- Voted as one of the Top 100 Festivals in Ontario by Festivals & Events Ontario (FEO) since 2000
- Winner of Best Local Attraction
- FEO Achievement Award for Best Greening
- Leader in “Green Initiatives” including compost and recycling, shuttle service and bike corral
- Carbon neutral
- Started in 1980 and has grown steadily to become one of Canada’s largest free music festivals
- Run as a successful not for profit corporation since 1997

Sound of Music Festival is proud to have earned and received Festival and Events Ontario’s ‘Festival of Distinction’ designation ranking us amongst the best events in Ontario. The Festival has also been the recipient of the ‘Grand Pinnacle’ from the IFEA (International Festival and Events Association). The Grand Pinnacle is the IFEA’s highest award (divided into four budget categories) reflecting the best overall festival or event in the world.

The Festival has also been recognized in other IFEA categories:

Best Sponsor Partner, GoldBest Sponsorship Program for Individual Sponsor, Gold Best Volunteer Program, GoldBest Environmental Program, GoldBest Educational Program, GoldBest Radio Promotion, GoldBest Social Media Site, Silver



KEY SPONSORS



SOUND OF MUSIC FESTIVAL

BURLINGTON ONTARIO

Mark Watson 416-863-6609
Ryan Heerschap 416-788-1475
sponsorship@soundofmusic.ca

Thank you for your support

Nov 19, 2024

Emilie Cote - Director, City of Burlington

Re: SOM Recap 2024

Emilie:

2024 marked an extraordinary milestone for the **Sound of Music Festival (SOM)** as we welcomed a record-breaking **437,000 attendees** to Burlington's downtown core and Spencer Smith Park. This remarkable turnout surpassed our previous high of 417,000, demonstrating the festival's continued growing appeal.

This surge in attendance translated into a **monumental \$32 million in community impact**, almost 3X from \$12 million achieved in 2019.

But the influence of SOM extends far beyond these numbers. Rooted in core pillars, SOM's impact continues to resonate across the community:

Boosting the Economy

- Drives local tax revenue and employment opportunities.
- Draws tourists from across the region.
- Supports **136 full-time equivalent (FTE) jobs** in Burlington.
- Provides summer student opportunities

Fostering Mental Health, Well-Being, and Inclusivity

- Provides **barrier-free access** to live music experiences.
- Creates opportunities for performers with special needs.
- Offers **low-sensory activities** for youth.

Bolstering Community Pride

- Engages **1,500+ volunteers**
- Contributing over **6,000 hours** of service
- New and continued relationships with BPAC, Tourism Burlington, Burlington Chamber of Commerce, Art Gallery of Burlington, Drury Lane Theatre
- New community partnerships with local business

Who are we?

Sound of Music Inc. (SOM) has been uniting millions of residents, visitors, and tourists through live music at Burlington's iconic waterfront for over four decades. As Burlington's premier non-profit live music organization, SOM proudly hosts the last 'free' live music festival event in Canada. Powered by the passion of sponsors and volunteers, SOM not only delivers unparalleled cultural and community value but also drives a significant economic impact for the region.

What We Do

Each June, SOM transforms downtown Burlington into a vibrant hub of music and celebration. With performances by local and internationally acclaimed artists, there's something for everyone.

Festival highlights include:

- **Three Mainstages** showcasing diverse musical genres.
- A lively **parade** winding through local streets.
- A **family zone, midway**, and the bustling **StreetFest**.
- A vibrant **club series** and a platform for **emerging local artists** – ending with the Battle of the Bands at BPAC for a chance to play the big stage at SOM!

This dynamic lineup ensures that audiences of all ages and tastes can celebrate the joy of live music together.

Why We Do It

Music has an unparalleled ability to connect people from all walks of life, inspiring unity, compassion, and a sense of community. It strengthens mental health, transcends barriers, and brings joy—regardless of race, creed, color, gender, orientation, ability or socio-economic background.

For over 45 years, SOM has been dedicated to ensuring that music remains a **barrier-free and inclusive experience**, allowing everyone in our community to come together and celebrate the transformative power of music.

- **Volunteer Engagement at New Heights:**
 - Over **1,600 volunteer opportunities**, with more than **600 new volunteers** joining.
 - Volunteers contributed **6,000+ hours** to the festival's success.

- **Social Media and Media Reach:**
 - A stunning **18,500,000+ social media engagements**,
 - More than **20 million traditional media impressions**, extending SOM's visibility far beyond Burlington.

A Cornerstone of Summer in Burlington

These achievements highlight SOM's undeniable role as a catalyst for economic growth, cultural enrichment, and community pride. While it's difficult to measure the deep emotional connection so many feel toward this iconic event, **2024 underscored SOM's status as a cornerstone of Burlington summers**—a celebration of music, community, and the city we love.

Financial Challenges and Strategic Adjustments at the 2024 Festival

The 2024 Sound of Music Festival achieved remarkable success in terms of attendance and economic impact. However, it also faced significant financial challenges due to unprecedented cost increases, which hindered the ability to reinvest in the festival's future. The BOD in May of 2024 took over operational control of the festival to ensure the event continued.

Governance:

The BOD has made extensive changes, went from governance to operational, and prepared a skills matrix to ensure new directors were brought on with the correct skills and acumen needed to be successful. Sub committees are effective, and the BOD have made relationships work with all volunteers.

The mandate is transparency and fiscal responsibility.

We are stable, and all directors are engaged with the future and current state.

Impact of Rising Costs

Supply chain and supplier cost increases resulted in inflation for many expenditures. These rising costs posed significant obstacles to maintaining the festival's operational and financial stability.

Strategic Budget Adjustments

In response to these challenges, careful budgetary decisions were made to mitigate costs for 2025 while preserving SOM's core values and community impact. Adjustments include:

- **Budget Reductions of over \$0.35M from 2024:** Focused on cost savings for key components including **Parade** and **StreetFest**
- **Operational Cost Reductions:** Streamlining infrastructure by reducing the number of summer students and reducing to **zero full time employee's year round**.
- **Maximizing Internal Resources:** Leveraging more of the contributions of **year-round volunteers, and more capital donations from local business**

Financial Outcome and Next Steps

Our financial shortfall underscores the need for immediate action to safeguard the festival's momentum for 2025. SOM is committed to being a stand alone organization. We do not want to be a financial burden on the city or the community.

We plan to continue to run the festival in a surplus cash position for the next 2 years, with 2026 becoming financially sound with no legacy debt. With a mandate to explore a stronger partnership with BPAC.

The need/ the ask:

- Carry on with continued support financially, from the City and BPAC each Jan 1. This is needed for the festival to continue to operate.
- We are asking that the current loan from the COB to SOM of \$125K, have new repayment terms, of \$7500 per month, from Jan 2025 to July 2025. Our intent will be a full repayment completed by September 1, 2025.
- We are asking for relief on the ~92k in City Payables from 2022 and 2023/24. This accounts for almost 25% of our legacy debt in total.

Thanks for your time and thank you for your continued support each year. This truly is a community run event!

Sincerely:

A handwritten signature in blue ink, appearing to read "Dave Shepherd".

Dave Shepherd, CHRE, ICD

Chairperson, Sound of Music Festival

Encl. Draft Budget, 2024 Fulfillment

**DRAFT BUDGET
2025**

REVENUE

CORPORATE SPONSORSHIP	\$	500,000
VENDORS		315,000
GRANTS		440,000
FUNDRAISING		15,000
FOOD & BEVERAGE		385,000
MERCHANDISE		25,000
VIP		140,000
Other		

REVENUE	\$	1,820,000
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EXPENSES

CORPORATE SPONSORSHIP	\$	110,000
VENDORS		19,000
GRANTS		25,000
PROGRAMMING		300,000
FOOD & BEVERAGE		115,000
MERCHANDISE		12,000
VIP		9,000
SECURITY		140,000
LOGISTICS/ECO		638,000
ADMINISTRATION		210,000
NEW REV BPAC EXPENSE		
MARKETING & COMMUNICATIONS		40,000
VOLUNTEERISM & OUTREACH		5,000
SPECIAL PROJECT		
PARADE / STREETFEST		

CONTINGENCY

EXPENSE	\$	1,623,000
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<u>NET INCOME</u>	\$	197,000
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SUBJECT: Appointments to Advisory Committees

TO: Mayor and Members of Council

FROM: Legal and Legislative Services

Report Number: CL-28-24

Wards Affected: All

Date to Committee: n/a

Date to Council: December 10, 2024

Recommendation:

Approve the appointments to the Heritage Burlington Advisory Committee, Burlington Agricultural and Rural Affairs Advisory Committee, Burlington Accessibility Advisory Committee, Mundialization Committee, Burlington Seniors' Advisory Committee, Burlington Inclusivity Advisory Committee, and Integrated Transportation Advisory Committee, as outlined in confidential Appendix A of legislative services report CL-28-24 and following approval from Council make the recommended names for appointments public.

PURPOSE:

Vision to Focus Alignment:

- ☐ Designing and delivering complete communities
- ☒ Providing the best services and experiences
- ☐ Protecting and improving the natural environment and taking action on climate change
- ☐ Driving organizational performance

The recommendation in this report aligns with the strategic direction for An Engaging City as identified in the City's Plan: From Vision to Focus.

Executive Summary:

The purpose of this report is to provide Council with names of the individuals recommended to fill the various vacancies on most of the city's advisory committees. The city is forging strong community relationships with open dialogue and citizen involvement in municipal issues through its advisory committees and provides Burlington residents the opportunity to give advice and recommendations to Council on various matters and/or organize activities that strengthen the community's connection to the municipality.

This report is being brought straight to Council as staff are seeking approval prior to the new year so that the new appointees are able to take part in the advisory committee meetings scheduled in January. The extension of the recruitment campaign adjusted the interview timelines in the recruitment process, delaying the completion of this report until after the December Committee of the Whole meeting. The final interviews will be completed on Monday, December 9 at which time a revised confidential appendix will be provided to Council.

Background and Discussion:

Legislative Services launched an appointment recruitment campaign for the following Advisory Committees on October 28, 2024: Mundialization Committee, Burlington Accessibility Advisory Committee, Integrated Transportation Advisory Committee, Burlington Agricultural and Rural Affairs Advisory Committee, Burlington Cycling Committee, Heritage Burlington Advisory Committee, Burlington Seniors Advisory Committee, Burlington Inclusivity Advisory Committee and the Sustainable Development Advisory Committee. The recruitment campaign deadline was originally scheduled to end on November 11, 2024, but was extended to November 17, 2024, to allow for more applications to be submitted. Appointments to the Burlington Cycling Committee and Burlington Sustainable Development Committee will come to a future Council meeting.

Recruitment opportunities were advertised on the City's website, through social media, and bookmarks. In response to this recruitment, 63 applications were received from individuals expressing an interest in participating on the above noted committees and boards.

In accordance with the Public Appointment Policy, the recommended appointments are for a two-year term, expiring on December 31, 2026.

A shortlisting process took place following the recruitment where all applications were

sorted by staff and sent to the interview panel, consisting of the Chair/Vice-Chair, Staff Liaison, Council Liaison and Committee Clerk. Applications were reviewed based on the committee's terms of reference and using their committee knowledge and experience. The interview panel met via Zoom to review applications, and by consensus determined a shortlist of candidates. Staff then scheduled interviews the last week of November 2024 which were conducted via Zoom. The interview teams were comprised as follows:

Committee	Interview Team
Heritage Burlington Advisory Committee	Councillor Shawna Stolte, Michele Camacho (Chair), Marsha Paley (Vice Chair), Jo-Anne Rudy (Clerk)
Burlington Agricultural and Rural Affairs Advisory Committee	Councillor Kelvin Galbraith, Vincent Sowa (Chair), Kelly Cook, Jo-Anne Rudy (Clerk)
Burlington Accessibility Advisory Committee	Councillor Paul Sharman, Don Prescott (Chair), Judi Lytle, Suzanne Gillies (Clerk)
Mundialization Committee	Hassan Razza (Chair), Lisa Palermo (Clerk)
Burlington Seniors Advisory Committee	Councillor Angelo Bentivegna, John Kalbfleisch (Chair), Nazia White, Roxanne Gosse (Clerk)
Burlington Inclusivity Advisory Committee	Councillor Angelo Bentivegna, Hanadi Al-Masri (Chair), David Quezada (Member), Roxanne Gosse (Clerk)
Integrated Transportation Advisory Committee	Councillor Shawna Stolte, Patricia Debly (Chair), Lisa Palermo (Clerk)

The interview teams made their appointment recommendations based on each committee's composition needs as well as the applicant's knowledge of the role, relevant skills and experience, expressed dedication/commitment, time availability, and communication skills. The names of the recommended appointees are included within confidential appendix A of legislative services report CL-28-24.

Financial Matters:

All advisory committees will bring forward their 2025 workplans and accompanying budget requests to the Committee of the Whole in Q1 2025.

Climate Implications:

The use of video conferencing technology reduces the carbon footprint for public appointment interviews and provides more flexibility to applicants when scheduling interviews.

Engagement Matters:

Following Council approval of the recommendations, Legislative Services staff will formally advise successful applicants of Council's decision and provide them with an orientation session. New members will participate in future committee meetings as voting members.

Legislative Services staff will also advise Individuals who are not being recommended for appointment at this time. They will be made aware of other City of Burlington volunteer opportunities and that their application will be held for any vacancies that may occur throughout the year.

Conclusion:

As a member of one of the City's advisory committees, residents can actively participate in local government, which contributes to the high quality of life that Burlington residents enjoy.

Respectfully submitted,

Jo-Anne Rudy

Committee Clerk

905-335-7777, ext. 7413

Appendices:

A. Confidential Appendix A – recommended appointments

Report Approval:

All reports are reviewed and/or approved by the Department Commissioner, Head of Corporate Affairs, the Chief Financial Officer and the Commissioner Legal and Legislative Services/City Solicitor.

To: Mayor and Members of Council

From: Catherine Baldelli, Director, Transit

Cc: Hassaan Basit, Jacqueline Johnson, Samantha Yew, Craig Millar

Date: December 10, 2024

Re: Follow up to TR-02-2024 - Transit Fare Capping for Youth Riders

This memo serves as a response to the request at the Committee of Whole meeting on December 2, 2024, which resulted in the following staff direction:

- Direct the Director of Transit to report back on the implementation to cap the monthly transit fare for youth at \$38 or 20 paid rides by December 10, 2024, Council Meeting.

Background:

On December 2, 2024, transit consulting firm, Left Turn Right Turn presented the Burlington Study to Explore Fare-Free Transit Summary Report. Alongside the Study, was staff report [TR-02-24](#) which outlined three potential fare programs that would promote transit use and reward frequent travelers. City Council was interested in the following:

- Monthly Fare capping for youth at \$38 or 20 paid rides.

In this approach, fares for youth would be capped after 20 paid rides per month. Youth fares are \$1.90 per ride. On the 21st ride, and until the end of the month, youth would be able to ride transit at no cost. This could equate to half a month of free transit for youth.

Implementation Approach:

To successfully implement this program, key factors need to be considered, such as, but not limited to:

Financial impact:

- Potential revenue loss:
 - This will assess how fare capping will impact overall transit revenues.
- Funding source:
 - To support potential revenue loss, a source of funding will need to be identified to support this initiative.
- Update to City's Rates and Fees by-law.

Service Impact:

- Capacity Challenges:
 - Review of youth ridership patterns, especially during peak periods.

- Peer review of other transit agencies:
 - Research how other transit agencies have implemented fare capping, particularly those with similar ridership demographics.

PRESTO Impact:

- Implementation timeline:
 - As this option will require the use of a PRESTO card, transit staff will need at least 4 months to configure, test and implement any changes to the PRESTO system. This will ensure that the new fare capping rules integrates smoothly with the existing fare rules.

Communications & Marketing

- Youth Rider Communication Plan
 - Develop a clear marketing and communication plan that explains fare capping rules, and the benefits of this program to youth riders.
 - Use a variety of channels to reach youth, including social media, local schools and events.
 - Engage with the Burlington Youth Student Council.

Performance Measures:

- Youth Ridership Growth.
- Rider Experience.
- Service Impacts.

To promote and increase transit use among youth, along with the existing fare subsidy programs, Burlington Transit will endeavour to implement fare capping for Youth Riders by Q2 2025.

APPENDIX – E**BY-LAW NUMBER 2020.491, SCHEDULE ‘A’ AND EXPLANATORY NOTE****THE CORPORATION OF THE CITY OF BURLINGTON****BY-LAW NUMBER 2020.491**

A By-law to amend By-law 2020, as amended for 5051 Harvester Drive to facilitate the development of a 5-storey self-storage building with office uses and related retail space.

File No.: 520-11/24

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 Recommendation PL-83-24 on December 3, 2024, to amend the City’s existing Zoning By-law 2020, as amended, to permit a storage locker facility as primary uses, an increase in accessory retail space as well as technical modifications;

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

1. Part 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by adding Exception 548 as follows:

Exception 548	H-BC1-548	Map 27-W	Amendment 2020.491	December 10, 2024
1. <u>Permitted Uses</u>				
a) Only the following uses shall be permitted:				
Office Uses: All Office Uses				
Storage Locker Facility				
Accessory retail use in association with a Storage Locker Facility				
2. <u>Regulations:</u>				
a) Yard Abutting a Street:				12 m
b) North Side Yard:				0 m to retaining wall

c) Floor Area:	
i. Minimum office area:	5,100m ²
ii. Maximum accessory retail area:	1,200m ²
iii. Maximum floor area:	32,300m ²
d) A hydro transformer shall be permitted in the required landscape area abutting a street.	
e) Loading and Unloading:	
i. Loading / unloading docks shall be permitted on the building elevation facing South Service Road.	
ii. Loading / unloading activities shall be permitted in a yard abutting South Service Rd.	
f) Parking:	
i. Notwithstanding Part 1, Subsections 2.25.1 there shall be no parking required.	
ii. Where parking facilities are provided, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for accessible parking spaces. Designated parking spaces shall be included in the calculation of provided parking and shall be provided in accordance with Part 1, Section 2.26(9) Table 1.2.7, 9(a) and 9(b).	
Except as amended herein, all other provisions of this By-law, as amended, shall apply.	

