



## Committee of the Whole

### Agenda

**Date:** December 1, 2025  
**Time:** 9:30 am  
**Location:** Council Chambers, City Hall, second floor

#### 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 Anishinaabeg to the Haudenosaunee, and the Métis – our lands spanning from Lake Ontario to the Niagara Escarpment are steeped in Indigenous history.

The territory is mutually covered by the Dish with One Spoon Wampum Belt Covenant, an agreement between the Iroquois Confederacy, the Ojibway and other allied Nations to peaceably share and care for the resources around the Great Lakes.

We acknowledge that the land on which we gather is part of the Treaty Lands and Territory of the Mississaugas of the Credit.

**3. Approval of the Agenda**

**4. Declarations of Interest**

**5. Presentations**

## 6. Delegations

To speak at a Committee meeting regarding an item on the agenda, individuals must register as a delegation no later than noon the Friday before the meeting. To register, complete the online application at [www.burlington.ca/delegation](http://www.burlington.ca/delegation) or submit a written request by email to Legislative Services at [clerks@burlington.ca](mailto:clerks@burlington.ca)

Individuals who have feedback to share but do not wish to speak at the committee meeting, can submit written comments by email to [clerks@burlington.ca](mailto:clerks@burlington.ca) by noon the business day before the meeting. Comments received will be circulated to committee members in advance of the meeting.

## 7. Consent Items

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

- |     |   |         |
|-----|---|---------|
| 7.1 | Temporary Borrowing By-law (FIN-34-25) (CCS)  | 1 - 8   |
|     | <p>Approve the by-law substantially in the form attached as Appendix A to finance department report FIN-34-25, 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 2026 fiscal year; and</p> <p>Authorize the Mayor and City Clerk to execute the security agreement attached as Appendix B to finance department report FIN-34-25, subject to the satisfaction of the Commissioner, Legal and Legislative Services/City Solicitor.</p> |         |
| 7.2 | Financial status report as at September 30, 2025 (FIN-21-25)  | 9 - 29  |
|     | <p>Receive for information finance department report FIN-21-25, financial status report as at September 30, 2025.</p>   |         |
| 7.3 | 2026 Interim Tax Levy By-law (FIN-40-25) (CCS)  | 30 - 36 |
|     | <p>Approve the by-law substantially in the form attached as Appendix A to finance department report FIN-40-25 which provides for the levy of the 2026 Interim taxes.</p>  |         |



- |     |  |         |
|-----|--|---------|
| 7.4 | <p>Appointments to Appeals Committee and appointment extensions to Advisory Committees and Pipeline to Permit Standing Committee (LLS-55-25) (CCS)</p> <p>Approve the appointments to the Appeals Committee, as identified in Confidential Appendix A to legislative services report LLS-55-25, for a term ending December 31, 2026, to align with the term of Council; and</p> <p>Extend the appointments of the Pipeline to Permit Committee members for one year, for a term ending December 31, 2026 to align with the term of Council, as identified in Appendix B to legislative services report LLS-55-25; and</p> <p>Extend the terms of advisory committee members whose appointments expire at the end of 2025 for the Heritage Burlington Advisory Committee, Burlington Agricultural &amp; Rural Affairs Advisory Committee, Burlington Accessibility Advisory Committee, Mundialization Committee, Integrated Transportation Advisory Committee, Burlington Cycling Advisory Committee, and Burlington Sustainable Development Committee as listed in Appendix B to legislative services report LLS-55-25, for one additional year to align with the end of Council's term; and</p> <p>Make the Appeals Committee appointee names public following Council approval at the meeting of December 9, 2025.</p> | 37 - 44 |
| 7.5 | <p>Amendment to Traffic By-law 86-2007 to permit electric kick-scooters on Centennial Trail (PWS-45-25) (PW)</p> <p>Direct the City Solicitor to prepare, for the approval of Council, the necessary by-law to amend Traffic By-law 86-2007 to permit and regulate the use of electric kick-scooters (e-scooters) on the Centennial Trail, in accordance with the provincial pilot project (O. Reg. 389/19); and</p> <p>Approve housekeeping amendments to update the definition of "bicycle" to include a "power-assisted bicycle" and use the term "cycling facility" instead of "bicycle route".</p>  | 45 - 48 |
| 7.6 | <p>Emergency and Continuity Management Program By-law update (PWS-32-25) (PW)</p> <p>Approve the by-law, substantially in the form attached as Appendix A to public works report PWS-32-25, to establish an Emergency and Continuity Management Program; and</p> <p>Repeal By-law 69-2024.</p>   | 49 - 97 |

Assume the Alton Village West Subdivision, registered as Plan 20M-1193, File 510-03/03; and

Accept all works and services under the jurisdiction of the city within the subdivision to become the property of the City of Burlington; and

Direct the City Clerk to notify Halton Region of this assumption; and

Direct the City Clerk to notify Conservation Halton of this assumption; and

Authorize the City Solicitor to prepare any necessary documents and authorize the Mayor and City Clerk to sign them; and

Direct the City Clerk to present the necessary by-law to Council to accept all works and services of the said plan of subdivision and assume the following streets as public highways:

**STREET PARCEL PIN NUMBER**

Palladium Way 20M-1193 071950350

Tufgar Crescent 20M-1193071950351

Everila Road 20M-1193071950352

Thomas Alton Boulevard 20M-1193071950353

Goodyear Road 20M-1193071950354

Lula Road 20M-1193071950355

Leonardo Street 20M-1193071950356

Michelangelo Road 20M-1193071950357

Lodi Road 20M-1193 071950358

Guernsey Lane 20M-1193071950359

Koenig Road 20M-1193071950360

Koenig Road 20M-1193071950361; and

Authorize the City Solicitor or their designate, to amend the parcel designation in the bylaw, if necessary, upon registration of the by-law.