2. Part 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amending Exception 62 as follows:

Exception 62	H-BC1-62	Map 27-W	Amendment 2020.491	December 10, 2024
1. <u>Additional Permitted Use:</u>				
Service Commercial: Fast Food Restaurant with Drive-Through Facilities				
2. <u>Regulations:</u>				
a) Lot Area:				0.8 ha
Except as amended herein, all other provisions of this By-law, as amended, shall apply.				

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

Enacted and passed this 10 day of December.

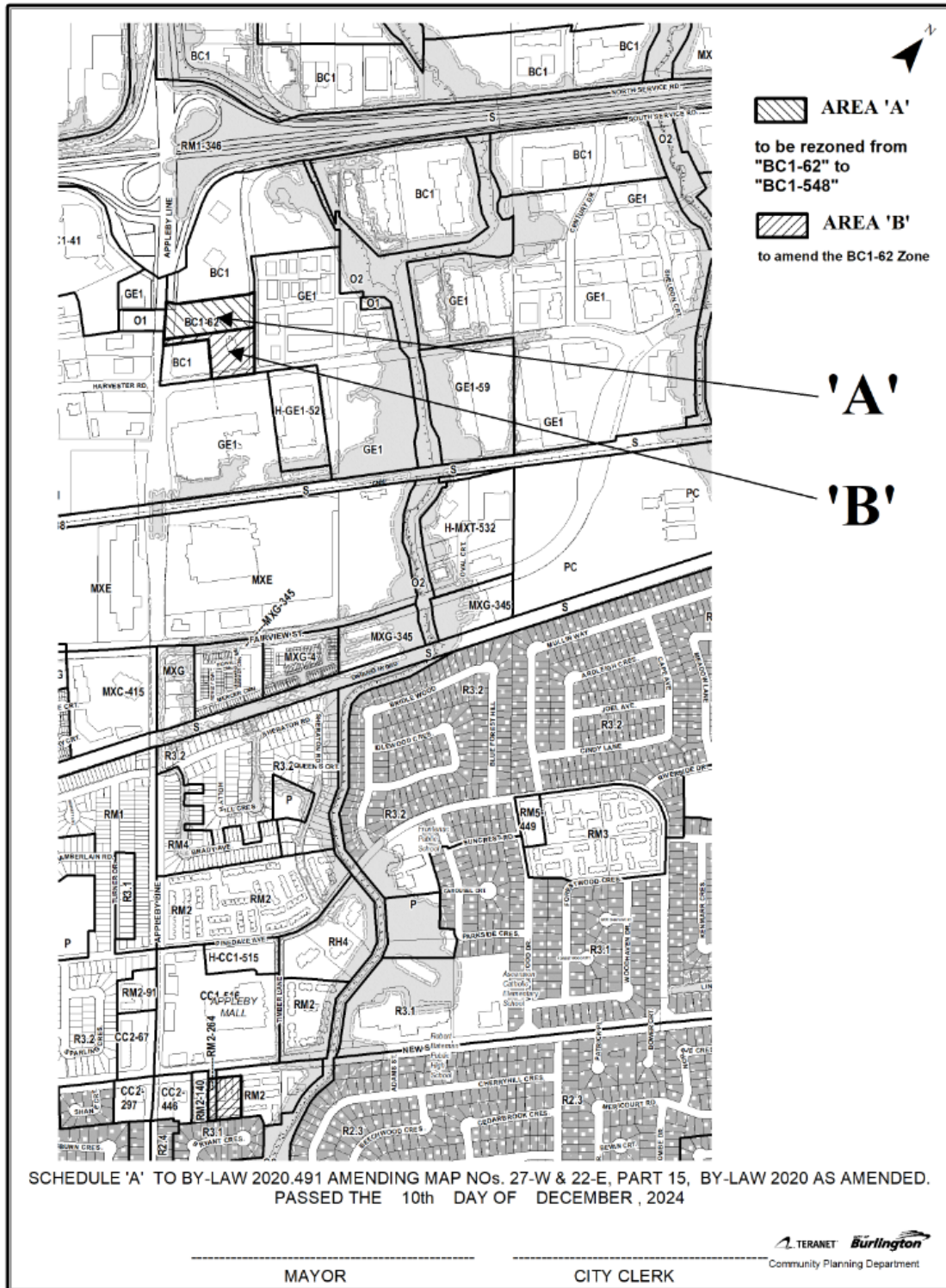
Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

Explanation of Purpose and Effect of By-Law 2020.491

By-law 2020.491 rezones 5051 Harvester Road to permit a 5-storey non-residential building and existing non-residential uses.

Schedule "A"



To: Mayor Meed Ward and Members of City Council

From: Elyse Meneray, Planner

**Cc: Hassaan Bassit, Chief Administrative Officer
Curt Benson, Commissioner, Development & Growth
Management
Jamie Tellier, Director of Community Planning
Kyle Plas, Manager of Development & Design
William Wallace, Supervisor of Development Review**

**Re: Official Plan Amendment and Zoning By-law
Amendment for 291 North Service Road (PL-89-24)**

Changes to Appendix F – Zoning By-law Amendment in PL-89-24:

Text Changes:

1. Holding Provision

Since the Committee of a Whole meeting held December 3, 2024, staff have received an updated Functional Servicing Report, prepared by S. Llewellyn & Associates Limited, dated November 2024, and Environmental Impact Assessment (EIA), prepared by GeoProcess, dated November 2024 from the Applicant. These materials have been reviewed by the Region and City staff and deemed satisfactory for the purposes of the Official Plan and Zoning By-law Amendment applications.

Therefore, staff are recommending that Appendix F – Zoning By-law Amendment be revised to remove the Functional Servicing Report and Environmental Impact Assessment from the Holding Provision as the Servicing and Environmental matters have been satisfactorily addressed.

2. Removal of Site-Specific Exception for the Open Space (O3) Zone

Staff are recommending that the Zoning By-law be revised to reflect the final Environmental Impact Assessment mapping by removing the site-specific exception for the Open Space O3 Zone. Staff are satisfied that the revised EIA is

acceptable for the purposes of the Official Plan and Zoning By-law Amendment and that the proposed change would not impact the natural features on site.

Mapping Change:

Staff are recommending that Schedule 'A' to Zoning By-law No. 493 be revised to reflect the final mapping of the approved Environmental Impact Assessment, prepared by GeoProcess, dated November 2024. The following changes are proposed to Schedule 'A':

- Refine the limits of the Open Space O3 Zone to reflect the final approved Environmental Impact Assessment mapping;
- Remove the site-specific exception for the Open Space O3 Zone, as the stormwater management pond will now be captured under the site-specific Business Corridor (H-BC2-547) Zone;
- Expand the site-specific Business Corridor (H-BC2-547) Zone to include the stormwater management pond; and,
- Rezone the remainder of the lands outside of the Open Space O3 Zone and site-specific Business Corridor H-BC2-547 Zone as Business Corridor BC2 Zone.

Amended Recommendation for Staff Report PL-89-24:

As staff are recommending that the Zoning By-law be revised to reflect the final conclusions and mapping of the Environmental Impact Assessment, the staff recommendation will need to be amended to reflect this change. Therefore, staff are recommending the following amended Recommendation for Staff Report PL-89-24:

Approve the applications for Official Plan Amendment and Zoning By-law Amendment submitted by DeLoyde Development Solutions on behalf of King Paving proposing asphalt manufacturing with outdoor open storage of aggregates; and

Approve Official Plan Amendment No. 155 to the City of Burlington Official Plan 1997, as provided in Appendix D of community planning department report PL-89-24, to modify the "Business Corridor" Designation at the lands located at 291 North Service Road; and

Deem that the Official Plan Amendment No. 155 is consistent with The Planning Act;
And

Approve Official Plan Amendment No. 5 to the City of Burlington Official Plan 2020, as provided in Appendix E of community planning department report PL-89-24, to modify the "Business Corridor" Designation at the lands located at 291 North Service Road;

and

Deem that the Official Plan Amendment No. 5 is consistent with The Planning Act; and, Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 155 and Official Plan Amendment No. 5 as contained in Appendices D and E to community planning department report PL-89-24 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; and

Approve Zoning By-law 2020.493, attached as Appendix F to planning report PL-89-24, to rezone the lands at 291 North Service Road from “H-BC2” to “H-BC2-547”, H-BC2 to O3 and H-BC2 to BC2; and

Deem that Zoning By-law 2020.493 will conform to the 1997 Official Plan of the City of Burlington once Official Plan Amendment No. 155 is adopted; and

Deem that Zoning By-law 2020.493 will conform to the 2020 Official Plan of the City of Burlington once Official Plan Amendment No. 5 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 155 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 5 is adopted.

Respectively submitted,

Elyse Meneray
Planner – Development Review
905-335-7600 ext. 7462

Attachment:

Appendix F – Revised Zoning By-law

BY-LAW NUMBER 2020.493, SCHEDULE 'A' AND EXPLANATORY NOTE**THE CORPORATION OF THE CITY OF BURLINGTON****BY-LAW NUMBER 2020.493**

A By-law to amend By-law 2020, as amended; 291 North Service Road
File No.: 520-09/24

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 approved, on December 10, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit asphalt manufacturing including open storage of aggregates.

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

1. Zoning Map Number 3-E of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
 - a) The lands designated as Area "A" on Schedule "A" attached hereto are hereby rezoned from "H-BC2" to "H-BC2-547" (Business Corridor with holding symbol and site-specific exception).
 - b) The lands designated as Area "B" on Schedule "A" attached hereto are hereby rezoned from "H-BC2" to "O3" (Open Space).
 - c) The lands designated as Area "C" on Schedule A" attached hereto are hereby rezoned from "H-BC2" to "BC2" (Business Corridor)
2. Part 11 of By-law 2020, as amended, Holding Zone Provisions, is hereby amended by the addition of the following section to Appendix A:

#90	H-BC2-547	Map 3-E	Resolution:
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The Holding symbol shall be removed from the zone designation by way of an amending zoning by-law following:

- a) The owner shall submit confirmation from the Ministry of Environment, Conservation and Parks (MOECP) that the proposed development satisfies the provisions of the Environmental Protection Act and that all

studies have been carried out to the satisfaction of the MOECP, to the satisfaction of the Director of Community Planning.

- b) The owner shall submit correspondence from the Ministry of Environment, Conservation and Parks (MOECP) confirming that the proposed tree removals for snag do not need to be protected as part of the Natural Heritage System for significant habitat of endangered and threatened species, to the satisfaction of the MOECP, to the satisfaction of the Director of Community Planning.
- c) The owner shall submit for review and approval a draft reference plan identifying the deemed right of way widening dedications for review and approval prior to depositing at the Land Registry Office, to the satisfaction of the Director of Transportation Planning

3. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations is amended by adding Exception 547 as follows:

Exception 547	Zone H-BC2	Map 3-E	Amendment 2020.493	Enacted December 10, 2024
1. <u>Additional Permitted Use:</u>				
Asphalt manufacturing including associated buildings and structures with open storage of aggregates.				
2. <u>Regulations:</u>				
a) Lot Width			40 m	
b) Minimum Rear Yard:			42 m	
c) Yards				
i. Abutting North Service Road:			73 m	
ii. Abutting an O3 Zone:			5 m	
d) Maximum Building Height:				
i. Silos:			25 m	
ii. Manufacturing Equipment:			20 m	
iii. Administrative Buildings (Control Centre and Motor Control Centre)			10 m	
e) Maximum Site Coverage:			88%	
f) Landscape Area				
i. Abutting North Service Road:			0 m	
ii. Abutting an O3 Zone:			0 m	
g) Outdoor storage of aggregate is only permitted within 60 m of the hydro corridor				

h) Loading is only permitted within 81 m of a yard abutting a street
--

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

ENACTED AND PASSED this 10th day of December 2024

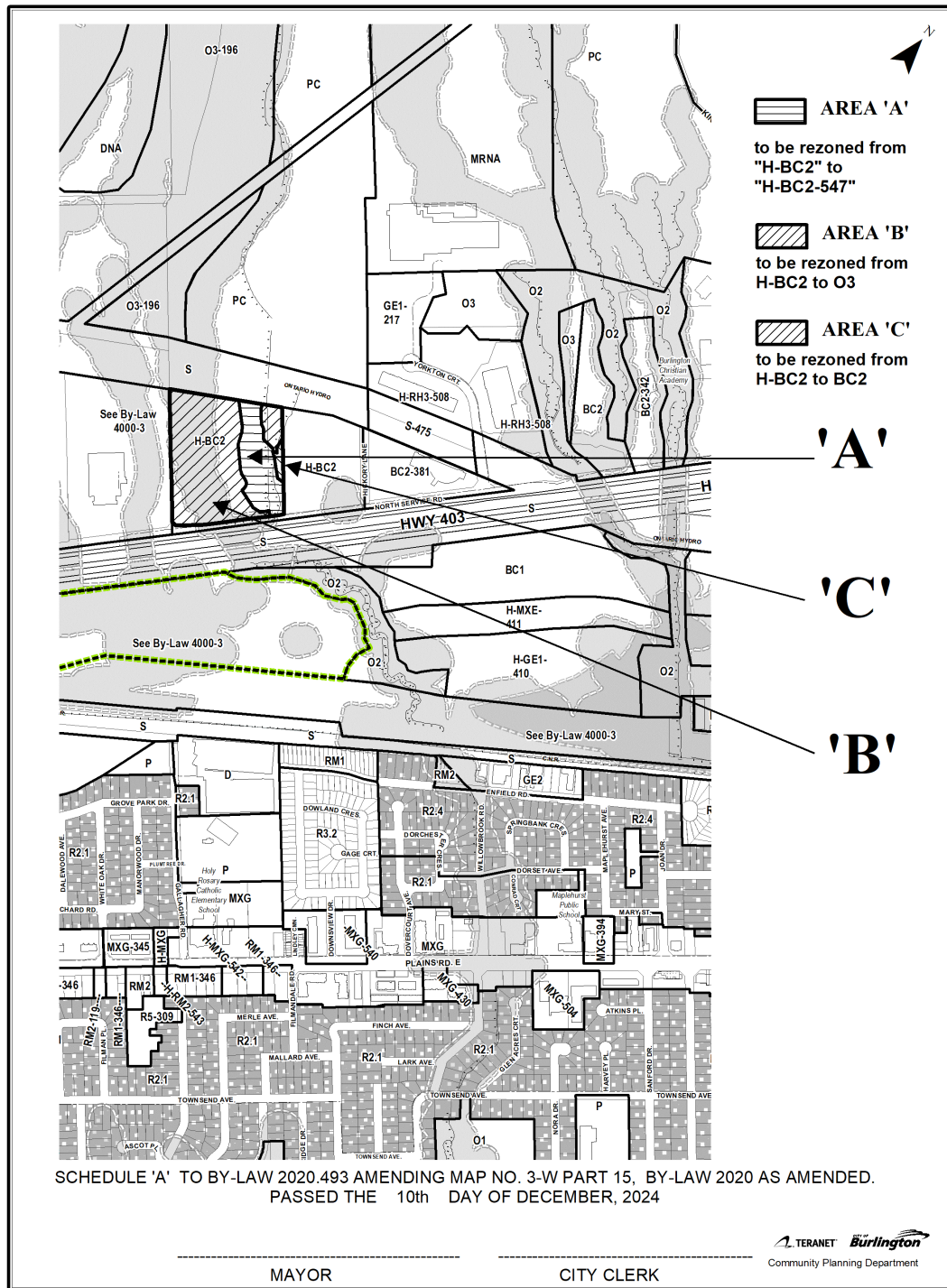
_____MAYOR

_____CITY CLERK

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.493

By-law 2020.493 rezones lands on 291 North Service Road, to permit asphalt manufacturing and outdoor storage of aggregates.

For further information regarding By-law 2020.493, please contact Elyse Meneray of the Burlington Community Planning Department at (905) 335-7600, extension 7642.



To: Mayor Meed Ward and Members of City Council

From: Elyse Meneray, Planner

Cc: Hassaan Bassit, Chief Administrative Officer
Curt Benson, Commissioner, Development & Growth Management
Jamie Tellier, Director of Community Planning
Kyle Plas, Manager of Development & Design
William Wallace, Supervisor of Development Review

Re: Official Plan Amendment and Zoning By-law
Amendment for 141, 147 and 153 Plains Road West
(PL-90-24)

Changes to Appendix E – Zoning By-law Amendment in PL-90-24:

Since the Committee of a Whole meeting held December 3, 2024, staff have worked with Goldberg Group to resolve the outstanding noise feasibility matters.

Staff are recommending that Appendix E – Zoning By-law Amendment be revised to remove the 'H' Hold Symbol as the Noise Feasibility matters have been satisfactorily addressed.

Respectively submitted,

Elyse Meneray

Planner – Development Review

905-335-7600 ext. 7462

Appendix E– Revised Zoning By-law

BY-LAW NUMBER 2020.492, SCHEDULE 'A' AND EXPLANATORY NOTE**THE CORPORATION OF THE CITY OF BURLINGTON****BY-LAW NUMBER 2020.492**

A By-law to amend By-law 2020, as amended; 141, 147 and 153 Plains Road
West
File No.: 520-10/24

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 approved, on December 10, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit an apartment building with non-residential uses on the ground floor.

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

1. Zoning Map Number 3-E of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned.
3. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations is amended by adding Exception 545 as follows:

Exception 545	Zone MXG	Map 3-E	Amendment 2020.492	Enacted December 10, 2024
<u>1. Regulations for an Apartment Building:</u>				
a) Non-residential Floor Area:			175 m ²	
b) Maximum Height:			12 storeys including mechanical penthouse/amenity level	
c) Dwelling Units:			Not permitted on the 12 th storey	
d) Maximum Floor Area Ratio:			5:1	
e) Notwithstanding Part 5, Section 4.1, Table 5.4.1 the maximum yard abutting Plains Road west of the Queen Elizabeth Way shall not apply.				

f) Front Yard:	
i) Ground Floor to 6:	2.9 m
ii) Floors 7 to 11:	4.4 m
iii) Floors 12:	9.2 m
g) East Side Yard:	
i) Ground Floor to 6:	5 m
ii) Floors 7 to 12:	10.4 m
h) West Side Yard:	
i) Ground Floor:	5.0 m to column; 13.5 m to building wall
ii) Floors 2 to 6:	4.5 m
iii) Floors 7 to 11:	10 m
iv) Floors 12:	14.9 m
i) Rear Yard:	
i) Floor 1:	12 m to column; 13.5 m to building
ii) Floors 2 to 11:	13.5 m
iii) Floor 12:	17 m
j) Below Grade Parking Structure:	
i) Abutting Plains Road West	2.7 m to the parking structure; 0 m to the below grade stormwater detention/retention tank
ii) All other yards:	0.3 m
k) Amenity Area:	14.5 m ² per unit
l) A rooftop terrace and/or a rooftop amenity terrace shall maintain the principal building yards of the storey below it.	
m) Balcony and Terraces:	
i) Front Yard:	
Floor 2:	1.5 m
Floors 3 to 4	1.3 m
Floor 5:	1.4 m
Floor 6:	1.3 m
Floor 7:	2.8 m
Floors 8 to 11:	2.8 m
Floor 12:	2.8 m green roof
ii) East side Yard:	
Floor 7:	8 m
Floors 8 to 11:	9 m

- iii) West side Yard:
 - Floor 2 to 6: 3 m
 - Floor 7: 8 m
 - Floors 8 to 11: 5.2 m
 - Floor 12: 8.5 m amenity terrace
- iv) Rear Yard:
 - Floors 2 to 11: 12.5 m
 - Floor 12: 12.5 m amenity terrace
- n) Architectural Wall Projections from a building wall:
 - i) Front: 1.9 m
 - ii) West Side: 1.6 m
 - iii) Rear: 2.8 m
- o) Landscape Area:
 - i) Abutting a street adjacent to a building: 0 m
 - ii) Abutting a street adjacent to a parking lot: 3 m
- p) Notwithstanding Part 1, Subsections 2.25.1 there shall be no parking required.
 - i) Where parking facilities are provided, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for accessible parking spaces. Designated parking spaces shall be included in the calculation of provided parking and shall be provided in accordance with Part 1, Section 2.26(9) Table 1.2.7, 9(a) and 9(b).
 - ii) A maximum 16 occupant parking spaces can be provided in compact vehicle parking space.
 - iii) Notwithstanding Part 1, Section 2.26(1)(a), a compact parking space shall have the following dimensions:
 - a. width of 2.4 m;
 - b. area of 13.2 m²
- q) Bicycle Parking:
 - i) Short-term: 0.1 bicycle parking spaces per unit
 - ii) Long-term: 0.5 bicycle parking spaces per unit
- r) For the purpose of Bicycle parking regulations:
 - i) 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.

- ii) Short-term bicycle parking spaces are bicycle parking spaces for use by visitors to a building. Short-term bicycle parking spaces are to be located close to a building entrance and sheltered from the elements.
- iii) Each bicycle parking space shall be 60 cm x 1.8 m in size.

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

ENACTED AND PASSED this 10th day of December, 2024

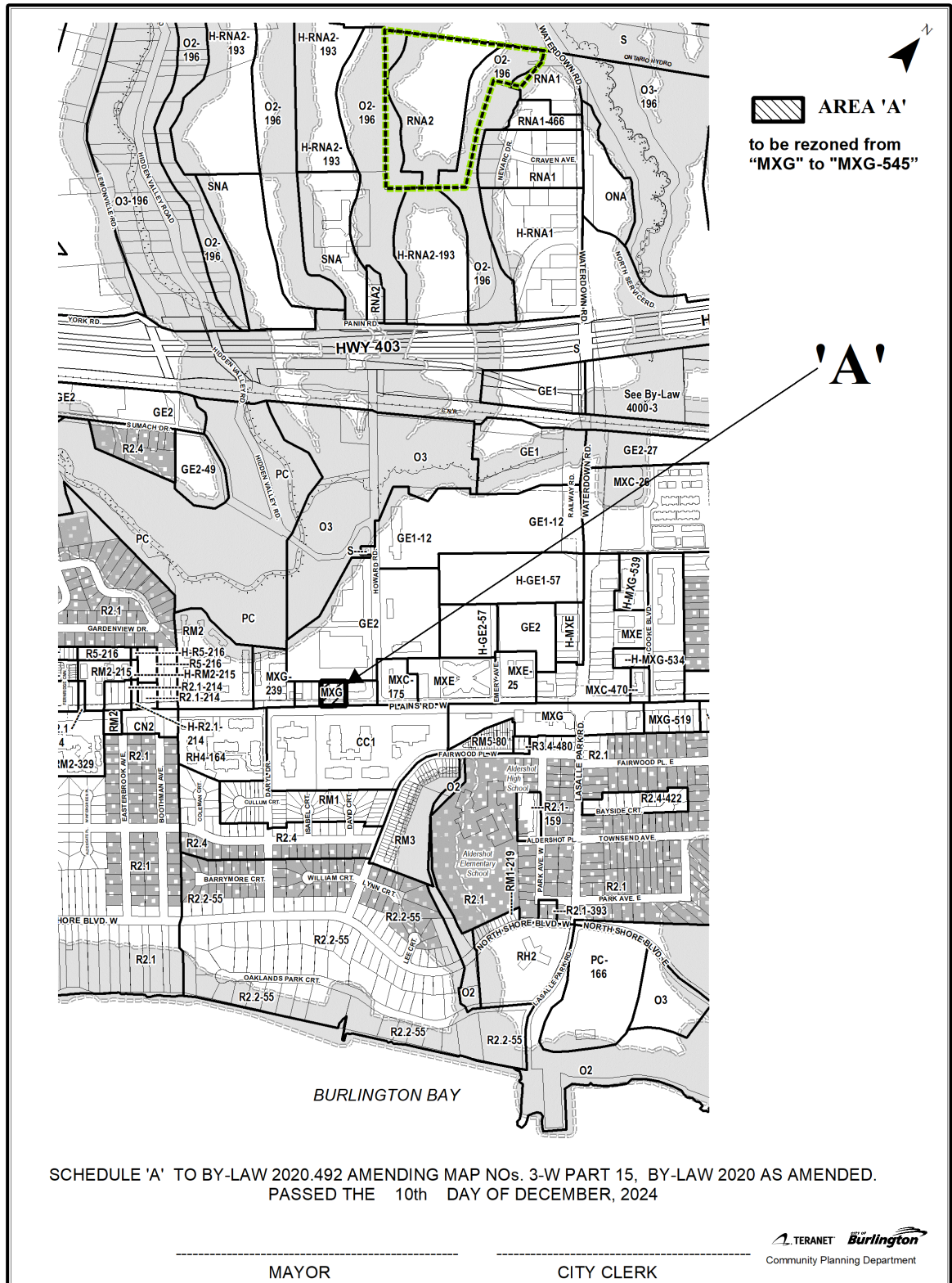
MAYOR

CITY CLERK

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.492

By-law 2020.492 rezones lands on 141, 147 and 153 Plains Road West, to permit a 12-storey mixed-use building, including Mechanical Penthouse and rooftop amenity area.

For further information regarding By-law 2020.545, please contact Elyse Meneray of the Burlington Community Planning Department at (905) 335-7600, extension 7642.



To: Mayor and Members of Council

From: Emilie Cote, Director of Recreation, Community and Culture

Cc: Hassaan Basit, Jacqueline Johnson, Samantha Yew, Craig Millar, Blake Hurley, Robert Ryan, Michelle Moore

Date: December 10, 2024

Re: Follow up to RCC-19-24- Sound of Music Festival- 2024 Event Re-cap and Future City Support

During the Committee of the Whole Meeting on December 2, 2024, the above report was discussed. It was noted that a private foundation had expressed interest in offering financial support to Sound of Music to help ensure the success of the 2025 festival. This new information led to a deferral of the report to the December 10, 2024, Council Meeting. Since then, staff have had the opportunity to meet with the foundation and the Board Chair of Sound of Music to continue discussions.

Staff are pleased to share that the private foundation intends to make a significant donation to the festival. This contribution will be applied to Sound of Music's outstanding debt owing to the city from previous years, as well as the city's loan to Sound of Music that is not expected to be repaid when it is due on December 11, 2024. As of that date, Sound of Music's total outstanding debt to the city will be \$220,000. Any remaining balance after this donation is applied to Sound of Music's debt will be due to the city following the 2025 festival, with full repayment required no later than September 1, 2025. If the debt is not fully repaid by that time, future city grants may be impacted.

As outlined in RCC-19-24, the city will be moving forward with a detailed service level agreement with Sound of Music, incorporating elements from the recently endorsed Accountability Framework to ensure clear expectations and effective collaboration. This agreement will also depend on the Sound of Music Board's commitment to strong governance and ensuring sufficient resources for the successful execution of the 2025 festival. In addition, Sound of Music will be required to submit a comprehensive business plan for the 2026 festival, which will need to be approved by the Commissioner of Community Services, the Commissioner of Legal and Legislative Services, and the Chief Financial Officer. This plan will be due no later than June 1, 2025, to guide future funding decisions.

As a revision to the report, the following recommendations are being brought before council for their consideration:

Authorize the Director of Recreation, Community and Culture to negotiate and execute any necessary agreements with Sound of Music related to the City's 2025 grant to Sound of Music Inc., with the content satisfactory to the Director of Recreation, Community and Culture and in a form satisfactory to the Commissioner of Legal and Legislative Services.

Authorize the Director of Recreation, Community and Culture to negotiate and execute any agreements with Sound of Music related to the extension of the repayment of the Sound of Music

Inc's debts with a repayment deadline up to September 1, 2025 with the content satisfactory to the Director of Recreation, Community and Culture and in a form satisfactory to the Commissioner of Legal and Legislative Services.

In closing, it is clear that the Burlington community deeply values this important festival and wishes to see it continue. However, for the festival to remain sustainable in the long term, it is vital that the Board of Directors carefully consider the financial health of the organization and plan for both the 2025 festival and the years that follow. We appreciate the continued collaboration and commitment to this valued community event.

To: Mayor & Members of Council

From: Reena Bajwa; Manager of Financial Strategies & Business Consulting & Alison Enns; Manager of Policy & Community Initiatives

C.C.: Craig Millar, Jamie Tellier, Curt Benson

Date: December 6, 2024

Re: F-05-24, 2024 Community Benefits Strategy and Bylaw

The purpose of this memo is to provide response to the question posed by Councilor Kearns at the Committee of the Whole on December 2nd in regard to report [F-05-24 the 2024 Community Benefits Strategy \(CBC\) and Bylaw](#). Specifically, have the 1200 King Road, Bronte Creek Meadows and Bridgeview properties been included in the ten-year assumptions that aligns with the CBC. In addition, attached to this memo are answers to questions from BILD, identified in Appendix C in the Addendum to F-05-24.

The assumptions set out in the CBC use the 10-year period the Residential Growth Forecast Summary. From Table 3-1 of the Development Charges Background Study the total number of new Apartment units expected in that time period is 9,221 (Mid 2034 total of 28,402 less the Mid 2024 total of 19,181). Since Apartments include some units that would not be eligible units for the CBC - the eligible number of units is revised through the CBC analysis to 8,561 (Chapter 2, CBC Strategy) The 17.47 ha cited in Table 2-6 is an estimate of the total area of land (in ha) that would be required based on the "average" density of 490 units per ha which is applied to the total number of eligible number of units (8,561). This is not the total number of ha of development within the ten year - but rather is an estimate of what the City might expect based on the number of eligible "Apartment" units based on an average density.

The properties at 1200 King Road, Bronte Creek Meadows, and Bridgeview are not included in the CBC forecast as the DC Background study was the foundational document that the CBC work was based upon. Through [F-25-23](#) Council considered the Development Charges and Community Benefits Strategy draft growth assumptions. At that time staff acknowledged that these estimates will be subject to change as the local municipalities work to understand the full impacts of ROPA 49, as modified. Regardless, not including these properties has no impact on the calculation of the CBC charge at 4% of land value.

Should additional developments come on-line prior to the 10-year forecast, they may result in additional revenues to the city.

Regards,

Reena Bajwa & Alison Enns

Memorandum

To	Reena Bajwa
From	Byron Tan
Date	December 5, 2024
Re:	Responses to the Building Industry and Land Development Association Letter Dated November 25, 2024

Fax ☐ Courier ☐ Mail ☐ Email ☒

On November 25, 2024, the City of Burlington (City) received a letter from the Building Industry and Land Development Association (BILD), regarding the City's 2024 Community Benefits Charge (C.B.C.) Strategy and draft By-law.

This memorandum provides responses to the questions/comments included in the BILD letter.

Questions/Comments and Responses

1. Does the City have information on how much revenue was generated since the adoption of the 2022 CBC By-law, including information on how much the money was spent, what projects money was spent on, and what the year-end 2023 (or more recent) balance in the CBC reserve fund is?

Response:

- Since the adoption of the C.B.C. By-law in 2022, the City has collected \$216,792.
- \$150,000 has been allocated to the City Hall Facility, which was identified as a project in the 2022 C.B.C. Strategy.
- As of June, 2024 the balance in the reserve fund (F-17-24) is \$3.2 million
 - Of this balance \$3 million is related to funding collected under S.37 agreements, that funding is committed to projects as defined in the agreement.
 - The remaining amounts in the C.B.C. reserve fund are committed to projects from the 2022 C.B.C.



2. The 2024 CBC Study is based on an estimated high-density land value of \$21.4 million per hectare. This has fallen by 16% since the 2022 CBC Study, where a per hectare land value of \$25.4 million per hectare was used. However, the 2024 CBC Study's land value estimate is based on a higher density per hectare, which has increased from 364 units/ha in the 2022 CBC Study to 490 units/ha in the 2024 CBC Study.

These implications of these two changes, when converted to an implied land value per buildable SF, implies that high-density land value in the City has actually fallen by 37% from \$78 per buildable square foot (per BSF) to \$49 per BSF. This should have a proportionate reduction in the expected CBCs per dwelling unit at the full 4% rate, from \$2,791 per unit to \$1,747 per unit. This may mean that the City should temper its revenue estimates in moving from the current per unit CBC rates to a 4% maximum rate.

Changes in Land Value, Burlington CBC Study Assumptions

		2022 CBC Study	2024 CBC Study	% Change
Land Value/Hectare	A	\$25,400,000	\$21,400,000	-16%
Units/Hectare Assumption	B	364	490	35%
Land Value/unit	C=A/B	\$69,780	\$43,673	-37%
CBC Rate	D	4%	4%	
CBC per Unit	E=DxC	\$2,791	\$1,747	-37%
Assumed Units Size (sf)	F	900	900	
Land Value per Buildable SF	G=C/F	\$78	\$49	-37%

Source: KPEC based on City of Burlington 2024 CBC Study

Response:

- While there does not appear to be a question posted here, we have provided some comments below for clarification.



- The total revenue under a 4% rate or the \$1,747 per unit charge would be the same (as long as the actual number of units and land values are consistent with the assumptions underlying the 2024 C.B.C Strategy).
 - It is noted that the *Planning Act* does not provide for indexing provisions. As a result, the per unit rate would remain constant throughout the life of the C.B.C. by-law. If the market values change, the \$1,747 per unit charge may not reflect the 4% maximum rate and may result in payments under protest.
 - However, implementing a 4% C.B.C. rate would capture changes in market conditions, regardless of whether land values increase or decrease.
3. The City's Parks Provisioning Master Plan (PPMP) shows that the City's parkland provision rate is 3.78 hectares per 1000 population, well in excess of the City-wide target parkland provision of 3.0 hectares per 1000.

Despite the City-wide surplus of parkland, the PPMP finds that there is a lack of parkland in MTSAs, including an estimated shortfall of 2.88 hectares in the Appleby GO MTSA, 6.62 hectares in the Aldershot GO MTSA, 7.76 hectares needed in the Burlington GO UGC/MTSA. In total, the PPMP identifies a total of over 50 hectares of parkland needs.

The capital program in the City's 2024 CBC Study is based on collecting funds towards an estimated \$141 million shortfall in Planning Act funding for parkland acquisition, however it is unclear from the PPMP or the 2024 CBC Study what residual amount is needed from each category/area (MTSAs, BUA, DGA, etc.), and how the residual amount that the CBC Study is seeking to recover (\$141 million) relates to the analysis from the PPMP.

The text from section 5.1 of the CBC Study, indicates that at \$21.4 million/ha, the \$373.9 million in parkland needs equates to 17.5 hectares of residual parkland need, but these figures are not found in the PPMP. Can clarification or calculations be provided to show how the \$141 million amount carried in the CBC Study was calculated?



Response:

- A correction to the statement above, the \$21.4 million per hectare identified in section 5.1 of the C.B.C. strategy is for the value of the land of the proposed C.B.C. eligible units, not the value of parkland.
- The parkland costs of \$141.2 million included in the C.B.C. are based on the incremental population growth to 2041 as described in the City's 2023 Parkland Dedication By-law Review. The basis of the calculations are summarized below:

The hectares of parkland and average values were based on Table 2-3 of the 2023 Parkland Review:

**Table 2-3
City of Burlington
Parks Plan Forecast Needs and Costs (2022-2041)**

Policy Area	Additional Parkland (ha.) ¹	Average Land Value (\$/ha.) ²	Total Parkland Costs
Burlington GO/UGC MTSA	7.76	\$ 20,000,000	\$ 155,200,000
Aldershot GO MTSA	6.62	\$ 20,000,000	\$ 132,400,000
Appleby GO MTSA	2.88	\$ 20,000,000	\$ 57,600,000
Downtown Urban Centre	1.81	\$ 20,000,000	\$ 36,200,000
Uptown Urban Centre	1.64	\$ 20,000,000	\$ 32,800,000
Corridors	0.81	\$ 6,000,000	\$ 4,860,000
Designated Greenfield Areas	4.16	\$ 70,000	\$ 291,200
Remaining Built Up Areas	25.80	\$ 6,000,000	\$ 154,800,000
Rural Areas	-	-	\$ -
Total	51.48	\$ 11,152,898	\$ 574,151,200

¹ Source: Table 26, City of Burlington Park Provisioning Master Plan

² Source: City of Burlington Realty Services

As noted in Table 2-3, the Additional Parkland required to 2041 is 51.48 hectares, with a costs of \$574 million. To assess the incremental impact of these figures against the 10-year growth forecast utilized in the C.B.C. Strategy, a per capita calculation was undertaken using the source population targets from the City's Parks Provisioning Master Plan, which is presented below:



Policy Area	2041 Population	2021 Population ¹
Burlington GO/UGC MTSA	8,160	1,670
Aldershot GO MTSA	7,160	1,100
Appleby GO MTSA	4,210	1,140
Downtown Urban Centre	12,340	8,640
Uptown Urban Centre	6,710	5,450
Corridors	12,920	3,970
Designated Greenfield Areas	17,470	12,400
Remaining Built Up Areas	164,020	150,880
Rural Areas	7,510	5,750
Total	240,500	186,948

¹ Source: Table 26, City of Burlington Park Provisioning Master Plan

Based on this growth forecast, a population increase of 53,552 is anticipated between 2021 and 2041. Taking the 51.48 hectares and dividing it by the 53,552 population increase (times 1,000) provides a parkland standard of 0.96 per 1,000 population. The parkland standard of 0.96 per 1,000 population is then multiplied by the 10-year population increase (22,617 divided by 1,000) as identified in the growth forecast of the 2024 C.B.C. Strategy. The resulting additional parkland needs amount to 21.74 hectares.