**8. Community and Corporate Services**

- 8.1 Council Remuneration Working Group recommendation report (LLS-54-25) 104 - 113

Receive for information the recommendations from the Council Remuneration Working Group ("CRWG"), attached as Appendix A to legal and legislative services report LLS-54-25.

- 8.2 Endorsement of partnership agreement for temporary dome structure at Corpus Christi High School (CSS-27-25) 114 - 122

Direct the Director of Recreation, Community and Culture to negotiate and finalize a supported dome operating agreement with Halton Catholic District School Board (HCDSB) as outlined in community services report CSS-27-25; and

Direct the Director of Recreation, Community and Culture to initiate a procurement process, in accordance with the City's procurement by-law, to secure an operator responsible for the design, construction, operation, and ongoing maintenance of the dome facility; and that the procurement include provisions to ensure broad community access and the implementation of equitable and affordable pricing structures; and

Authorize staff to take all steps necessary to negotiate, approve and enter into a long-term lease and subsequent sub-lease of the dome at Corpus Christi High School, with content satisfactory to the Manager of Realty Services, and in a form satisfactory to the Commissioner of Legal and Legislative Services/City Solicitor.

- 8.3 Next steps for music festival in Burlington (CSS-29-25)

**Note: this item will be distributed in an Addendum**

## 9. Confidential Items and Closed Meeting

Confidential items will be discussed at 1:00 p.m. on Monday, December 1, 2025

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

- 9.1 Confidential human resources report regarding a labour issue (HRS-09-25)

Pursuant to Section 239(2)(d) labour relations or employee negotiations

- 9.2 Confidential legal report regarding LaSalle Park (LLS-52-25)
- Pursuant to Section 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board
- 9.3 Confidential legal update on litigation matter regarding 4641 Cornerstone Drive appeal of Committee of Adjustment decision (LLS-56-25)
- Pursuant to Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
- 9.4 Confidential Appendix A to legislative services report LLS-55-25 regarding appointments to the Appeals Committee (LLS-55-25)
- Pursuant to Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees
- 9.5 Confidential Appendix B to development and growth management report DGM-91-25 regarding Housing Accelerator Fund update (DGM-91-25)
- Pursuant to Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; and
- Pursuant to Section 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board

## **10. Rise and Report**

## **11. Public Works**

- 11.1 Public Tree By-law update (PWS-22-25) 123 - 159
- Approve the Public Tree By-law substantially in the form attached as Appendix A to public works report PWS-22-25 and repeal Public Tree By-law 68-2013; and
- Approve the amendment to Forestry Reserve Fund By-law 105-2015, substantially in the form attached as Appendix C to public works report PWS-22-25; and
- Approve the amendment to Private Tree By-law 40-2022, substantially in the form attached as Appendix D to public works report PWS-22-25.

## **12. Growth Management**

Endorse the use of city-owned land, as identified in Confidential Appendix B to development and growth management report DGM-91-25, for non-profit affordable rental housing to meet the Housing Accelerator Fund (HAF) target deadline of December 31, 2026; and

Approve a non-Community Improvement Plan (CIP) Affordable Housing Pre-Development Grant with an upset limit of \$100,000 to advance the land for investment readiness as outlined in Confidential Appendix B to development and growth management report DGM-91-25 and report back to Council in Q2 2026 with updates; and

Request support from Halton Region for the project identified in Confidential Appendix B to development and growth management report DGM-91-25; and

Authorize the Director of Community Planning to approve, execute and administer, on behalf of the Corporation of the City of Burlington, forgivable loan agreements in connection with the Additional Residential Unit (ARU) incentive program described in development and growth management report DGM-91-25, in a form satisfactory to the Commissioner of Legal and Legislative Services.

### 13. Statutory Public Meetings

Statutory Public Meetings will be discussed at 9:30 a.m. on Tuesday, December 2, 2025

#### 13.1 Zoning By-law Amendment for 1881 Fairview Street (DGM-93-25)

Approve the application for a Zoning By-law Amendment, submitted by A.J. Clarke and Associates Ltd. on behalf of Amalie Holdings Limited, proposing supermarket and grocery stores as permitted uses at 1881 Fairview Street; and

Approve Zoning By-law 2020.513, attached as Appendix D to development and growth management report DGM-93-25, to amend the special exception Mixed Use Corridor – Commercial Corridor zone (MXC-405); and

Deem that Zoning By-law 2020.513 conforms to the Halton Region Official Plan, the 1997 Official Plan of the City of Burlington and the 2020 Official Plan and that there are no applications to alter the Official Plans with respect to the subject lands.