53,552	Population increment (2021-2041)
0.96	Parkland standard per 1,000 pop
22,617	2024-2034 residential growth forecast
21.74	Required Parkland Hectares

Using this information, the 21.74 hectares was allocated proportionately amongst all of the policy areas to determine the incremental parkland amount and costs. Lastly, a deduction was applied to recognize the potential cash-in-lieu that would be generated from residential and non-residential developments over the 10-year growth forecast (which is based on the 2024 D.C. Background Study).



Policy Area	Additional Parkland (ha.) ¹	Average Land Value (\$/ha.) ²	Total Parkland Costs	Proportionate Share %	Proportionate Share Land (ha)	Incremental Parkland Costs (2024-2033)	Dedication Amount Available (Based on the 2023 Parkland Analysis)	Net Amount for CBC
Burlington GO/UGC MTSA	7.76	\$ 20,000,000	\$ 155,200,000	15.1%	3.3	\$ 65,546,728		
Aldershot GO MTSA	6.62	\$ 20,000,000	\$ 132,400,000	12.9%	2.8	\$ 55,917,441		
Appleby GO MTSA	2.88	\$ 20,000,000	\$ 57,600,000	5.6%	1.2	\$ 24,326,621		
Downtown Urban Centre	1.81	\$ 20,000,000	\$ 36,200,000	3.5%	0.8	\$ 15,288,605		
Uptown Urban Centre	1.64	\$ 20,000,000	\$ 32,800,000	3.2%	0.7	\$ 13,852,659		
Corridors	0.81	\$ 6,000,000	\$ 4,860,000	1.6%	0.3	\$ 2,052,559		
Designated Greenfield Areas	4.16	\$ 70,000	\$ 291,200	8.1%	1.8	\$ 122,985		
Remaining Built Up Areas	25.80	\$ 6,000,000	\$ 154,800,000	50.1%	10.9	\$ 65,377,794		
Rural Areas	-	-	\$ -	0.0%	-	\$ -		
Total	51.48	\$ 11,152,898	\$ 574,151,200	100%	21.74	\$ 242,485,392	\$ 100,897,147	\$ 141,588,245

4. Table 5-1 of the 2024 CBC Study shows a \$7.4 million deduction to CBC-eligible costs to account for “existing population incline”. Can the details behind this calculated amount be provided?

Response:

- The incline calculation was included based on the growth forecast used in the 2024 D.C. Background Study. The population incline represents a natural increase in population expected to occur within existing dwelling units. This is contributing to overall population growth but it is not occurring in new units/developments.

The calculations look at the 10-year gross population vs. net population as described in the 2024 D.C. Background Study:

- Gross Population Increase: 20,962
- Net Population Increase: 22,617

As the gross population is based on population growth in new units, the higher net population suggest that population growth is also occurring in existing units. The share of total population growth that is expected to occur in existing units equates to approximately 7%.

Based on the above, approximately 7% of the C.B.C. eligible amounts have been deducted from the net C.B.C. recovery to recognize the benefit to growth in existing units, as these would not be subject to the C.B.C.

Draft By-Law

5. Comment from BILD regarding section 2.9: Delete the word “as”.



2.9 In-kind contributions pursuant to subsection 2.7 shall only be accepted as if the same are approved by resolution of Council. The determination of Council as to whether in-kind contributions shall be accepted in full or partial satisfaction of Community Benefits Charges shall be final and binding.

Response:

- This will be corrected in the by-law presented to Council.
6. Comment from BILD: “Section 2.11 violates s.37.1(3) of the Planning Act and should be deleted in its entirety. There is no CBC payable where there exists a prior s.37 agreement.”
- 2.11 Any developments that were subject to an agreement under the prior Section 37 of the Planning Act prior to this by-law coming into force and effect shall have the amount paid under the Section 37 agreement credited against the Community Benefit Charge payable:
- (a) The amount credited against the charge payable shall be the amount paid under the prior Section 37 agreement that relates to the proposed Development
 - (b) In no case shall the credit be greater than the Community Benefits Charge otherwise payable.

Response:

- This will be corrected in the by-law presented to Council. Section 2.11 of the by-law will read as follows:
“Community Benefits Charges imposed under this By-law shall be payable prior to the issuance of any building permit for the proposed Development or Redevelopment.”
7. Comment from BILD: “Section 2.12 violates s.37.1(3) of the Planning Act and should be deleted in its entirety. There is no CBC payable where there exists a prior s.37 agreement.

Credits

2.12 Any developments that were subject to an agreement under the prior Section 37 of the Planning Act prior to this by-law coming into force and



effect shall have the amount paid under the Section 37 agreement credited against the Community Benefit Charge payable:

- (a) The amount credited against the charge payable shall be the amount paid under the prior Section 37 agreement that relates to the proposed Development
- (b) In no case shall the credit be greater than the Community Benefits Charge otherwise payable.

Response:

This section will be deleted in the by-law and the remaining sections will be renumbered.

Seeking project endorsement for Community Sport and Recreation Infrastructure Fund (RCC-17-24)

From: [khurram qureshi](#)
To: [Mailbox, Clerks](#)
Subject: Reference Report RCC-17-14
Date: Friday, November 29, 2024 11:25:36 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.

Hi,

I support Reference Report RCC-17-14 for the Community Sport and Recreational Infrastructure Fund (CSRIG). Cricket is growing rapidly in the GTA and Canada, and a dedicated cricket ground is essential. This project will provide the necessary infrastructure for the Burlington cricket community.

Thank you for considering this important project.

Best regards,
Khurram qureshi

Sent from my iPhone

From: [Ajit Baruah](#)
To: [Mailbox, Clerks](#)
Subject: Report RCC-17-24 "Seeking project endorsement for Community Sport and Recreation Infrastructure Fund (CSRIF)"
Date: Friday, November 29, 2024 3:54:11 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.

To the Burlington City Team,

My name is Ajit Baruah, and I am a resident of Burlington and a member of the Halton Cricket Club. I am writing to express my strong support for the plan to build a cricket pitch in Sherwood Park.

A cricket pitch in Sherwood Park would be a valuable addition to our community. It would fulfill the demand for a much-needed full-sized cricket ground and would help promote cricket in the city, inspiring greater participation in the sport.

Thank you for your time and consideration.

Sincerely,

Ajit Baruah

From: [Aniruddha Dongaonkar](#)
To: [Mailbox, Clerks](#)
Subject: Report RCC-17-24 "Seeking project endorsement for Community Sport and Recreation Infrastructure Fund (CSRIF)"
Date: Saturday, November 30, 2024 8:22:22 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 Sir/Madam,

I am a resident of City of Burlington. I recently learnt that you are reviewing the proposal to build a full size cricket pitch at Sherwood Park. I would like to show my support for this proposal.

Cricket is quickly gaining popularity in Canada. My two sons are very much interested in this sport. Unfortunately we don't have much facilities available nearby to play regularly. Having this pitch in Burlington will go long way to encourage the youth.

Regards,
Aniruddha Dongaonkar

From: [Atif Naseem](#)
To: [Mailbox, Clerks](#)
Subject: Reference Report RCC-17-14
Date: Friday, November 29, 2024 10:03:59 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.

Hi,

I am writing you this note in support of Reference Report RCC-17-14 for the Community Sport and Recreational Infrastructure Fund (CSRIG).

Cricket is growing rapidly in the GTA and Canada, and a dedicated cricket ground is essential for our city of Burlington. This project will provide the necessary infrastructure for the Burlington cricket community.

Thank you for considering this important project.

Best regards,
Atif Naseem


Burlington 

From: [Harshil Patel](#)
To: [Mailbox, Clerks](#)
Cc: [REDACTED]
Subject: Report RCC-17-24 "Seeking project endorsement for Community Sport and Recreation Infrastructure Fund (CSRIF)"
Date: Saturday, November 30, 2024 6:18:14 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.

To,

The Burlington City Team

I, Harshil Patel, a resident of Burlington and a member of Halton Cricket Club, would like to endorse the plan of building a cricket pitch in Sherwood Park.

The cricket pitch will be a great addition to the community fulfilling the demand for a much-needed full sized cricket ground and will help promote cricket in the city and inspire greater participation in the sport.

Thank you.

Sincerely,

Harshil Patel

[REDACTED]

From: [Kamran Jafri](#)
To: [Mailbox, Clerks](#)
Subject: Reference Report: RCC-17-14-
Date: Sunday, December 01, 2024 1:47:53 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.

Hi,

I support Reference Report RCC-17-14 for the Community Sport and Recreational Infrastructure Fund (CSRIG). Cricket is growing rapidly in the GTA and Canada, and a dedicated cricket ground is essential. This project will provide the necessary infrastructure for the Burlington cricket community. Thank you for considering this important project.

Best regards,
Kamran

From: [Shiraz Hashim](#)
To: [Mailbox, Clerks](#)
Subject: Reference Report RCC-17-14
Date: Saturday, November 30, 2024 1:34:15 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.

Hi,

I support Reference Report RCC-17-14 for the Community Sport and Recreational Infrastructure Fund (CSRIG). Cricket is growing rapidly in the GTA and Canada, and a dedicated cricket ground is essential. This project will provide the necessary infrastructure for the Burlington cricket community.

Thank you for considering this important project.

Best regards,
Muhammad Hashim

From: [Shriharsha Bhat](#)
To: [Mailbox, Clerks](#)
Subject: Report RCC-17-24 "Seeking project endorsement for Community Sport and Recreation Infrastructure Fund (CSRIF)"
Date: Friday, November 29, 2024 2:09:14 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.

To,

The Burlington City Team

I, Shriharsha Bhat, a resident of Burlington and a member of Halton Cricket Club, would like to endorse the plan of building a cricket pitch in Sherwood Park. The cricket pitch will be a great addition to the community fulfilling the demand for a much-needed full sized cricket ground and will help promote cricket in the city and inspire greater participation in the sport.

Thank you.

Sincerely,

Shriharsha Bhat

December 2, 2024

Mayor Meed Ward and Members of Council
City of Burlington
426 Brant Street
Burlington ON
L7R 3Z6

Sent via email to clerks@burlington.ca

RE: **CITY OF BURLINGTON**
Item 8.1: Draft Community Benefits Charge Strategy and By-law
COW Dec 2 | Council December 10

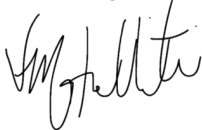
The Building Industry and Land Development Association (BILD) is pleased to provide this correspondence for consideration at the December 2nd Committee of the Whole and again at the December 10th Council meeting regarding Item 8.1: the 2024 Community Benefits Strategy and By-law. While BILD initially submitted our comments to staff on November 25th, we note that they remain outstanding. Accordingly, we respectfully submit our comments directly to the Committee for review and consideration.

On behalf of our Halton forum members, BILD would like to take this opportunity to thank City staff and its consultant or their collaboration with the development industry through the City's CBC Consultation Committee. We greatly value the ongoing dialogue and look forward to continuing this constructive engagement as the process progresses.

To support our review, BILD retained Ira Kagan of Kagan Shastri DeMelo Winer Park LLP and Daryl Keleher of Keleher Planning & Economic Consulting (KPEC) to analyze the Draft CBC Strategy and related materials. Enclosed, please find their respective comments on both the strategy and the by-law. We look forward to a response prior to Council consideration.

As committed community-building partners, we appreciate the opportunity to provide our feedback. Should you have any questions or require further clarification, please do not hesitate to contact the undersigned.

Kind regards,



Victoria Mortelliti, MCIP, RPP.
Senior Manager, Policy & Advocacy

CC: BILD Halton Members
BILD's Review Team
Ellen Chen, City of Burlington

The Building Industry and Land Development Association is an advocacy and educational group representing the building, land development and professional renovation industry in the Greater Toronto Area. BILD is the largest home builders' association in Canada, and is affiliated with the Ontario Home Builders' Association and the Canadian Home Builders'

Association. It's 1,200 member companies consists not only of direct industry participants but also of supporting companies such as financial and professional service organizations, trade contractors, as well as manufacturers and suppliers of home-related products.

November 25, 2024

Ms. Ellen Chen
Financial Analyst of Strategies & Business Planning
City of Burlington
426 Brant Street
Burlington ON
L7R 3Z6

Sent via email to Ellen.Chen@burlington.ca

RE: **CITY OF BURLINGTON**
Draft Community Benefits Charge Strategy and By-law

The Building Industry and Land Development Association (BILD) acknowledges receipt of the Draft Community Benefits Charge Strategy and By-law, which will be presented to Council in early December. On behalf of our Halton forum members, BILD would like to take this opportunity to thank City staff and the consultant team for their collaboration with the development industry through the City's CBC Consultation Committee. We greatly value the ongoing dialogue and look forward to continuing this constructive engagement as the process progresses.

To support our review, BILD retained Ira Kagan of Kagan Shastri DeMelo Winer Park LLP and Daryl Keleher of Keleher Planning & Economic Consulting (KPEC) to analyze the Draft CBC Strategy and related materials. Enclosed, please find their respective comments on both the strategy and the by-law. We look forward to a response prior to Council consideration.

As committed community-building partners, we appreciate the opportunity to provide our feedback. Should you have any questions or require further clarification, please do not hesitate to contact the undersigned.

Kind regards,


Victoria Mortelliti, MCIP, RPP.
Senior Manager, Policy & Advocacy

CC: BILD Halton Members
BILD's Review Team

The Building Industry and Land Development Association is an advocacy and educational group representing the building, land development and professional renovation industry in the Greater Toronto Area. BILD is the largest home builders' association in Canada, and is affiliated with the Ontario Home Builders' Association and the Canadian Home Builders' Association. It's 1,200 member companies consists not only of direct industry participants but also of supporting companies such as financial and professional service organizations, trade contractors, as well as manufacturers and suppliers of home-related products.

November 17, 2024

Memorandum to: Victoria Mortelliti
BILD

From: Daryl Keleher, MCIP, RPP, Principal
Keleher Planning & Economic Consulting Inc.

Re: Burlington CBC
Our File: P1168

Keleher Planning & Economic Consulting Inc. was retained by BILD to review the City of Burlington's 2024 Community Benefits Charge Study ("2024 CBC Study"). This memorandum presents questions and comments stemming from my review of the 2024 CBC Study and draft CBC by-law, as well as other related documents.

Questions and Comments

- 1) Does the City have information on how much revenue was generated since the adoption of the 2022 CBC By-law, including information on how much the money was spent, what projects money was spent on, and what the year-end 2023 (or more recent) balance in the CBC reserve fund is?
- 2) The 2024 CBC Study is based on an estimated high-density land value of \$21.4 million per hectare. This has fallen by 16% since the 2022 CBC Study, where a per hectare land value of \$25.4 million per hectare was used. However, the 2024 CBC Study's land value estimate is based on a higher density per hectare, which has increased from 364 units/ha in the 2022 CBC Study to 490 units/ha in the 2024 CBC Study.

These implications of these two changes, when converted to an implied land value per buildable SF, implies that high-density land value in the City has actually fallen by 37% from \$78 per buildable square foot (per BSF) to \$49 per BSF. This should have a proportionate reduction in the expected CBCs per dwelling unit at the full 4% rate, from \$2,791 per unit to \$1,747 per unit. This may mean that the City should temper its revenue estimates in moving from the current per unit CBC rates to a 4% maximum rate.

Changes in Land Value, Burlington CBC Study Assumptions

		2022 CBC Study	2024 CBC Study	% Change
Land Value / Hectare	A	\$ 25,400,000	\$ 21,400,000	-16%
Units / Hectare Assumption	B	364	490	35%
Land Value / Unit	C=A/B	\$ 69,780	\$ 43,673	-37%
CBC Rate	D	4%	4%	
CBC per unit	E=DxC	\$ 2,791	\$ 1,747	-37%
Assumed Unit Size (sf)	F	900	900	
Land Value per Buildable SF	G=C/F	\$ 78	\$ 49	-37%

Source: KPEC based on City of Burlington 2024 CBC Study

- 3) The City's Parks Provisioning Master Plan (PPMP) shows that the City's parkland provision rate is 3.78 hectares per 1000 population, well in excess of the City-wide target parkland provision of 3.0 hectares per 1000.

Despite the City-wide surplus of parkland, the PPMP finds that there is a lack of parkland in MTSAs, including an estimated shortfall of 2.88 hectares in the Appleby GO MTSA, 6.62 hectares in the Aldershot GO MTSA, 7.76 hectares needed in the Burlington GO UGC/MTSA. In total, the PPMP identifies a total of over 50 hectares of parkland needs.

The capital program in the City's 2024 CBC Study is based on collecting funds towards an estimated \$141 million shortfall in Planning Act funding for parkland acquisition, however it is unclear from the PPMP or the 2024 CBC Study what residual amount is needed from each category/area (MTSAs, BUA, DGA, etc.), and how the residual amount that the CBC Study is seeking to recover (\$141 million) relates to the analysis from the PPMP.

The text from section 5.1 of the CBC Study, indicates that at \$21.4 million/ha, the \$373.9 million in parkland needs equates to 17.5 hectares of residual parkland need, but these figures are not found in the PPMP. Can clarification or calculations be provided to show how the \$141 million amount carried in the CBC Study was calculated?

- 4) Table 5-1 of the 2024 CBC Study shows a \$7.4 million deduction to CBC-eligible costs to account for "existing population incline". Can the details behind this calculated amount be provided?



The Corporation of the City of Burlington

City of Burlington By-law XX

A By-law to establish Community benefits Charges for the City of Burlington, and to repeal By-law 66-2022, Community Benefits Charges By-law for the City of Burlington (F-XX-XX)

Whereas the City of Burlington (the “City”) will experience growth through development and re-development; and

Whereas Council desires to impose Community Benefits Charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies; and

Whereas the *Planning Act, 1990* (the “Act”) provides that the council of a municipality may by by-law impose Community Benefits Charges against higher density residential development or redevelopment; and

Whereas a Community Benefits Charge strategy report, dated November 4, 2024, has been completed which identifies the facilities, services and matters that will be funded with Community Benefits Charges and complies with the prescribed requirements; and

Whereas the City has consulted with the public and such persons and public bodies as the City considers appropriate; and

Whereas on December 10, 2024, Council for the City of Burlington approved Report F-05-24, dated December 2, 2024, in which certain recommendations were made relating to the Community Benefits Strategy and By-law.

The Council of the City enacts as follows:

1. INTERPRETATION

1.1 In this By-law, the following items shall have the corresponding meanings:

“Act” means the *Planning Act, R.S.O. 1990, CHAPTER P.13*;

“Affordable Residential Unit” means a Dwelling Unit that meets the criteria set out in subsection 4.1 (2) or 4.1(3) of the *Development Charges Act, 1997, c.27* as amended;



“Apartment” means a dwelling unit in an apartment building;

"Apartment Building" means a residential building or the residential portion of a mixed-use building consisting of more than 3 dwelling units, which dwelling units have a common entrance to grade, but does not include a triplex, duplex, or townhouse. Notwithstanding the forgoing an Apartment Building includes a Stacked Townhouse;

“Attainable Residential Unit” means a Dwelling Unit that meets the criteria set out in subsection 4.1(4) of the *Development Charges Act, 1997, c.27* as amended;

“Bedroom” means a habitable room of at least seven (7) square metres, including a den, loft, study, or other similar area, but does not include a kitchen, bathroom, living room, family room, or dining room;

“Building” means any structure or building as defined in the *Ontario Building Code* (O Reg 332/12 under the *Building Code Act*, but does not include a vehicle;

“Building Code Act” means the *Building Code Act, 1992, SO 1992, c 23* as amended;

“Capital Costs” means growth-related costs incurred or proposed to be incurred by the City or a Local Board thereof directly or by others on behalf of, and as authorized by, the City or Local Board,

- (a) to acquire land or an interest in land, including a leasehold interest,
- (b) to improve land,
- (c) to acquire, lease, construct or improve buildings and structures,
- (d) to acquire, construct or improve facilities including,
 - (i) furniture and equipment, and
 - (ii) rolling stock;
- (e) to undertake studies in connection with any of the matters referred to in clauses (a) to (d) above, including the Community Benefits Charge strategy study,

required for the provision of Services designated in this By-law within or outside the City, including interest on borrowing for those expenditures under clauses (a) to (e) above;



“City” means The City of Burlington or the geographic area of the municipality, as the context requires;

“Community Benefits Charge” means a charge imposed pursuant to this By-law;

“Council” means the Council of the City of Burlington;

“Development” means the construction, erection, or placing of one or more Buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof or any development requiring any of the actions described in subsection 2.4(a), and includes Redevelopment;

“Dwelling Unit” means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons;

“Grade” means the average level of proposed or finished ground adjoining a building at all exterior walls;

“Land” (or “Lot”) means, for the purposes of this By-law, the lesser of the area defined as:

- (a) The whole of a parcel of property associated with the Development or Redevelopment and any abutting properties in which a person holds the fee or equity of redemption in, power or right to grant, assign or exercise a power of appointment in respect of, or;
- (b) The whole of a lot or a block on a registered plan of subdivision or a unit within a vacant land condominium that is associated with the Development or Redevelopment;

But not including any hazard lands, natural heritage features, or ecological buffers identified in the City’s Official Plan, an approved Secondary Plan, or through an environmental impact study accepted by the City.

“Owner” means the owner of Land or a person who has made application for an approval for the Development of land for which a Community Benefits Charge may be imposed;



“Prescribed” means prescribed in the regulations made under the Act;

“Redevelopment” means the construction, erection or placing of one or more Buildings on Land where all or part of a Building on such Land has previously been demolished, or changing the use of a Building from a Non-Residential Use to a Residential Use, or changing a Building from one form of Residential Use to another form of Residential Use and including any development or redevelopment requiring any of the actions described in subsection 2.4(a);

“Residential Unit” means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons;

“Residential Use” means lands, buildings or structures used, or designed or intended for use as a home or residence of one or more individuals, and shall include, but is not limited to, a single detached dwelling, a semi detached dwelling, a townhouse, a plex, a stacked townhouse, an apartment building, a mobile home, a retirement residence and a residential dwelling unit accessory to a non-residential use;

“Service” means a service designated in subsection 1.3, and “Services” shall have a corresponding meaning;

“Stacked Townhouse” means a building containing two or more dwelling units, each dwelling separates horizontally and/or vertically from another dwelling unit by a common wall;

“Storey” means the portion of a building, excluding roof top enclosure space used for no other purpose than roof top access, and/or elevators and other building service equipment, that is:

- (a) that is situated between the top of any floor and the top of the floor next above it,
or
- (b) that is situated between the top of the floor and the ceiling above the floor, if there is no floor above it.

“Valuation date” means, with respect to land that is the subject of development or redevelopment,



- (a) the day before the day the building permit is issued in respect of the development or redevelopment, or
- (b) if more than one building permit is required for the development or redevelopment, the day before the day the first permit is issued.

“Zoning By-Law” means any by-laws enacted by the City under section 34 of the *Planning Act*.

- 1.2 The reference to any applicable statute, regulation, by-law, or to the Official Plan in this Community Benefits Charge By-law shall be deemed to refer to the statute, regulation, by-law, and/or Official Plan as they may be amended from time to time and shall be applied as they read on the date on which Community Benefits Charges are due to the City.

Designation of Services

- 1.3 A Community Benefits Charge may be imposed in respect of the following:
- (a) Land for park or other public recreational purposes in excess of lands dedicated or cash-in-lieu payments made under section 42 or subsection 51.1 of the *Planning Act*.
 - (b) Services not provided under subsection 2(4) of the *Development Charges Act*.
 - (c) As per the November 4, 2024, Community Benefits Charges Strategy, the City intends to recover Capital Costs relating to the following services through this by-law:
 - (i) Parkland.

2. PAYMENT OF COMMUNITY BENEFITS

- 2.1 Community Benefits Charge shall be payable by the Owner of Land proposed for Development in the amounts set out in this By-law where:
- (a) the Land proposed for Development is located in the area described in subsection 3.2; and



- (b) the proposed Development requires any of the approvals set out in subsection 2.4(a).

Area to Which By-law Applies

- 2.2 Subject to subsection 2.3, this By-law applies to all lands in the City.
- 2.3 This By-law shall not apply to lands that are owned by and used for the purposes of:
- (a) The City or a Local Board thereof;
 - (b) a Board of Education;
 - (c) The Region of Halton, or a Local Board thereof.

Approval for Development

2.4

- (a) A Community Benefits Charge shall be imposed only with respect to Development that requires one or more of the following approvals:
- (i) the passing of a Zoning By-Law or of an amendment to a Zoning By-Law under section 34 of the *Planning Act*;
 - (ii) the approval of a minor variance under section 45 of the *Planning Act*;
 - (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
 - (iv) the approval of a plan of subdivision under section 51 of the *Planning Act*;
 - (v) a consent under section 53 of the *Planning Act*;
 - (vi) the approval of a description under section 9 of the *Condominium Act*, 1998, SO 1998, c 19, as amended, or any successor thereof; or
 - (vii) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.



(b) Despite subsection 2.4(a) above, a Community Benefits Charge shall not be imposed with respect to:

- (i) Development of a proposed building or structure with fewer than five storeys at or above ground;
- (ii) Development of a proposed building or structure with fewer than 10 residential units;
- (iii) Redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
- (iv) Redevelopment that proposes to add fewer than 10 residential units to an existing building or structure; or
- (v) such types of Development or Redevelopment as are prescribed.

(c) For the purposes of this section, the first Storey at or above ground is the Storey that has its floor closest to Grade and its ceiling more than 1.8m above Grade.

Exemptions

2.5 Notwithstanding the provisions of this By-law, Community Benefits Charges shall not be imposed with respect to:

- (a) Development or Redevelopment of a building or structure intended for use as a long-term care home within the meaning of subsection 2(1) of the *Long-Term Care Homes Act, 2007*
- (b) Development or Redevelopment of a building or structure intended for use as a retirement home within the meaning of subsection 2(1) of the *Retirement Homes Act, 2010*;
- (c) Development or Redevelopment of a building or structure intended for use by any of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario;



- (ii) a college or university federated or affiliated with a university described in subparagraph (i);
 - (iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*.
- (d) Development or Redevelopment of a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion.;
- (e) Development or Redevelopment of a building or structure intended for use as a hospice to provide end-of-life care;
- (f) Development or Redevelopment of a building or structure intended for use as residential premises by any of the following entities:
- (i) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary object is to provide housing;
 - (ii) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing;
 - (iii) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.

Amount of Charge

- 2.6 The amount of a Community Benefits Charge payable in any particular case shall be determined as follows:
- (a) Where there is Development or Redevelopment other than that described in subsection 2.4(b) and which requires one or more of the approvals set out in subsection 2.4(a), on land to which this By-law applies, the Community Benefits Charges payable pursuant to this By-law shall be four (4) percent of the value of the land being developed as of the Valuation date.
 - (b) Land referred to in subsections 2.6(a) and 2.6(c) means the entire Parcel or Parcels on which the Development or Redevelopment is occurring regardless of



whether the Development or Redevelopment is only on a part of the Parcel or Parcels or is a phase of a Development or Redevelopment.

- (c) If a Development or Redevelopment consists of two or more above grade Buildings that will not be constructed concurrently, will be subject to separate building permits and are anticipated to be completed at different times, each phase of the Development or Redevelopment is deemed to be a separate Development or Redevelopment for the purposes of this By-law. The Community Benefits Charges for the first of the above grade Buildings will be calculated in accordance with subsection 2.6(a). For each subsequent above grade Building the Community Benefits Charges payable shall be calculated as follows:

4% of the value of the land being developed as of the Valuation Date minus the Community Benefits Charges payable for the previous above grade Building(s).

If the difference in the aforesaid calculation is zero or a negative value no Community Benefits Charge is payable, and no credit or refund will be payable.

- (d) Notwithstanding subsections (a), (b), or (c), the amount of a Community Benefits Charge payable in any particular case shall not exceed an amount equal to the prescribed percentage of the value of the land, as of the Valuation date, multiplied by the ratio of "A" to "B" where, "A" is the floor area of any part of a building or structure, which part is proposed to be erected or located as part of the Development or Redevelopment, and "B" is the floor area of all buildings and structures that will be on the land after the Development or Redevelopment.

- (e) Development or redevelopment that includes affordable residential units, attainable residential units, or residential units described in subsection 4.3(2) of the *Development Charges Act*, the Community Benefits Charge applicable to such a development or redevelopment shall not exceed the amount determined under subsection 37(32) multiplied by the ratio of A to B where:

"A" is the gross floor area of all buildings that are part of the Development or Redevelopment minus the gross floor area of all affordable residential units, attainable residential units and residential units described in subsection 4.3 (2) of the *Development Charges Act*; and



“B” is the gross floor area of all buildings that are part of the Development or Redevelopment.”

In-Kind Contributions

- 2.7 The City may, at its discretion, allow an Owner of Land to provide to the City facilities, services or matters required because of Development or Redevelopment in the area to which the By-law applies in lieu, or partially in lieu of a Community Benefits Charge that would otherwise be payable.
- 2.8 For in-kind contributions pursuant to the preceding subsection to be considered, an application for consideration of in-kind contributions must be submitted to the City with supporting documentation as to the suggested value thereof no less than 180 days prior to the first building permit being granted for the proposed Development or Redevelopment.
- 2.9 In-kind contributions pursuant to subsection 2.7 shall only be accepted delete the word "as" as if the same are approved by resolution of Council. The determination of Council as to whether in-kind contributions shall be accepted in full or partial satisfaction of Community Benefits Charges shall be final and binding.
- 2.10 The value attributed to an in-kind contribution under subsection 2.7 shall be as determined by Council, based on one or more third-party valuations to the satisfaction of Council. Council's determination of the value to be attributed to any in-kind contribution shall be final and binding.

Time of Payment of Community Benefits Charges

Section 2.11 violates s.37.1(3) of the Planning Act and should be deleted in its entirety. There is no CBC payable where there exists a prior s.37 agreement.

- 2.11 Any developments that were subject to an agreement under the prior Section 37 of the *Planning Act* prior to this by-law coming into force and effect shall have the amount paid under the Section 37 agreement credited against the Community Benefit Charge payable:
- (a) The amount credited against the charge payable shall be the amount paid under the prior Section 37 agreement that relates to the proposed Development
- (b) In no case shall the credit be greater than the Community Benefits Charge otherwise payable.



Section 2.12 violates s.37.1(3) of the Planning Act and should be deleted in its entirety. There is no CBC payable where there exists a prior s.37 agreement.

Credits

2.12 Any developments that were subject to an agreement under the prior Section 37 of the *Planning Act* prior to this by-law coming into force and effect shall have the amount paid under the Section 37 agreement credited against the Community Benefit Charge payable:

- (a) The amount credited against the charge payable shall be the amount paid under the prior Section 37 agreement that relates to the proposed Development
- (b) In no case shall the credit be greater than the Community Benefits Charge otherwise payable.

Interest on Refunds

2.13 If it is determined that a refund is required, the City shall pay interest on a refund in accordance with subsections 37(28) and 37(29) of the Act at a rate not less than the prescribed minimum interest rate, from the day the amount was paid to the municipality to the day it is refunded.

3. SEVERABILITY

3.1 If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

4. DATE BY-LAW IN FORCE

4.1 This By-law shall come into effect at 12:01 A.M. on January 1, 2025.

5. REPEAL

5.1 By-law 66-2022 is hereby repealed upon the coming into force of this By-law.

Passed this 10th day of December 2024.

Mayor Marianne Meed Ward _____

City Clerk Kevin Arjoon _____

The Corporation of the City of Burlington

City of Burlington By-law 73-2024

A by-law to amend By-law 86-2007, as amended, being a by-law for the regulation of traffic.
File: 750-01

Whereas pursuant to subsection 27 (1) of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway;

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

1. Schedule 16 of By-law 86-2007, as amended, (Section 20 – Heavy Traffic Prohibited – Signs on Display) is amended by adding the following line items:

King Road	North Service Road	Northerly terminus	All Day
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2. That in all other aspects, By-law 86-2007, as amended, be and is hereby confirmed.
3. This By-law comes into force on the date of its passing.

Enacted and passed this 10th day of December, 2024.

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

The Corporation of the City of Burlington

City of Burlington By-law 74-2024

A by-law to adopt Official Plan Amendment No. 153 to modify the “Business Corridor”
designation at 5051 Harvester Road
File: 505-06/24 (PL-83-24)

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-83-24 at its meetings held on December 10, 2024.

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

1. That Amendment No.153 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 10th day of December, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

AMENDMENT NO. 153 TO THE OFFICIAL PLAN OF THE BURLINGTON PLANNING AREA

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 the recommendation in community planning department report PL-82-24 at its meeting held on December 3, 2024.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to amend the existing “Business Corridor” designation of 5051 Harvester Road to permit a 5-storey non-residential building on the subject lands with a Floor Area Ratio of 2.4:1.

2. SITE AND LOCATION

The subject lands are municipally known as 5051 Harvester Road and are located on the east side of Appleby Line. The lands are generally rectangular in shape, have a total net lot area of 1.29 ha (3.19 acres) and has 76.2 metres of frontage on Appleby Line.

3. BASIS FOR THE AMENDMENT

- a) The subject applications propose intensification that is consistent with the Provincial Policy Statement (PPS), 2024. The PPS promotes a range and mix of uses efficiently uses land, resources, infrastructure, and public service facilities and is supportive of public transit.
- b) Intensification of land within built-up, serviced areas of the City makes more efficient use of existing developed lands and meets the intent of the Region of Halton Official Plan.
- c) The proposed service commercial (self storage), office and related retail building consists of a height of 5 storeys, and a Floor Area Ratio of 2.4. The Business Corridor designation permits employment uses and ancillary service commercial uses with a maximum floor area ratio for office use of up to 0.5:1.
- d) The subject lands are within close proximity of commercial land uses, various community services and facilities, and is directly serviced by Burlington Transit

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change:

Schedule B indicates the lands to be maintained within the designation of Business Corridor with site specific provisions.

Text Change:

The text of the Official Plan of the City of Burlington, as amended, is hereby amended as follows:

By adding the following site-specific policy q) at the end of Part III, Land Use Policies – Urban Planning Area, Section 3.4 Business Corridor designation, Subsection 3.4.3 Site Specific Policies as follows:

5051 Harvester Road	q) Notwithstanding the policies of Part III, Subsection 3.4.2(b) and (e) of this plan on the lands identified as 5051 Harvester Road and designated “Business Corridor”, the following policies <i>shall</i> apply: The maximum floor <i>area ratio shall</i> be 2.5:1; i) <i>Service Commercial</i> uses are permitted as a standalone use; ii) There is no limit on the percentage of total floor area of anyone building used for ancillary uses, including restaurant uses.
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2. INTERPRETATION

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

The Corporation of the City of Burlington

City of Burlington By-law 75-2024

A by-law to adopt Official Plan Amendment No. 154 to modify the "Mixed Use General" designation at 141, 147 and 153 Plains Road West
File: 505-05/24 (PL-90-24)

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-90-24 at its meetings held on December 10, 2024.

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

1. That Amendment No.154 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 10th day of December, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

OFFICIAL PLAN AMENDMENT
AMENDMENT NO. 154 TO THE OFFICIAL PLAN
OF THE BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part B of this text, constitute Amendment No.154 to the Official Plan of the Burlington Planning Area, as amended.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to add a site-specific policy to the lands at 141, 147 and 153 Plains Road West to “Mixed Use Corridor – General” to permit a 12-storey mixed use building on the subject lands with a Floor Area Ratio of 5:1.

2. SITE AND LOCATION

The subject lands are municipally known as 141, 147 and 153 Plains Road West and are located on the north side of Plains Road West. The lands are rectangular in shape, have a total net lot area of 0.24 ha and a frontage of 57 m.