- 13.2 Burlington Avenue - Ontario Street Heritage Conservation District Plan and Guidelines (DGM-68-25) 222 - 382

**Note: Appendices C & D can be accessed at [burlington.ca/meetings](http://burlington.ca/meetings)**

Receive for information the draft Burlington Avenue - Ontario Street Heritage Conservation District Plan attached to development and growth management report DGM-68-25 as Appendix B; and

Direct the Director of Community Planning to consider the comments provided by the public and Council on the draft Heritage Conservation District Plan as part of a subsequent recommendation to Council.

**14. Information Items**

- 14.1 Legislative Services forecast for standing committee reports (COW-18-25) 383 - 383

**15. Staff Remarks**

**16. Committee Remarks**

**17. Adjournment**

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SUBJECT: Temporary Borrowing By-law  
TO: Committee of the Whole  
FROM: Finance  
N/A

Report Number: FIN-34-25

Wards Affected: All

Date to Committee: December 1, 2025

Date to Council: December 9, 2025

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## Recommendation

Approve the by-law substantially in the form attached as Appendix A to finance department report FIN-34-25, 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 2026 fiscal year; and

Authorize the Mayor and City Clerk to execute the security agreement attached as Appendix B to finance department report FIN-34-25, subject to the satisfaction of the Commissioner, Legal and Legislative Services/City Solicitor.

## Executive Summary

Purpose of report:

- Obtain Council approval for 2026 temporary borrowing authority to manage cash flow during low liquidity periods, as required annually under Section 407 of the Municipal Act, 2001.

Key findings:

- The City maintains \$10 million in credit facilities: \$5 million with RBC at prime minus 3/4% (current prime: 4.45%) and \$5 million with Scotiabank for the purchase card program (paid monthly).
- No credit line access was required in 2025, and none is anticipated for 2026.

Implications:

- Financial: Establishes borrowing capacity for temporary cash flow shortfalls before property tax collections. The Scotiabank facility provides revolving credit for the purchase card program, with balances settled monthly.
- Legal: Requires by-law approval and execution of security agreement with Royal Bank of Canada.



# Recommendation Report

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## Background

The City requires temporary borrowing authority to manage cash flow constraints during periods of low liquidity, particularly before property tax collections. Section 407 of the Municipal Act, 2001 (S.O. 2001) provides the legal framework for such temporary borrowing from financial institutions.

The City has historically relied on Reserve Funds to cover operating expenditures during cash flow shortfalls and will continue this practice in 2026. However, the proposed by-law and security agreement with the Royal Bank of Canada ensure the necessary financial arrangements remain in place if needed.

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## Analysis

The City maintains two borrowing arrangements to support operational needs:

### **Royal Bank of Canada Line of Credit:**

- Credit limit: \$5,000,000
- Interest rate: Prime lending rate minus 3/4%
- Current prime rate: 4.45%
- Security requirement: Requires execution of security agreement by Mayor and City Clerk
- Historical usage: Has not been accessed during 2025 or prior years
- 2026 projection: Not anticipated to be needed

### **Scotiabank Credit Facility:**

- Credit limit: \$5,000,000
- Purpose: Administers the City's purchase card program
- Payment terms: Paid off monthly
- Security requirement: No security agreement required
- Historical usage: Consistently paid off monthly in 2025 and prior years

The legal authority to borrow short-term funds requires a By-law prepared under Section 407 of the Municipal Act, 2001. Additionally, the Royal Bank of Canada requires that a security agreement be executed by the Mayor and City Clerk, with copies of both documents forwarded to the Bank.

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## Recommendation Details

Staff recommends approval of the attached by-law and security agreement to authorize temporary borrowings from Scotiabank and Royal Bank of Canada as needed during the 2026 fiscal year. This authorization ensures the City has the legal framework in place to manage temporary cash flow constraints, though actual borrowing is not anticipated based on historical patterns and continued use of Reserve Funds.

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## Key Dates & Milestones

- December 1, 2025: Committee of the Whole consideration
  - December 9, 2025: Council approval
  - January 1, 2026: By-Law effective date
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## Implications

**Financial:** Borrowing arrangements provide access to a total of \$10 million in credit facilities. A \$5 million line of credit with the Royal Bank of Canada is available to address temporary cash flow shortfalls. A separate \$5 million facility with Scotiabank supports the purchase card program, which is repaid in full each month. The by-law is prepared to meet banking requirements, though actual borrowing from Royal Bank of Canada line of credit is not anticipated for 2026.

**Legal:** Approval of the by-law under Section 407 of the Municipal Act, 2001 is required to authorize temporary borrowing. Execution of the security agreement with Royal Bank of Canada by the Mayor and City Clerk is required.

**Human Resources:** No implications.

**Communications:** No implications.

**Engagement:** No implications.

**Climate:** No implications.

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## References

Municipal Act, 2001, S.O.2001, Section 407

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## **Strategic 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
- 

### **Author:**

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Supervisor, Accounting Services  
905-335-7600 x7499

### **Appendices:**

- A. Temporary Borrowing By-law
- B. Security Agreement

### **Draft By-laws for Approval at Council:**

- Temporary Borrowing By-law; December 9, 2025; Effective January 1, 2026

### **Notifications:**

Royal Bank of Canada, Chris Hiebert  
Chris.Hiebert@rbc.com

### **Report Approval:**

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

## **City of Burlington By-Law XX-2025**

A by-law to authorize the temporary borrowings of monies from the Royal Bank of Canada and Scotiabank

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:  
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 (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 the financial institution, Five Million dollars (\$5,000,000) to meet current expenditures of the Corporation for the year 2026, until taxes are collected and other revenues received.
2. Any two of the following:  
Chief Financial Officer or delegate; Mayor; Chief Administrative Officer; City Clerk; are hereby authorized to borrow on behalf of the Corporation from SCOTIA BANK by way of the Corporation's procurement card program a sum or sums not exceeding at any one time, Five Million dollars (\$5,000,000) to meet current expenditures of the Corporation for the year 2026, repayable on a monthly basis.
3. 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  $\frac{3}{4}\%$ .