3. BASIS FOR THE AMENDMENT

- a) The subject application proposes intensification that is consistent with the Provincial Policy Statement (PPS), 2024. The PPS promotes a range and mix of uses and housing that efficiently uses land, resources, infrastructure, and public service facilities and is supportive of public transit.
- b) Intensification of land within built-up, serviced areas of the City makes more efficient use of existing developed lands and provides employment opportunities which meets the intent of the Region of Halton Official Plan.
- c) The proposed development supports the City's objective to broaden the range of housing forms and supply to meet City needs in a manner that is compatible with surrounding properties and uses.
- d) The proposed development is located on lands with adequate infrastructure and in close proximity to transit routes, commercial uses and community amenities so satisfies Official Plan policies to provide housing opportunities in locations that can reduce travel times and decrease dependence on the car.

- e) The applicant submitted technical studies that provide adequate and appropriate information to support the development.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Text Change:

The text of the 1997 Official Plan for the Burlington Urban Planning Area, as amended, is hereby amended as follows:

By adding the following site-specific policy ai) at the end of Part III, Land Use Policies – Urban Planning Area, Section 5.3 Mixed Use Corridors (General, Employment and Commercial Corridor), Subsection 5.3.2 General Policies:

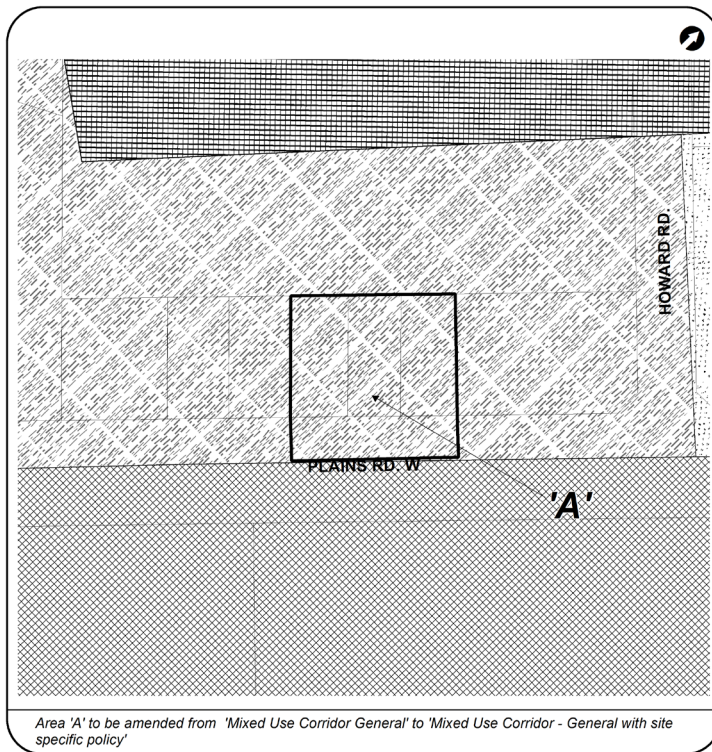
141, 147 and 153 Plains Road West	ai) Notwithstanding the policies of Part III, Section 5.3, Subsections 5.3.2 d) i) and d) ii) of this Plan, a <i>Floor Area Ratio</i> of 5:1, and a maximum building height of 12 storeys <i>shall</i> be permitted.
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2. INTERPRETATION

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



AMENDMENT No. 154 TO THE OFFICIAL PLAN
OF THE BURLINGTON PLANNING AREA

Schedule 'B'

File No. 505-05/24

Legend

- MUC - General
- MUC - Commercial
- Community Commercial
- General Employment

Date: November 11, 2024
Community Planning Department



The Corporation of the City of Burlington

City of Burlington By-law 76-2024

A by-law to adopt Official Plan Amendment No. 155 to add a site specific policy to the
lands located at 291 North Service Road
File: 505-04/24 (PL-89-24)

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-89-24 at its meetings held on December 10, 2024.

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

1. That Amendment No.155 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 10th day of December, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

AMENDMENT NO. 155 TO THE OFFICIAL PLAN OF THE CITY OF BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part “B” of this text, constitute Amendment No. 155 to the Official Plan of the City of Burlington Planning Area, as amended.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to add a site-specific policy to the lands at 291 North Service Road designated as to “Business Corridor” to permit asphalt manufacturing and outdoor open storage of aggregates.

2. SITE AND LOCATION

The subject lands are located on the north side of North Service Road. The subject lands are approximately 1.4 hectares in size and have a frontage of approximately 70 metres along North Service Road.

3. BASIS FOR THE AMENDMENT

- a) The application proposes land use that is consistent with the Provincial Policy Statement (PPS, 2020). The PPS promotes economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.
- b) The proposed development is located on lands with adequate infrastructure and provides employment opportunities on underutilized lands.
- c) The proposed development supports the City’s Official Plan objective to permit a wide range of *employment uses including office, industrial and related uses*.
- d) The applicant submitted technical studies with the application that provide adequate and appropriate information to support the development.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change: None proposed.

Text Change:

The text of the Official Plan of the City of Burlington, as amended, is hereby amended as follows:

By adding the following site-specific policy to Part III, Land Use Policies – Urban Planning Area, Section 3.4 Business Corridor, Subsection 3.4.3 Site Specific Policies, at the end of site specific-policy b):

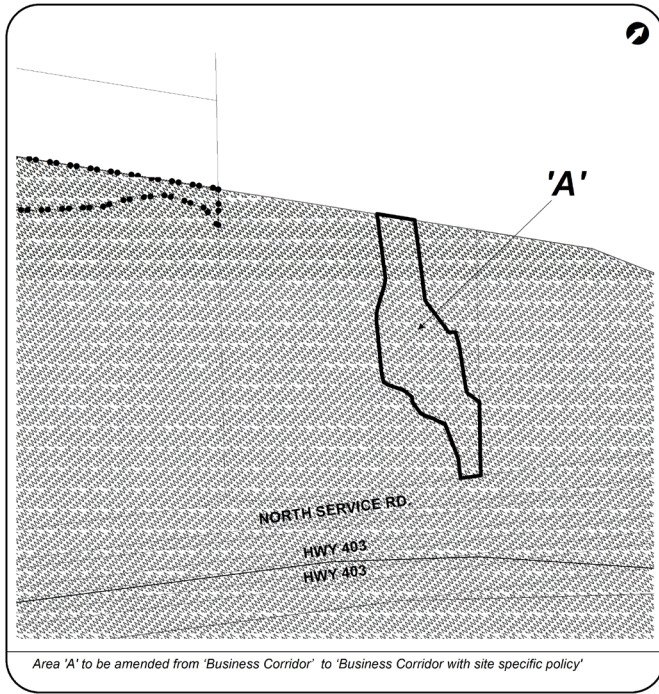
291 North Service Road	(iv) Notwithstanding 3.4.2 a) and d) asphalt manufacturing with unenclosed equipment <i>shall</i> be permitted and a maximum building height of 20 metres for manufacturing equipment and 25 metres for silos <i>shall</i> be permitted.
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2. INTERPRETATION

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

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 City of Burlington.



AMENDMENT No. 155 TO THE OFFICIAL PLAN
OF THE BURLINGTON PLANNING AREA

Schedule 'B'

File No. 505-04/24

Legend

-  Business Corridor
-  Environmentally Sensitive Area

Date: November 20, 2024
Community Planning Department



The Corporation of the City of Burlington By-law
City of Burlington By-law 77-2024

A by-law to adopt Official Plan Amendment No. 5 to the
Burlington Official Plan 2020 to amend the site specific policy on the lands at
291 North Service Road within the City of Burlington
File: 505-04/24 (PL-89-24)

Whereas the Council of the Corporation of the City of Burlington in accordance
with the provisions of Section 16 and 17 of the Planning Act, 1990, as amended,
approved the recommendation in community planning department report PL-89-
24 at its meeting held on December 10, 2024.

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

1. That Amendment No. 5 to the Burlington Official Plan (2020) consisting of
the attached amendment and supporting documentation is hereby
adopted.
2. That this by-law shall come into full force and take effect of the final day of
passing thereof.

Enacted and passed this 10th day of December, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

OFFICIAL PLAN AMENDMENT

PROPOSED AMENDMENT NO. 5 TO THE OFFICIAL PLAN OF THE CITY OF BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The Amendment contained in Part “B” of this document, constitutes Amendment No. 5 to the Official Plan of the City of Burlington, 2020.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to further amend the site-specific policy on the lands at 291 North Service Road designated as to “Business Corridor” to permit asphalt manufacturing and outdoor open storage of aggregates with a maximum height of 20 metres for manufacturing equipment and 25 metres for unenclosed silos.

2. SITE AND LOCATION

The subject lands are located on the north side of North Service Road. The subject lands are approximately 1.4 hectares in size and have a frontage of approximately 70 metres along North Service Road.

3. BASIS FOR THE AMENDMENT

- a) The application proposes land use that is consistent with the Provincial Policy Statement (PPS, 2020). The PPS promotes economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.
- b) The proposed development is located on lands with adequate infrastructure and provides employment opportunities on underutilized lands.
- c) The proposed development supports the City’s Official Plan objective to permit a wide range of *employment uses including office, industrial and related uses*.
- d) The applicant submitted technical studies with the application that provide adequate and appropriate information to support the development.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change: None proposed.

Text Change:

The text of the Official Plan of the City of Burlington, as amended, is hereby amended as follows:

By adding the following policies at the end of Chapter 8, Land Use Policies – Urban Planning Area, Section 8.2.4 Business Corridor, Subsection 8.2.4 (3)
b) Site Specific Policies:

(v) For the lands located at 291 North Service Road asphalt manufacturing with unenclosed equipment and a maximum building height of 20 metres for manufacturing equipment and 25 metres for silos <i>shall</i> be permitted.

The Corporation of the City of Burlington By-law

City of Burlington By-law 78-2024

A by-law to authorize the temporary borrowings of monies from the Royal Bank of Canada and Scotiabank
File: 110-04 (F-31-24)

Whereas pursuant to Section 407(1) of the *Municipal Act*, 2001 S.O. 2001, c.25, as amended, a municipality may authorize temporary borrowing; and

Whereas the Council of the Corporation of the City of Burlington (the "Corporation") deems it necessary to borrow the sum of Five Million dollars (\$5,000,000) from the Royal Bank of Canada to meet current expenditures of the Corporation for the year, until taxes are collected, and other revenues are received;

Whereas the Council of the Corporation of the City of Burlington (the "Corporation") deems it necessary to approve a credit facility in the sum of Five Million dollars (\$5,000,000) from Scotiabank to administer the City's purchase card program;

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

1. Any two of the following:
Executive Director & Chief Financial Officer or delegate; Mayor; Chief Administrative Officer; City Clerk; are hereby authorized to borrow on behalf of the Corporation from THE ROYAL BANK OF CANADA and SCOTIA BANK (the "Bank") from time to time by way of promissory note or bankers' acceptance a sum or sums not exceeding at any one time from each financial institution, Five Million dollars (\$5,000,000) to meet current expenditures of the Corporation for the year 2024, until taxes are collected and other revenues received.
2. Any two of the officers listed in paragraph 1 above are hereby authorized to sign, make or draw on behalf of the Corporation and to furnish to the Bank from time-to-time promissory notes or bankers' acceptances for the sum or sums so borrowed with interest or any other charges at a rate not exceeding the Prime Commercial Lending Rate, which the Bank may determine from time to time, minus $\frac{3}{4}\%$.
3. The Executive Director & Chief Financial Officer or delegate is hereby authorized and directed to furnish to the Bank at the time of each borrowing and at such other times as the Bank may from time to time request, a statement showing the

nature and amount of the estimated revenues of the Corporation as set forth in the estimates adopted for the preceding year and also showing the total of any amount borrowed in the current year and in any preceding year that have not been repaid.

4. All sums borrowed from the Bank and any interest thereon and any other charges in connection therewith shall be a charge upon the whole of revenues of the Corporation for the current year and for any preceding years as and when such revenues are received and that the Executive Director & Chief Financial Officer or delegate is hereby authorized to sign on behalf of the Corporation and to furnish to the Bank an Agreement or Agreements of the Corporation charging the said revenues of the Corporation with payment of all sums borrowed from the Bank and any interest thereon and any charges in connection therewith.
5. The Executive Director & Chief Financial Officer or delegate is hereby authorized and directed to apply in payment of all sums borrowed from the bank, and any interest thereon and any charges in connection therewith, all of the moneys hereafter collected or received on account or realized in respect of the taxes levied for the current year and for any preceding years and all of the moneys collected or received from any other source.

Enacted and passed this 10th day of December 2024

Mayor Marianne Meed Ward _____

Clerk Samantha Yew _____

The Corporation of the City of Burlington

By-Law Number 79-2024

A by-law to levy 2025 interim taxes and establish penalty and interest rates

Whereas sections 317 and 345 of the Municipal Act, 2001, as amended, provides the authority for the Council of The Corporation of the City of Burlington to levy interim taxes and to charge penalty and interest rates for the default of payment; and

Whereas it is desirable before the adoption of the estimates for 2025, to levy on the whole of the assessment according to the last returned assessment roll.

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

- 1) There shall be an interim levy on property within the City of Burlington which shall be calculated by applying the rates set out on Schedule "A" of this By-law multiplied by the assessment as delivered for 2025 taxation.
- 2) The authority to adjust the interim levy of any property at the request of the property owner is delegated to the Treasurer. The Treasurer may adjust the interim levy of the property if the taxes imposed by this By-law are in excess of 50% of the taxes levied on the property in 2024, adjusted to annualize any assessment changes incurred during 2024. No adjustment made by the Treasurer shall reduce the 2025 interim levy below 50% of the 2024 adjusted tax amount. No adjustment shall be made by the Treasurer after the Final 2025 taxes for the property have been calculated.
- 3) The rates provided for in section 1 of this By-law shall be paid on the following dates:
 - a) One half of the amount hereby levied shall become due and payable on February 21, 2025; and,
 - b) The balance shall become due and payable on April 21, 2025.
- 4) Any payment required to be made to The Corporation of the City of Burlington in accordance with the dates set out in section 3 which are not paid by those dates shall become due and payable and considered to be in default for the purposes of this By-law.
- 5) Upon default of the payment of the interim levy, or part thereof, late payment charges will be imposed as follows:

- a) Penalty of one and one quarter percent of the amount in default shall be added on the first day of default; and,
 - b) Interest charges shall be applied at the rate of one and one quarter percent on the last day of each month on the outstanding tax balance. When a penalty has been applied in a given month, interest of one and one quarter percent will be prorated from the date of default.
 - c) Despite (a) and (b), the Treasurer, in consultation with the City Manager, may waive, entirely or in part, future or past penalty and/or interest charges for such periods of time and for such property classes as the Treasurer deems appropriate.
- 6) Taxes may be levied in accordance with the provisions of this By-law on the assessment of property that is added to the Assessment Roll after this By-law is passed.
- 7) The Treasurer is authorized and directed to serve either personally or by mail notices of the taxes levied under the By-law to the person or persons taxed at the person's residence or place of business or upon the premises in respect of which the taxes are payable by such person, or to the taxpayer's mortgage company or third party designated by the property owner.
- 8) This by-law shall come into force on January 1, 2025.

Enacted and passed this 10th day of December, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

**BY-LAW NUMBER 79-2024
SCHEDULE A
2025 INTERIM TAX RATES**

	Tax Class	CITY		REGION		POLICE	EDUCATION	TOTAL	TOTAL	TOTAL
		Urban Area	Rural Area	Urban Area	Rural Area	Whole City	Whole City	Urban	Rural	Rural with Urban Waste
Residential	R-T	0.00232136	0.00202335	0.00092227	0.00090934	0.00058214	0.00076500	0.00459077	0.00427983	0.00429276
- Farmlands I	R-1	0.00174102	0.00151751	0.00069171	0.00068201	0.00043661	0.00057375	0.00344309	0.00320988	0.00321958
- Education Only	R-D	0.00000000	0.00000000	0.00000000	0.00000000	0.00000000	0.00076500	0.00076500	0.00076500	0.00076500
Multi-Residential	M-T	0.00464271	0.00404669	0.00184454	0.00181868	0.00116428	0.00076500	0.00841653	0.00779465	0.00782051
New Multi-Residential	N-T	0.00232136	0.00202335	0.00092227	0.00090934	0.00058214	0.00076500	0.00459077	0.00427983	0.00429276
Commercial	C-T	0.00338105	0.00294700	0.00134329	0.00132446	0.00084789	0.00385277	0.00942500	0.00897212	0.00899095
- full shared payment in lieu	C-H	0.00338105	0.00294700	0.00134329	0.00132446	0.00084789	0.00385277	0.00942500	0.00897212	0.00899095
- excess land	C-U	0.00338105	0.00294700	0.00134329	0.00132446	0.00084789	0.00385277	0.00942500	0.00897212	0.00899095
- vacant land	C-X	0.00338105	0.00294700	0.00134329	0.00132446	0.00084789	0.00385277	0.00942500	0.00897212	0.00899095
- Farmlands I	C-1	0.00174102	0.00151751	0.00069171	0.00068201	0.00043661	0.00057375	0.00344309	0.00320988	0.00321958
- Small scale on-farm business	C-7	0.00084527	0.00073675	0.00033583	0.00033112	0.00021197	0.00110000	0.00249307	0.00237984	0.00238455
Office Building	D-T	0.00338105	0.00294700	0.00134329	0.00132446	0.00084789	0.00385277	0.00942500	0.00897212	0.00899095
- full shared payment in lieu	D-H	0.00338105	0.00294700	0.00134329	0.00132446	0.00084789	0.00385277	0.00942500	0.00897212	0.00899095
- excess land	D-U	0.00338105	0.00294700	0.00134329	0.00132446	0.00084789	0.00385277	0.00942500	0.00897212	0.00899095
Shopping Centre	S-T	0.00338105	0.00294700	0.00134329	0.00132446	0.00084789	0.00385277	0.00942500	0.00897212	0.00899095
- excess land	S-U	0.00338105	0.00294700	0.00134329	0.00132446	0.00084789	0.00385277	0.00942500	0.00897212	0.00899095
Parking Lot	G-T	0.00338105	0.00294700	0.00134329	0.00132446	0.00084789	0.00385277	0.00942500	0.00897212	0.00899095
Industrial	I-T	0.00485326	0.00423021	0.00192819	0.00190116	0.00121708	0.00440000	0.01239853	0.01174845	0.01177548
- full shared payment in lieu	I-H	0.00485326	0.00423021	0.00192819	0.00190116	0.00121708	0.00549092	0.01348945	0.01283937	0.01286640
- excess land	I-U	0.00485326	0.00423021	0.00192819	0.00190116	0.00121708	0.00440000	0.01239853	0.01174845	0.01177548
- vacant land	I-X	0.00485326	0.00423021	0.00192819	0.00190116	0.00121708	0.00440000	0.01239853	0.01174845	0.01177548
- excess land shared payment in lieu	I-K	0.00485326	0.00423021	0.00192819	0.00190116	0.00121708	0.00549092	0.01348945	0.01283937	0.01286640
- vacant land shared payment in lieu	I-J	0.00485326	0.00423021	0.00192819	0.00190116	0.00121708	0.00549092	0.01348945	0.01283937	0.01286640
Large Industrial	L-T	0.00485326	0.00423021	0.00192819	0.00190116	0.00121708	0.00440000	0.01239853	0.01174845	0.01177548
- excess land	L-U	0.00485326	0.00423021	0.00192819	0.00190116	0.00121708	0.00440000	0.01239853	0.01174845	0.01177548
- aggregate extraction	V-T	0.00485326	0.00423021	0.00192819	0.00190116	0.00121708	0.00022000	0.00821853	0.00756845	0.00759548
Industrial-Farmlands I	I-1	0.00174102	0.00151751	0.00069171	0.00068201	0.00043661	0.00057375	0.00344309	0.00320988	0.00321958
Industrial-Farmlands I	I-7	0.00121331	0.00105755	0.00048205	0.00047529	0.00030427	0.00110000	0.00309963	0.00293711	0.00294387
Pipelines	P-T	0.00246458	0.00214819	0.00097918	0.00096545	0.00061806	0.00440000	0.00846182	0.00813170	0.00814543
Farm	F-T	0.00046427	0.00040467	0.00018446	0.00018187	0.00011643	0.00019125	0.00095641	0.00089422	0.00089681
Managed Forests	T-T	0.00058034	0.00050584	0.00023057	0.00022734	0.00014554	0.00019125	0.00114770	0.00106997	0.00107320

The Corporation of the City of Burlington

City of Burlington By-law 80-2024

A by-law to amend By-law 59-2024 as amended to provide for the changes
to the Delegation Section.
(CL-26-24)

Whereas section 238(2), of the *Municipal Act, S.O. 2001, c.25* requires that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceeding of meetings; and

Whereas The Corporation of the City of Burlington (the “City of Burlington”) has enacted Procedure By-law No. 59-2024; and

Whereas clarity is required for delegation deadlines to ensure that they are submitted in a timely fashion in advance of the meeting.

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

1. Section 46.1 of By-law No. 59-2024 is deleted in its entirety and replaced with the following new section 46.1:

46.1 Requests to delegate at a committee meeting and Council must be submitted to the Clerks department prior to 12 p.m. one business day before a meeting to which the delegation relates.
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 59-2024, is hereby confirmed unchanged.
3. This By-law comes into force on the date of its passing.

Passed this 10th day of December, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

The Corporation of the City of Burlington

City of Burlington By-law 81-2024

A By-law to establish Community Benefits Charges for the City of
Burlington, and to repeal By-law 66-2022, Community Benefits
Charges By-law for the City of Burlington.
(F-05-24)

Whereas the City of Burlington (the “City”) will experience growth through development and re-development; and

Whereas Council desires to impose Community Benefits Charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies; and

Whereas the *Planning Act, 1990* (the “Act”) provides that the council of a municipality may by by-law impose Community Benefits Charges against higher density residential development or redevelopment; and

Whereas a Community Benefits Charge strategy report, dated November 4, 2024, has been completed which identifies the facilities, services and matters that will be funded with Community Benefits Charges and complies with the prescribed requirements; and

Whereas the City has consulted with the public and such persons and public bodies as the City considers appropriate; and

Whereas on December 10, 2024, Council for the City of Burlington approved Report F-05-24, dated December 2, 2024, in which certain recommendations were made relating to the Community Benefits Strategy and By-law.

The Council of the City enacts as follows:

1. INTERPRETATION

1.1 In this By-law, the following items shall have the corresponding meanings:

“Act” means the *Planning Act*, R.S.O. 1990, CHAPTER P.13;

“Affordable Residential Unit” means a Dwelling Unit that meets the criteria set out in subsection 4.1 (2) or 4.1(3) of the *Development Charges Act, 1997*, c.27 as amended;

“Apartment” means a dwelling unit in an apartment building;

"Apartment Building" means a residential building or the residential portion of a mixed-use building consisting of more than 3 dwelling units, which dwelling units have a common entrance to grade, but does not include a triplex, duplex, or townhouse. Notwithstanding the foregoing an Apartment Building includes a Stacked Townhouse;

“Attainable Residential Unit” means a Dwelling Unit that meets the criteria set out in subsection 4.1(4) of the *Development Charges Act, 1997, c.27* as amended;

“Bedroom” means a habitable room of at least seven (7) square metres, including a den, loft, study, or other similar area, but does not include a kitchen, bathroom, living room, family room, or dining room;

“Building” means any structure or building as defined in the *Ontario Building Code* (O Reg 332/12 under the *Building Code Act*, but does not include a vehicle;

“Building Code Act” means the *Building Code Act, 1992*, SO 1992, c 23 as amended;

“Capital Costs” means growth-related costs incurred or proposed to be incurred by the City or a Local Board thereof directly or by others on behalf of, and as authorized by, the City or Local Board,

- (a) to acquire land or an interest in land, including a leasehold interest,

- (b) to improve land,

- (c) to acquire, lease, construct or improve buildings and structures,

- (d) to acquire, construct or improve facilities including,

- (i) furniture and equipment, and

- (ii) rolling stock;

- (e) to undertake studies in connection with any of the matters referred to in clauses

- (a) to (d) above, including the Community Benefits Charge strategy study,

required for the provision of Services designated in this By-law within or outside the City, including interest on borrowing for those expenditures under clauses (a) to (e) above;

“City” means The City of Burlington or the geographic area of the municipality, as the context requires;

“Community Benefits Charge” means a charge imposed pursuant to this By-law;

“Council” means the Council of the City of Burlington;

“Development” means the construction, erection, or placing of one or more Buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof or any development requiring any of the actions described in subsection 2.4(a), and includes Redevelopment;

“Dwelling Unit” means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons;

“Grade” means the average level of proposed or finished ground adjoining a building at all exterior walls;

“Land” (or “Lot”) means, for the purposes of this By-law, the lesser of the area defined as:

- (a) The whole of a parcel of property associated with the Development or Redevelopment and any abutting properties in which a person holds the fee or equity of redemption in, power or right to grant, assign or exercise a power of appointment in respect of, or;
- (b) The whole of a lot or a block on a registered plan of subdivision or a unit within a vacant land condominium that is associated with the Development or Redevelopment;

But not including any hazard lands, natural heritage features, or ecological buffers identified in the City’s Official Plan, an approved Secondary Plan, or through an environmental impact study accepted by the City.

“Owner” means the owner of Land or a person who has made application for an approval for the Development of land for which a Community Benefits Charge may be imposed;

“Prescribed” means prescribed in the regulations made under the Act;

“Redevelopment” means the construction, erection or placing of one or more Buildings on Land where all or part of a Building on such Land has previously been demolished, or changing the use of a Building from a Non-Residential Use to a Residential Use, or changing a Building from one form of Residential Use to another form of Residential Use and including any development or redevelopment requiring any of the actions described in subsection 2.4(a);

“Residential Unit” means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons;

“Residential Use” means lands, buildings or structures used, or designed or intended for use as a home or residence of one or more individuals, and shall include, but is not limited to, a single detached dwelling, a semi detached dwelling, a townhouse, a plex, a stacked townhouse, an apartment building, a mobile home, a retirement residence and a residential dwelling unit accessory to a non-residential use;

“Service” means a service designated in subsection 1.3, and “Services” shall have a corresponding meaning;

“Stacked Townhouse” means a building containing two or more dwelling units, each dwelling separates horizontally and/or vertically from another dwelling unit by a common wall;

“Storey” means the portion of a building, excluding roof top enclosure space used for no other purpose than roof top access, and/or elevators and other building service equipment, that is:

- (a) that is situated between the top of any floor and the top of the floor next above it,
or
- (b) that is situated between the top of the floor and the ceiling above the floor, if there is no floor above it.

“Valuation date” means, with respect to land that is the subject of development or redevelopment,

- (a) the day before the day the building permit is issued in respect of the development or redevelopment, or

- (b) if more than one building permit is required for the development or redevelopment, the day before the day the first permit is issued.

“Zoning By-Law” means any by-laws enacted by the City under section 34 of the *Planning Act*.

- 1.2 The reference to any applicable statute, regulation, by-law, or to the Official Plan in this Community Benefits Charge By-law shall be deemed to refer to the statute, regulation, by-law, and/or Official Plan as they may be amended from time to time and shall be applied as they read on the date on which Community Benefits Charges are due to the City.

Designation of Services

- 1.3 A Community Benefits Charge may be imposed in respect of the following:
 - (a) Land for park or other public recreational purposes in excess of lands dedicated or cash-in-lieu payments made under section 42 or subsection 51.1 of the *Planning Act*.
 - (b) Services not provided under subsection 2(4) of the *Development Charges Act*.
 - (c) As per the November 4, 2024, Community Benefits Charges Strategy, the City intends to recover Capital Costs relating to the following services through this by-law:
 - (i) Parkland.

2. PAYMENT OF COMMUNITY BENEFITS

- 2.1 Community Benefits Charge shall be payable by the Owner of Land proposed for Development in the amounts set out in this By-law where:
 - (a) the Land proposed for Development is located in the area described in subsection 3.2; and
 - (b) the proposed Development requires any of the approvals set out in subsection 2.4(a).

Area to Which By-law Applies

- 2.2 Subject to subsection 2.3, this By-law applies to all lands in the City.

2.3 This By-law shall not apply to lands that are owned by and used for the purposes of:

- (a) The City or a Local Board thereof;
- (b) a Board of Education;
- (c) The Region of Halton, or a Local Board thereof.

Approval for Development

2.4

(a) A Community Benefits Charge shall be imposed only with respect to Development that requires one or more of the following approvals:

- (i) the passing of a Zoning By-Law or of an amendment to a Zoning By-Law under section 34 of the *Planning Act*;
- (ii) the approval of a minor variance under section 45 of the *Planning Act*;
- (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
- (iv) the approval of a plan of subdivision under section 51 of the *Planning Act*;
- (v) a consent under section 53 of the *Planning Act*;
- (vi) the approval of a description under section 9 of the *Condominium Act*, 1998, SO 1998, c 19, as amended, or any successor thereof; or
- (vii) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.

(b) Despite subsection 2.4(a) above, a Community Benefits Charge shall not be imposed with respect to:

- (i) Development of a proposed building or structure with fewer than five storeys at or above ground;
- (ii) Development of a proposed building or structure with fewer than 10 residential units;

- (iii) Redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
 - (iv) Redevelopment that proposes to add fewer than 10 residential units to an existing building or structure; or
 - (v) such types of Development or Redevelopment as are prescribed.
- (c) For the purposes of this section, the first Storey at or above ground is the Storey that has its floor closest to Grade and its ceiling more than 1.8m above Grade.

Exemptions

2.5 Notwithstanding the provisions of this By-law, Community Benefits Charges shall not be imposed with respect to:

- (a) Development or Redevelopment of a building or structure intended for use as a long-term care home within the meaning of subsection 2(1) of the *Long-Term Care Homes Act, 2007*
- (b) Development or Redevelopment of a building or structure intended for use as a retirement home within the meaning of subsection 2(1) of the *Retirement Homes Act, 2010*;
- (c) Development or Redevelopment of a building or structure intended for use by any of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario;
 - (ii) a college or university federated or affiliated with a university described in subparagraph (i);
 - (iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*.
- (d) Development or Redevelopment of a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion.;

- (e) Development or Redevelopment of a building or structure intended for use as a hospice to provide end-of-life care;
- (f) Development or Redevelopment of a building or structure intended for use as residential premises by any of the following entities:
 - (i) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary object is to provide housing;
 - (ii) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing;
 - (iii) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.

Amount of Charge

- 2.6 The amount of a Community Benefits Charge payable in any particular case shall be determined as follows:
- (a) Where there is Development or Redevelopment other than that described in subsection 2.4(b) and which requires one or more of the approvals set out in subsection 2.4(a), on land to which this By-law applies, the Community Benefits Charges payable pursuant to this By-law shall be four (4) percent of the value of the land being developed as of the Valuation date.
 - (b) Land referred to in subsections 2.6(a) and 2.6(c) means the entire Parcel or Parcels on which the Development or Redevelopment is occurring regardless of whether the Development or Redevelopment is only on a part of the Parcel or Parcels or is a phase of a Development or Redevelopment.
 - (c) If a Development or Redevelopment consists of two or more above grade Buildings that will not be constructed concurrently, will be subject to separate building permits and are anticipated to be completed at different times, each phase of the Development or Redevelopment is deemed to be a separate Development or Redevelopment for the purposes of this By-law. The Community Benefits Charges for the first of the above grade Buildings will be calculated in

accordance with subsection 2.6(a). For each subsequent above grade Building the Community Benefits Charges payable shall be calculated as follows:

4% of the value of the land being developed as of the Valuation Date minus the Community Benefits Charges payable for the previous above grade Building(s).

If the difference in the aforesaid calculation is zero or a negative value no Community Benefits Charge is payable, and no credit or refund will be payable.

(d) Notwithstanding subsections (a), (b), or (c), the amount of a Community Benefits Charge payable in any particular case shall not exceed an amount equal to the prescribed percentage of the value of the land, as of the Valuation date, multiplied by the ratio of "A" to "B" where, "A" is the floor area of any part of a building or structure, which part is proposed to be erected or located as part of the Development or Redevelopment, and "B" is the floor area of all buildings and structures that will be on the land after the Development or Redevelopment.

(e) Development or redevelopment that includes affordable residential units, attainable residential units, or residential units described in subsection 4.3(2) of the *Development Charges Act*, the Community Benefits Charge applicable to such a development or redevelopment shall not exceed the amount determined under subsection 37(32) multiplied by the ratio of A to B where:

"A" is the gross floor area of all buildings that are part of the Development or Redevelopment minus the gross floor area of all affordable residential units, attainable residential units and residential units described in subsection 4.3 (2) of the *Development Charges Act*; and

"B" is the gross floor area of all buildings that are part of the Development or Redevelopment."

In-Kind Contributions

2.7 The City may, at its discretion, allow an Owner of Land to provide to the City facilities, services or matters required because of Development or Redevelopment in the area to which the By-law applies in lieu, or partially in lieu of a Community Benefits Charge that would otherwise be payable.

- 2.8 For in-kind contributions pursuant to the preceding subsection to be considered, an application for consideration of in-kind contributions must be submitted to the City with supporting documentation as to the suggested value thereof no less than 180 days prior to the first building permit being granted for the proposed Development or Redevelopment.
- 2.9 In-kind contributions pursuant to subsection 2.7 shall only be accepted as if the same are approved by resolution of Council. The determination of Council as to whether in-kind contributions shall be accepted in full or partial satisfaction of Community Benefits Charges shall be final and binding.
- 2.10 The value attributed to an in-kind contribution under subsection 2.7 shall be as determined by Council, based on one or more third-party valuations to the satisfaction of Council. Council's determination of the value to be attributed to any in-kind contribution shall be final and binding.

Time of Payment of Community Benefits Charges

- 2.11 Community Benefits Charges imposed under this By-law shall be payable prior to the issuance of any building permit for the proposed Development or Redevelopment.

Interest on Refunds

- 2.12 If it is determined that a refund is required, the City shall pay interest on a refund in accordance with subsections 37(28) and 37(29) of the Act at a rate not less than the prescribed minimum interest rate, from the day the amount was paid to the municipality to the day it is refunded.

3. SEVERABILITY

- 3.1 If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

4. DATE BY-LAW IN FORCE

- 4.1 This By-law shall come into effect at 12:01 A.M. on January 1, 2025.

5. REPEAL

5.1 By-law 66-2022 is hereby repealed upon the coming into force of this By-law.

Passed this 10th day of December, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

The Corporation of the City of Burlington

City of Burlington By-law number 2020.489

A By-law to amend By-law 2020, as amended; 759 Maple Avenue
File No.: 520-12/24 (PL-88-24)

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 Recommendation PL-88-24 on December 10, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit four (4) townhouse units of 4-storeys in height on a private road;

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

1. Zoning Maps Numbered 9-W & 9-E of PART 15 to By-law 2020, as amended, are hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from H-RM5 to H-RM2-546.
3. Part 11 of By-law 2020, as amended, Holding Zone Provisions, is hereby amended by the addition of the following section to Appendix A:

#93	H-RM2-546	Map 9-W & 9-E	Resolution:
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The Holding symbol shall be removed from the zone designation by way of an amending zoning by-law when the following has been completed:

- a) A pre-construction exploratory root exercise by a qualified tree professional and submit a pre-construction exploratory root investigation report to the satisfaction of the Manager of Urban Forestry.
- b) A written consent letter from the neighbouring property owner confirming any required injury and/or removal of trees 7 to 10 following completion of the pre-construction exploratory root investigation exercise and report to the satisfaction of the Manager of Urban Forestry.
- c) Confirmation from the Ministry of Citizenship and Multiculturalism - Heritage Branch on whether an archaeological assessment is required

is to be provided to the satisfaction of the City of Burlington Director of Planning

4. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by adding Exception 546 as follows:

Exception 546	Zone RM2	Map 9-W & 9-E	Amendment 2020.489	Enacted Dec 10/24
1. <u>Regulations for townhouses:</u> a) Lot Width: 21 m b) Lot Area: 0.1 ha c) Southeast Side Yard: 1.6m d) Landscape Buffer abutting R1, R2, R3 zone: 2.4m i. A driveway may encroach 2.1m into the landscape buffer with a maximum encroachment length of 6.4m e) Landscape Area: i. Abutting a street adjacent to a parking space: 3.8m ii. Abutting a street adjacent to a building: 6m f) Maximum Height for Peaked Roof Townhouse Dwellings: Four Storeys and 14.5m g) Driveway Length: 5.7m h) Parking spaces shall be setback a minimum of 2.4m from a residential zone. i) Driveways shall be setback a minimum of 0.3m from an R1, R2, R3 zone. j) Notwithstanding Part 1, Section 2.25.3, a loading space is not required. Except as amended herein, all other provisions of this By-law, as amended, shall apply.				