4. The 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.
5. 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 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.
6. The 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 9th day of December 2025

Mayor Marianne Meed Ward \_\_\_\_\_

Deputy Clerk Lisa Palermo \_\_\_\_\_

Online version of this document does not contain signatures. Please contact City Clerk to obtain a copy of the signed original.

**Schedule B**

**Security Agreement - Municipalities and School Boards**

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To: The Royal Bank of Canada (the “Bank”)

WHEREAS by a By-law or Resolution passed by the Council of the Corporation of the City of Burlington on the 9th day of December 2025, authority was given to any two of the following:

Chief Financial Officer or delegate; Mayor; Chief Administrative Officer; City Clerk;

to borrow from the Bank the sum or sums therein mentioned and this Agreement was authorized.

AND WHEREAS the Corporation may desire to borrow the said sum or sums from the Bank.

NOW IT IS AGREED by the Corporation that in consideration of the Bank advancing or providing the said sum or sums to the Corporation that all the revenues of the Corporation of whatever nature and kind are hereby charged to and in favour of the Bank, as security for payment of the moneys so advanced or provided by the Bank and any interest thereon and any other charges in connection therewith and the Bank shall have a lien upon all such revenues until the charge hereby and by the said By-law or Resolution created is satisfied.

The Corporation represents and warrants that the whole or any part or parts of the revenues of the Corporation are not subject to any prior charge, except as disclosed to the Bank in writing.

IN WITNESS WHEREOF THE Corporation has caused this agreement to be executed by its proper officers as required by law this 9th day of December 2025.

WITNESS	)	By: _____
	)	Marianne Meed Ward, Mayor
	)	
_____	)	
	)	
	)	_____
		Lisa Palermo, Deputy City Clerk

SUBJECT: Financial status report as at September 30, 2025

TO: Committee of the Whole

FROM: Finance  
N/A

Report Number: FIN-21-25

Wards Affected: all

Date to Committee: December 1, 2025

Date to Council: December 9, 2025

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### **Recommendation:**

Receive for information finance department report FIN-21-25, financial status report as at September 30, 2025.

### **Executive Summary**

A financial update highlighting the City's third quarter of 2025 in the following areas:

- Investments & Cash Flow;
- Property Tax Collection;
- Debt & Financial Obligation Limit;
- Reserves and Reserve Funds;
- Budget Monitoring; and
- Financial Position

**Purpose of report:**

- To provide an update on key financial information for the City as of September 30, 2025.

**Implications:**

- For information purposes only.



## Background

### **PART A – INVESTMENTS & CASH FLOWS**

#### **Monetary Policy and Interest Rates**

The Bank of Canada (BoC) reduced its target for the overnight rate to 2.25% in its October 29, 2025 policy announcement. This decision follows a cumulative reduction from higher levels (notably 5.00% in mid-2024) as the Bank moves to support the economy. The rate cut reflects ongoing economic weakness and inflation pressures. The BoC emphasized that future rate adjustments will remain data-dependent, with a focus on achieving its inflation target and supporting sustainable economic growth. Economic data and economists' projections indicate that further rate cuts are unlikely unless there is evidence of additional economic weakness.

#### **Economic Growth and Inflation**

The Canadian economy continued to sputter in August and September. After a brief return to growth in July, GDP contracted 0.3% in August. The contraction was largely due to the disruptive impact of tariffs on exports, heightened uncertainty affecting business investment, and a decline in population growth.

Canada's economic growth outlook has been revised downward. Evidence suggests that the impact of trade conflicts is broadening, with export volumes expected to remain weak for the remainder of 2025. According to the Bank of Canada's October 2025 Monetary Policy Report, annual GDP growth is projected at approximately 1.2% for 2025 and estimated to decrease to 1.1% in 2026, before a modest rebound to 1.6% in 2027.

Inflation has been relatively stable. After hovering near 2% for several months, consumer prices posted stronger-than-expected gains in September, with headline CPI rising 2.4% year-over-year. However, core inflation measures remain near 3.1%.

#### **Investment Strategy and Risk**

In this evolving economic landscape, the City of Burlington's investment strategy remains aligned with its policy objectives of capital preservation, liquidity, and competitive returns. The recent period of elevated interest rates provided opportunities to lock in attractive yields on longer-term fixed income investments. However, with the Bank of Canada's policy rate now at 2.25%, reinvestment risk has become more evident. As securities mature, new investments may need to be placed at lower prevailing rates, potentially reducing short-term portfolio income. Staff continue to manage the City's investment portfolio prudently, aligning investment decisions with both economic conditions and the City's Investment Policy objectives. Staff will monitor economic and financial developments closely and adjust as necessary to support the long-term financial health of the City.

## Investment Income and Projection

Given current market conditions, investment income is expected to exceed budget at year-end based on the details below:

	Projected December 2025	Actual December 2024
Total Interest	6,500,000	6,806,652
Budget	5,300,000	5,300,000
Favourable/(Unfavourable) Variance	1,200,000	1,506,652
Capital Gains	666,626	996,391
Favourable/(Unfavourable) Variance	1,866,626	2,503,043

The attached Appendix A shows total interest earned on the investment portfolio up to September 30, 2025. As of that date, the overall portfolio balance is \$17.5 million higher compared to the same time last year. This difference is primarily related to the timing of debt issuance which occurred at the end of September.

The City's overall investment income declined as of September 30, 2025, compared to the same period in the prior year. This decrease is mainly attributable to the prevailing lower interest rate environment. Given current market conditions, the portfolio's expected annualized average return on invested funds is 3.24%.

## Investment Holdings and Policy Compliance

Appendix B provides a listing of the current portfolio by investment type and weighted average yield, in accordance with Ontario Regulation 438/97. In line with the City of Burlington's investment policy, the City may purchase Region of Halton bonds up to, but not exceeding, the amount of the debenture issued on behalf of the City. As of September 30, 2025, the City's investment portfolio included \$16 million in Region of Halton bonds.

As of September 30, 2025, the City's investment portfolio is compliant with the guidelines set out in the City's investment policy and goals adopted by the City.

## **Cash Flow**

Cash flow projections show that the City is expected to have adequate cash funding to meet its financial obligations. The chart below summarizes the City's estimated cash holdings for the 4th quarter of 2025 with a comparison to the actuals from the previous year.

	<b>2025</b>	<b>2024</b>
<b>October</b>	16,871,331	18,506,945
<b>November</b>	17,037,474	45,007,250
<b>December</b>	25,583,790	22,799,816

Fluctuations in the cash balance between 2025 and 2024 are due to the timing of payments for commitments, cash inflows and short-term investments/maturities.

## **PART B – PROPERTY TAX COLLECTION**

The City of Burlington collects property taxes for the city, Region of Halton and the Halton Boards of Education as legislated under the Municipal Act, 2001. Appendix C reflects the property tax status at September 30, 2025, compared to September 30, 2024. The 2025 total levy is \$558.5 million compared to \$526.0 million in 2024.

Collections for the current taxation year are 92.0%, which is consistent with the prior year. The exception was 2020, which was affected by the tax relief offered in response to the Covid-19 pandemic. (City council approved the waiving of penalties from April to August 31 as well as the final billing due dates were extended from June and September to August and October).

<b>As at September 30</b>	<b>2025</b>	<b>2024</b>	<b>2023</b>	<b>2022</b>	<b>2021</b>	<b>2020</b>
Current year Collections	92.0%	92.1%	92.8%	93.5%	93.5%	77.7%
Current year Outstanding*	8.0%	7.9%	7.2%	6.5%	6.5%	22.3%

\*includes installments not yet due

Overdue property tax notices are typically issued four times per year to support collection efforts. In addition to these notices, tax collection letters are sent to property owners with arrears for the current year as well as the two previous years.

In May 2025, 557 collection letters were issued, up from 527 in 2024. Property owners were given until October 31, 2025, to pay at least the oldest year of outstanding taxes. At the time this report was prepared, 198 accounts remained in arrears dating back to 2023, including four commercial properties.

In November, a property title search will be conducted for accounts with three years of arrears, and any lenders are notified. This process typically results in most accounts being paid.

For properties that remain three years in arrears as of January 2026, the Municipal Act, 2001 allows the city to initiate the tax sale process. Liens will be registered against the property title, and the owners or interested parties will have one year to pay out the outstanding taxes. If arrears remain after that period, the city may proceed with a municipal tax sale.

Staff continue to work on the 2 properties that currently have liens registered against title.

The city continues to offer three pre-authorized payment plans, providing a convenient and reliable payment option for property owners. Approximately one third (24,957) of all property accounts are currently enrolled in these plans.

### **PART C - DEBT AND FINANCIAL OBLIGATION LIMIT**

**Debt Capacity:** As of September 30, 2025, the City's total debt charges as a percentage of own source revenue is estimated to be 7.93%, which is below the council approved guideline of 12.5%, and below the provincial limit of 25% (See Appendix D). Further, as of December 31, 2024, the City's total principal debt outstanding is estimated at \$115 million. After incorporating the \$24.5 million in new debt issuance for 2025 and \$20.7 million in approved but not yet issued debt, and deducting \$14.9 million in principal repayments for the year, the City's total principal debt outstanding and remaining to be issued is projected to be \$145.3 million as of September 30, 2025.

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

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

**Tax Supported Debt Charges:** The City's 2025 budget for tax supported debt charges is \$13.2 million, and as of September 30, this budget meets the planned needs of tax supported debt repayments in 2025.

**PART D - RESERVES AND RESERVE FUNDS**

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

At the October Committee of the Whole meeting, staff presented a report that addressed the consolidation and closure of several reserve funds. This review provided some streamlining to the City’s financial structure by reducing inactive or redundant reserves and aligning remaining funds to support broader purposes. A further comprehensive review of the City’s reserves and reserve funds is planned as part of the development of the long-term financial plan to ensure ongoing alignment with the City’s strategic and financial objectives.