- 5 a) When no notice of appeal is filed pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed.

- 5 b) If one or more appeals are filed pursuant to the provisions of the Planning Act, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Ontario Land Tribunal this By-law shall be deemed to have come into force on the day it was passed.

Enacted and passed this 10th day of December, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.489

By-law 2020.489 rezones lands on 759 Maple Avenue, to permit four (4) townhouse units of 4-storeys in height on a private road.

For further information regarding By-law 2020.489, please contact Mariana Da Silva of the Burlington Community Planning Department at (905) 335-7600, extension 7536.

The Corporation of the City of Burlington

City of Burlington By-law number 2020.491

A By-law to amend By-law 2020, as amended for 5051 Harvester Drive to facilitate the development of a 5-storey self-storage building with office uses and related retail space.
File No.: 520-11/24 (PL-83-24)

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 Recommendation PL-83-24 on December 3, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit a storage locker facility as primary uses, an increase in accessory retail space as well as technical modifications;

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

1. Part 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by adding Exception 548 as follows:

Exception 548	H-BC1-548	Map 27-W	Amendment 2020.491	December 10, 2024
1. <u>Permitted Uses</u>				
a) Only the following uses shall be permitted: Office Uses: All Office Uses Storage Locker Facility Accessory retail use in association with a Storage Locker Facility				
2. <u>Regulations:</u>				
a) Yard Abutting a Street:				12 m
b) North Side Yard:				0 m to retaining wall
c) Floor Area:				
i. Minimum office area:				5,100m ²
ii. Maximum accessory retail area:				1,200m ²

iii. Maximum floor area:	32,300m ²
d) A hydro transformer shall be permitted in the required landscape area abutting a street.	
e) Loading and Unloading:	
i. Loading / unloading docks shall be permitted on the building elevation facing South Service Road.	
ii. Loading / unloading activities shall be permitted in a yard abutting South Service Rd.	
f) Parking:	
i. Notwithstanding Part 1, Subsections 2.25.1 there shall be no parking required.	
ii. Where parking facilities are provided, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for accessible parking spaces. Designated parking spaces shall be included in the calculation of provided parking and shall be provided in accordance with Part 1, Section 2.26(9) Table 1.2.7, 9(a) and 9(b).	
Except as amended herein, all other provisions of this By-law, as amended, shall apply.	

2. Part 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amending Exception 62 as follows:

Exception 62	H-BC1-62	Map 27-W	Amendment 2020.491	December 10, 2024
1. <u>Additional Permitted Use:</u>				
Service Commercial: Fast Food Restaurant with Drive-Through Facilities				
2. <u>Regulations:</u>				
a) Lot Area:			0.8 ha	
Except as amended herein, all other provisions of this By-law, as amended, shall apply.				

3. a) When no notice of appeal is filed pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have

come into force on the day it was passed.

3. b) If one or more appeals are filed pursuant to the provisions of the *Planning Act*, as amended, this by-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Ontario Land Tribunal this By-law shall be deemed to have come into force on the day it was passed.

Enacted and passed this 10th day of December, 2024

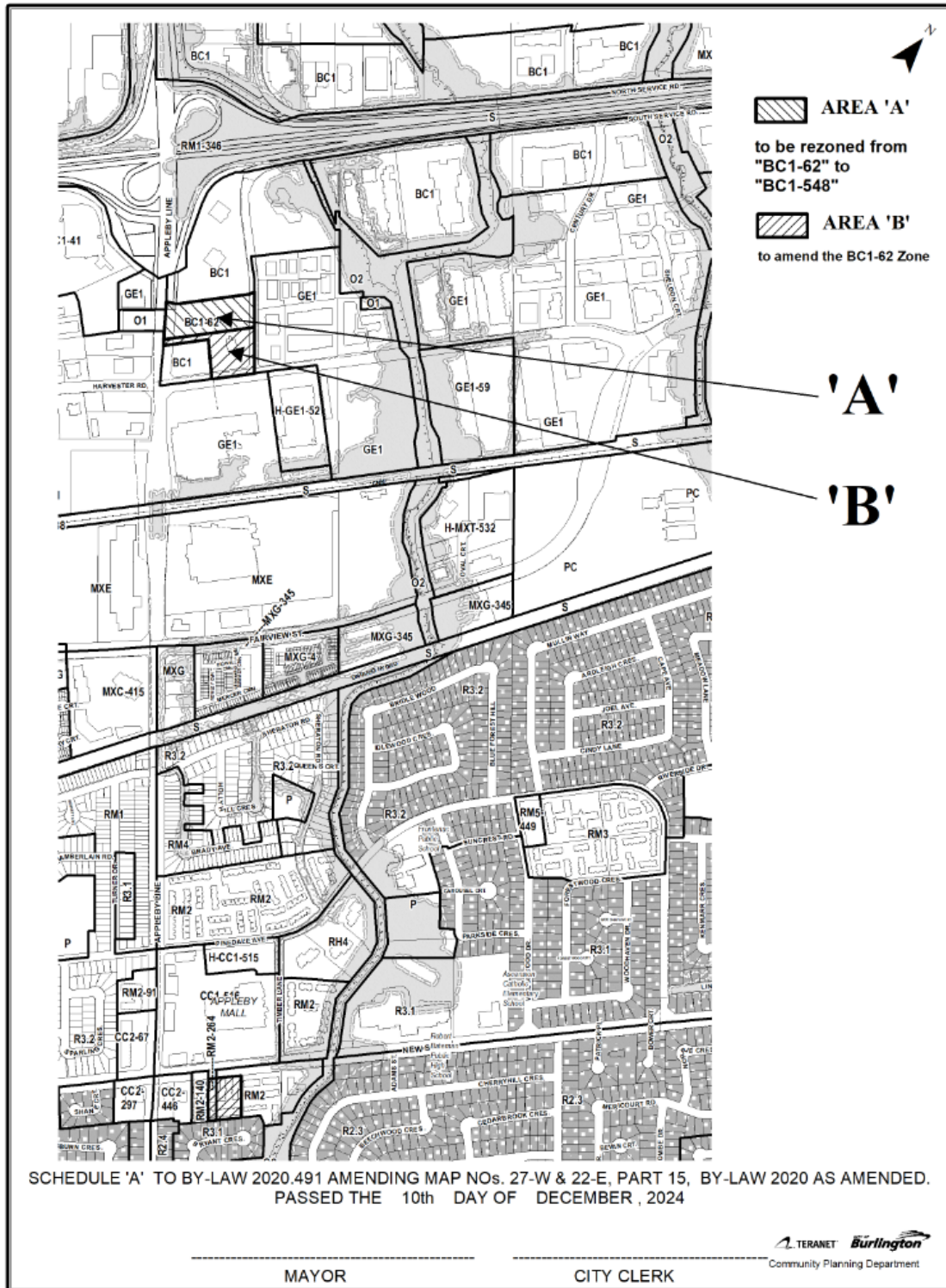
Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

Explanation of Purpose and Effect of By-Law 2020.491

By-law 2020.491 rezones 5051 Harvester Road to permit a 5-storey non-residential building and existing non-residential uses.

Schedule "A"



The Corporation of the City of Burlington

City of Burlington By-law number 2020.492

A By-law to amend By-law 2020, as amended; 141,
147 and 153 Plains Road West
File No.: 520-10/24 (PL-90-24)

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 approved, on December 10, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit an apartment building with non-residential uses on the ground floor.

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

1. Zoning Map Number 3-E of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned.
3. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations is amended by adding Exception 545 as follows:

Exception 545	Zone MXG	Map 3-E	Amendment 2020.492	Enacted December 10, 2024
<u>1. Regulations for an Apartment Building:</u>				
a) Non-residential Floor Area:			175 m ²	
b) Maximum Height:			12 storeys including mechanical penthouse/amenity level	
c) Dwelling Units:			Not permitted on the 12 th storey	
d) Maximum Floor Area Ratio:			5:1	
e) Notwithstanding Part 5, Section 4.1, Table 5.4.1 the maximum yard abutting Plains Road west of the Queen Elizabeth Way shall not apply.				
f) Front Yard:				
i) Ground Floor to 6:			2.9 m	
ii) Floors 7 to 11:			4.4 m	

iii) Floors 12:	9.2 m
g) East Side Yard:	
i) Ground Floor to 6:	5 m
ii) Floors 7 to 12:	10.4 m
h) West Side Yard:	
i) Ground Floor:	5.0 m to column; 13.5 m to building wall
ii) Floors 2 to 6:	4.5 m
iii) Floors 7 to 11:	10 m
iv) Floors 12:	14.9 m
i) Rear Yard:	
i) Floor 1:	12 m to column; 13.5 m to building
ii) Floors 2 to 11:	13.5 m
iii) Floor 12:	17 m
j) Below Grade Parking Structure:	
i) Abutting Plains Road West	2.7 m to the parking structure; 0 m to the below grade stormwater detention/retention tank
ii) All other yards:	0.3 m
k) Amenity Area:	14.5 m ² per unit
l) A rooftop terrace and/or a rooftop amenity terrace shall maintain the principal building yards of the storey below it.	
m) Balcony and Terraces:	
i) Front Yard:	
Floor 2:	1.5 m
Floors 3 to 4	1.3 m
Floor 5:	1.4 m
Floor 6:	1.3 m
Floor 7:	2.8 m
Floors 8 to 11:	2.8 m
Floor 12:	2.8 m green roof
ii) East side Yard:	
Floor 7:	8 m
Floors 8 to 11:	9 m
iii) West side Yard:	
Floor 2 to 6:	3 m

Floor 7:	8 m
Floors 8 to 11:	5.2 m
Floor 12:	8.5 m amenity terrace
iv) Rear Yard:	
Floors 2 to 11:	12.5 m
Floor 12:	12.5 m amenity terrace
n) Architectural Wall Projections from a building wall:	
i) Front:	1.9 m
ii) West Side:	1.6 m
iii) Rear:	2.8 m
o) Landscape Area:	
i) Abutting a street adjacent to a building:	0 m
ii) Abutting a street adjacent to a parking lot:	3 m
p) Notwithstanding Part 1, Subsections 2.25.1 there shall be no parking required.	
i) Where parking facilities are provided, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for accessible parking spaces. Designated parking spaces shall be included in the calculation of provided parking and shall be provided in accordance with Part 1, Section 2.26(9) Table 1.2.7, 9(a) and 9(b).	
ii) A maximum 16 occupant parking spaces can be provided in compact vehicle parking space.	
iii) Notwithstanding Part 1, Section 2.26(1)(a), a compact parking space shall have the following dimensions:	
a. width of 2.4 m;	
b. area of 13.2 m ²	
q) Bicycle Parking:	
i) Short-term:	0.1 bicycle parking spaces per unit
ii) Long-term:	0.5 bicycle parking spaces per unit
r) For the purpose of Bicycle parking regulations:	
i) 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.	
ii) Short-term bicycle parking spaces are bicycle parking spaces for use by visitors to a	

building. Short-term bicycle parking spaces are to be located close to a building entrance and sheltered from the elements.

iii) Each bicycle parking space shall be 60 cm x 1.8 m in size.

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

Enacted and passed this 10th day of December, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.492

By-law 2020.492 rezones lands on 141, 147 and 153 Plains Road West, to permit a 12-storey mixed-use building, including Mechanical Penthouse and rooftop amenity area.

For further information regarding By-law 2020.545, please contact Elyse Meneray of the Burlington Community Planning Department at (905) 335-7600, extension 7642.

The Corporation of the City of Burlington

City of Burlington By-law number 2020.493

A By-law to amend By-law 2020, as amended; 291 North Service Road
File No.: 520-09/24 (PL-89-24)

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 approved, on December 10, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit asphalt manufacturing including open storage of aggregates.

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

1. Zoning Map Number 3-E of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
 - a) The lands designated as Area "A" on Schedule "A" attached hereto are hereby rezoned from "H-BC2" to "H-BC2-547" (Business Corridor with holding symbol and site-specific exception).
 - b) The lands designated as Area "B" on Schedule "A" attached hereto are hereby rezoned from "H-BC2" to "O3" (Open Space).
 - c) The lands designated as Area "C" on Schedule A" attached hereto are hereby rezoned from "H-BC2" to "BC2" (Business Corridor)
2. Part 11 of By-law 2020, as amended, Holding Zone Provisions, is hereby amended by the addition of the following section to Appendix A:

#90	H-BC2-547	Map 3-E	Resolution:
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The Holding symbol shall be removed from the zone designation by way of an amending zoning by-law following:

- a) The owner shall submit confirmation from the Ministry of Environment, Conservation and Parks (MOECP) that the proposed development satisfies the provisions of the Environmental Protection Act and that all studies have been carried out to the satisfaction of the MOECP, to the satisfaction of the Director of Community Planning.

- b) The owner shall submit correspondence from the Ministry of Environment, Conservation and Parks (MOECP) confirming that the proposed tree removals for snag do not need to be protected as part of the Natural Heritage System for significant habitat of endangered and threatened species, to the satisfaction of the MOECP, to the satisfaction of the Director of Community Planning.
 - c) The owner shall submit for review and approval a draft reference plan identifying the deemed right of way widening dedications for review and approval prior to depositing at the Land Registry Office, to the satisfaction of the Director of Transportation Planning
3. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations is amended by adding Exception 547 as follows:

Exception 547	Zone H-BC2	Map 3-E	Amendment 2020.493	Enacted December 10, 2024
1. <u>Additional Permitted Use:</u>				
Asphalt manufacturing including associated buildings and structures with open storage of aggregates.				
2. <u>Regulations:</u>				
a) Lot Width			40 m	
b) Minimum Rear Yard:			42 m	
c) Yards				
i. Abutting North Service Road:			73 m	
ii. Abutting an O3 Zone:			5 m	
d) Maximum Building Height:				
i. Silos:			25 m	
ii. Manufacturing Equipment:			20 m	
iii. Administrative Buildings (Control Centre and Motor Control Centre)			10 m	
e) Maximum Site Coverage:			88%	
f) Landscape Area				
i. Abutting North Service Road:			0 m	
ii. Abutting an O3 Zone:			0 m	
g) Outdoor storage of aggregate is only permitted within 60 m of the hydro corridor				
h) Loading is only permitted within 81 m of a yard abutting a street				
Except as amended herein, all other provisions of this By-law, as amended, shall apply.				

Enacted and passed this 10th day of December, 2024

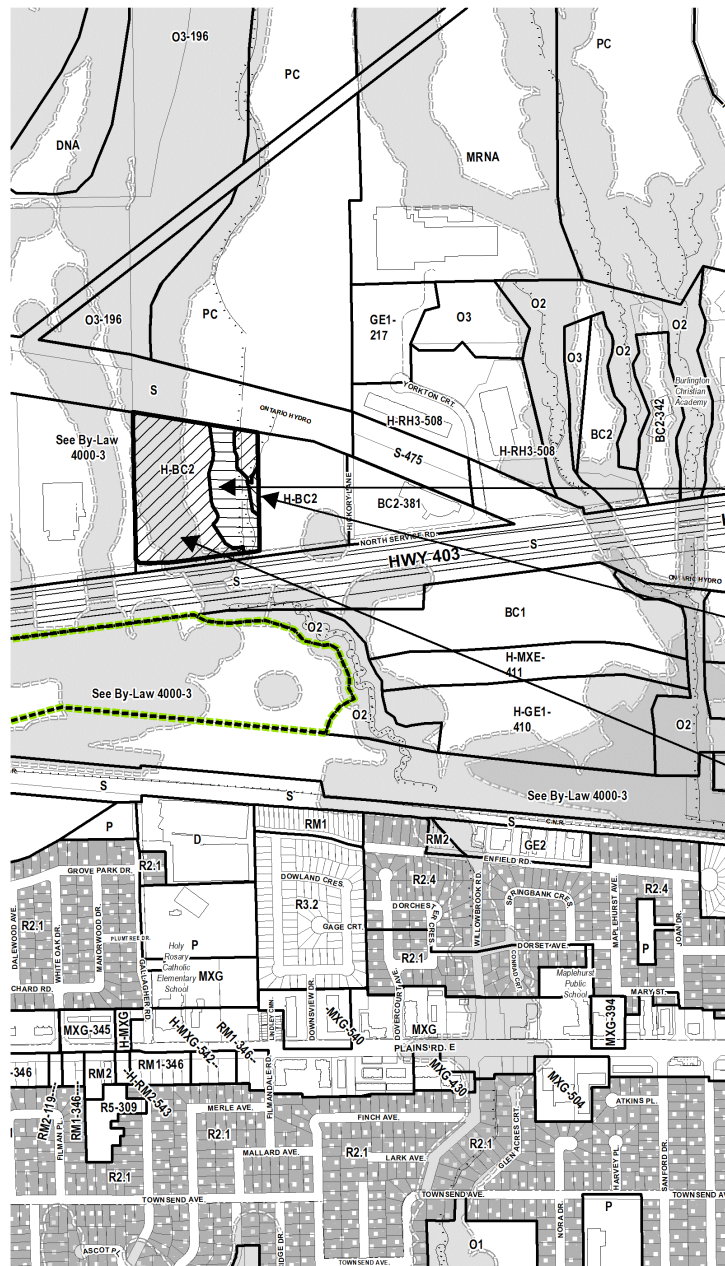
Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.493

By-law 2020.493 rezones lands on 291 North Service Road, to permit asphalt manufacturing and outdoor storage of aggregates.

For further information regarding By-law 2020.493, please contact Elyse Meneray of the Burlington Community Planning Department at (905) 335-7600, extension 7642.



- AREA 'A'**
to be rezoned from
"H-BC2" to
"H-BC2-547"
- AREA 'B'**
to be rezoned from
H-BC2 to O3
- AREA 'C'**
to be rezoned from
H-BC2 to BC2

'A'

'C'

'B'

SCHEDULE 'A' TO BY-LAW 2020.493 AMENDING MAP NO. 3-W PART 15, BY-LAW 2020 AS AMENDED.
PASSED THE 10th DAY OF DECEMBER, 2024

MAYOR

CITY CLERK

TERANET **Burlington**
Community Planning Department

The Corporation of the City of Burlington

City of Burlington By-law 82-2024

A by-law to confirm the proceedings of the
meeting of Council of the Corporation of the
City of Burlington held on Monday, December 10, 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.

Passed this 10th day of December, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____