**Stabilization Reserves and Reserve Funds**

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

<ul style="list-style-type: none"><li>• Contingency</li><li>• Tax Rate Stabilization</li></ul>	<ul style="list-style-type: none"><li>• Planning Fee Stabilization</li><li>• Engineering Fee Stabilization</li></ul>
Target Balance of consolidated stabilization reserves and reserve funds (excluding building permit) is 10-15% of the City’s own source revenues. Based on 2024 own source revenues of \$330 million the target range is: <b>\$33.0 million to \$49.5 million</b>	
September 30, 2025, <i>Uncommitted Balance</i> : <b>\$20,934,868 → Currently at 6.3% of the City’s own source revenues</b>	

As part of the City’s reserve and reserve fund policies the City sets a target balance for consolidated stabilization reserve funds (excluding Building Permit) at 10-15% of the City’s own source revenues. It is important to note that the target is based on the City’s uncommitted balance as an accurate depiction of funding available for future use. The cash balance includes funds approved by council to be spent on specific initiatives and therefore are not available for future spending.

## Building Permit Stabilization Reserve Fund

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

Corporate Reserve Funds	Recommended Balance		September 30 Uncommitted Balance
Building Permit Stabilization	The reserve fund is capped at 163% of direct costs.	Total direct costs for 2024 were approximately \$5.6 million. Based on this the upset balance for the reserve fund is <b>\$9.13 million.</b>	\$4.0 million

## Capital Reserve Funds

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

Capital Reserve Funds	Recommended Balance		September 30 Uncommitted Balance
Vehicle and Equipment Reserve Funds	The target balance for the consolidated capital reserve fund balance is a minimum of 2% of the asset replacement value.	The City's 2025 Asset Management Plan has total asset replacement value at approximately \$7.15 billion. Based on this amount the minimum recommended balance is <b>\$143 million.</b>	\$29.1 million
Parks & Recreation Infrastructure Reserve Funds			
Transit Related Reserve Funds			
Other Capital Reserve Funds			

# Corporate Reserve Funds

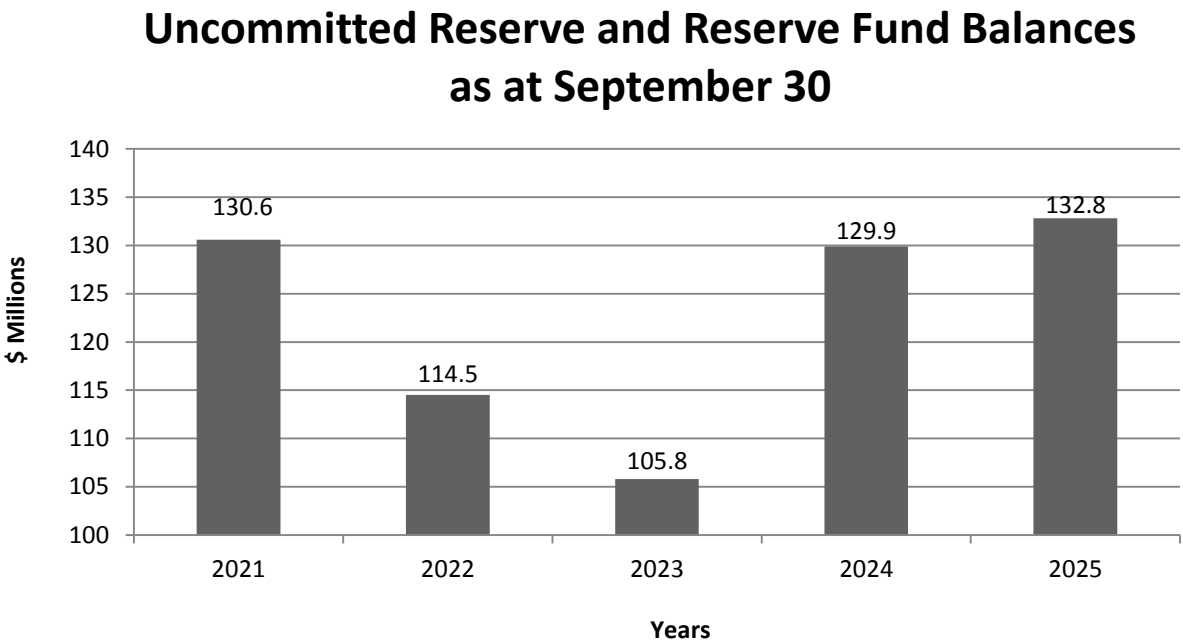
Corporate reserve funds provide for various contingent and potential future liabilities. The City budgets annually for the current year costs expected to be incurred from these liabilities but does not budget for the estimated future liability. The impact of post-employment benefit expenses is communicated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

Corporate Reserve Funds	2024 Actuarial Valuation Liability	September 30 Uncommitted Balance
Employee Accident	\$15.8 million	\$8.3 million
Benefits	\$26.9 million	\$3.6 million

The balances of the City’s reserves and reserve funds are disclosed in Appendix E.

As of September 30, 2025, the total reserve and reserve fund balance amounted to \$223.5 million. This balance is \$11.5 million lower than the corresponding figure in 2024 (\$235.0 million). The decrease is due to the timing of funding for capital transactions and receipts from external sources.

Of the total balance reported, \$90.7 million is committed for various projects leaving an uncommitted balance of \$132.8 million. Commitments represent expenditures approved by Council or funds held for specific future purposes. The following chart provides a 5-year historical perspective of the uncommitted balances as at September 30:



## **PART E - 2025 BUDGET MONITORING**

As of September 30, 2025, the Operating Budget is projecting a favourable variance of \$1,787,532. Staff will continue to monitor and update the year-end projections on a regular basis as part of the 2025 budget review.

## **PART F – FINANCIAL POSITION**

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

**As at September 30<sup>th</sup>**

**(Amounts are in thousands of dollars)**

	2025	2024
	\$	\$
Cash & temporary investments	190,361	142,783
Taxes receivable*	50,126	48,160
Long term investments	293,584	323,670
Investment in Burlington Enterprises Corporation**	149,720	149,720
Deferred revenue - obligatory reserve funds	85,098	87,720
Net long-term liabilities	125,533	114,966

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

**\*\* 2025 balance is as at December 31, 2024**

The City's statement of financial position provides a long-term view of the City's financial health. A year over year comparison helps to identify indicators that may be of concern or interest. As of September 30, 2025, the significant balance changes include:

- Increase in cash & temporary investments which are addressed in Part A of this report.



- Increase in net long-term liabilities is due to 2025 debt issuance which was issued in September 2025.

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### **Strategic 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

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### **Author:**

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### **Appendices:**

- A. Securities Position and Performance
- B. Investment Portfolio
- C. Property Tax Collection
- D. Debt and Financial Obligation Limit
- E. Reserve Funds and Reserves
- F. Operating Budget Performance

### **Report Approval:**

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



## City of Burlington

### SECURITIES POSITION AND PERFORMANCE

Period Ended

September 30, 2025

September 30, 2024

Actual

Budget

(where applicable)

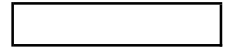
Actual

Budget

(where applicable)

Variance

Net bank position	\$ 61,361,440		\$ 66,782,828		\$ (5,421,389)
Short term investments	129,000,000		76,000,000		53,000,000
Long term investments	293,584,079		323,670,207		(30,086,128)
<b>Total City funds invested</b>	<b>\$ 483,945,519</b>		<b>\$ 466,453,036</b>		<b>\$ 17,492,484</b>
<b>Total Investment Income</b>	<b>\$ 10,531,906</b>	<b>5,300,000</b>	<b>\$ 12,126,034</b>	<b>5,300,000</b>	<b>\$ (1,594,128)</b>
		(Current Fund Only)			



## City of Burlington

<b>INVESTMENT PORTFOLIO</b>		
as at September 30, 2025		
	<b>PORTFOLIO HOLDINGS</b>	<b>YIELD</b>
	<b>(\$000's)</b>	<b>(Weighted Average on cost)</b>
<b>Long Term (at cost)</b>		
Government of Canada	\$ 37,469	2.00%
Province of Ontario	58,927	2.85%
Region of Halton	15,972	3.52%
Other provinces	106,632	2.75%
Other municipalities	69,816	3.03%
Major banks	4,768	3.03%
<b>Total Bonds</b>	<b>\$ 293,584</b>	<b>2.81%</b>
	-	
<b>Short Term</b>		
Money market	\$ 129,000	3.69%
Cash in bank	61,361	2.94%
<b>Total Investments</b>	<b>\$ 483,946</b>	<b>3.06%</b>

City of Burlington

PROPERTY TAX COLLECTION  
COMPARISON OF THE THIRD QUARTER OF 2025 WITH 2024

	Sep 30, 2025		Sep 30, 2024		
	Amount	Percent of Current Levy	Amount	Percent of Current Levy	Variance
Total Levy	\$558,466,033	100.0%	\$525,959,135	100.0%	\$32,506,898
Current Year Collections	\$513,774,124	92.0%	\$484,626,477	92.1%	\$29,147,647
Current Year Arrears	\$44,691,909	8.0%	\$41,332,658	7.9%	\$3,359,251

	Amount	Percent of Total Arrears	Amount	Percent of Total Arrears	Variance
Total Arrears*	\$52,411,488	100.0%	\$49,401,557	100.0%	\$3,009,930
Prior Years Arrears	\$7,719,579	14.7%	\$8,068,899	16.3%	(\$349,321)
Current Year Arrears	\$44,691,909	85.3%	\$41,332,658	83.7%	\$3,359,251

	Amount	Annual Budget	Amount	Annual Budget	Variance
Penalties and interest earned on taxes	\$3,210,884	\$2,300,000	\$2,797,533	\$2,250,000	\$413,351

\*Arrears amounts include outstanding taxes not yet due

**City of Burlington**  
**DEBT AND FINANCIAL OBLIGATION**  
**as at September 2025**

**Calculation of Net Debt Charges (2023 FIR)**

Gross Debt Charges		\$	16,892,860
Long Term Commitments			2,115,561
Lease & Liabilities (2023)	\$	2,115,561	
<b>NET DEBT CHARGES</b>		<b>\$</b>	<b>19,008,421</b>

**Calculation of Annual Repayment Limit (2023 FIR)**

Total Revenue Fund Revenues	\$	331,621,952	
Contributed Capital Assets	\$	-	
Total Revenue Fund Revenues			<b>\$ 331,621,952</b>

**EXCLUDED REVENUE AMOUNTS:**

Government Grants			3,317,663
Ontario Grants	\$	2,738,893	
Canada Grants	\$	578,770	
Deferred Revenue Earned			9,624,032
Provincial Gas Tax	\$	2,662,026	
Canada Gas Tax	\$	6,962,006	
Other Municipalities			9,898,354
Sale of Land & Capital Assets			(211,456)
Deferred Revenues Earned			3,626,080
Development Charges	\$	1,158,813	
Recreation Land	\$	2,461,810	
Community Benefits	\$	5,457	
Other	\$	-	
Donated Tangible capital assets			1,818,408
Government Business Enterprise Equity			1,049,000
Other			1,164,181
<b>Total Exclusions</b>		<b>\$</b>	<b>30,286,262</b>

<b>NET REVENUE FUND REVENUES</b>	<b>\$</b>	<b>301,335,690</b>
25% of Net Revenue Fund Revenues		75,333,923
Less Net Debt Charges		(19,008,421)

<b>ANNUAL REPAYMENT LIMIT AT JAN 01/25</b>	<b>\$</b>	<b>56,325,502</b>
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**2025 UPDATED ANNUAL REPAYMENT LIMIT**

2023 Annual Repayment Limit		\$	56,325,502
<b>Net Adjustments</b>			
Change in Debt Charges			(4,578,891)
Gross Debt Charges 2025	\$	18,852,697	
Debt Charges (debt issued in 2025)	\$	-	
Debt Charges Approved Not Issued	\$	(2,619,055)	
Change Long Term Commitments			(315,419)
Lease & Liabilities	\$	2,430,980	
<b>Total NET ADJUSTMENT</b>		<b>\$</b>	<b>(4,894,310)</b>

<b>2025 Adjusted Annual Repayment Limit</b>	<b>\$</b>	<b>51,431,191</b>
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<b>City's Debt Charges as a Percentage of Net Revenues Fund Revenues</b>	<b>7.93%</b>
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## City of Burlington

### Reserve Funds and Reserves

As at September 30, 2025 with Comparatives from December 31, 2024

#### 1. CAPITAL RELATED RESERVE FUNDS AND RESERVES

<b>A) Development Related Reserve and Reserve Funds</b>	<b>Uncommitted Balance As at Dec 31, 2024</b>	<b>BALANCE</b>	<b>COMMITMENTS</b>	<b>UNCOMMITTED BALANCE</b>
Growth Studies	(253,216)	78,673	253,216	(174,543)
Library	(659,410)	541,179	1,229,173	(687,994)
Transit	1,311,699	1,201,123	-	1,201,123
Transportation*	31,175,235	26,772,591	(913,174)	27,685,765
Storm Drainage*	2,437,039	1,317,806	-	1,317,806
Fire Protection*	(426,971)	919,960	659,958	260,001
Parks & Recreation	3,340,352	2,629,265	-	2,629,265
Park Dedication	(4,288,883)	4,335,171	9,550,675	(5,215,504)
Community Benefits Charges	77,238	3,159,015	3,081,776	77,238
Future Services	1,734,978	29,071,767	23,061,359	6,010,408
Future Services Signs & Barricades	605,891	605,891	-	605,891
Future Services Trees	77,152	80,152	-	80,152
Development Charge Exemption	-	-	-	-
<b>Total Development Related Reserve Funds</b>	<b>\$ 35,131,103</b>	<b>\$ 70,712,593</b>	<b>\$ 36,922,984</b>	<b>\$ 33,789,608</b>

<b>B ) Vehicle and Equipment Reserve Funds</b>				
Vehicle Replacements - Fire	1,252,076	768,379	-	768,379
Vehicle Replacements - Corporate	817,013	821,502	500,000	321,502
Vehicle Replacements - Transit	1,555,916	2,422,065	-	2,422,065
Vehicle Replacements - Tyandaga	260,236	(157,574)	-	(157,574)
<b>Total Vehicle and Equipment Reserve Funds</b>	<b>\$ 3,885,241</b>	<b>\$ 3,854,373</b>	<b>\$ 500,000</b>	<b>\$ 3,354,373</b>

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

## City of Burlington

### Reserve Funds and Reserves

As at September 30, 2025 with Comparatives from December 31, 2024

<b>C) Transit Related Reserve Funds</b>	<b>Uncommitted Balance</b>	<b>BALANCE</b>	<b>COMMITMENTS</b>	<b>UNCOMMITTED</b>
	<b>As at Dec 31, 2024</b>			<b>BALANCE</b>
Provincial Gas Tax	2,411,442	3,429,498	-	3,429,498
Federal Gas Tax - Transit Dedicated	1,086,086	1,851,407	-	1,851,407
<b>Total Transit Related Reserve Funds</b>	<b>\$ 3,497,528</b>	<b>\$ 5,280,905</b>	<b>\$ -</b>	<b>\$ 5,280,905</b>

<b>D) Other Capital Reserve Funds</b>				
Burlington Hydro Proceeds	(2,417,522)	4,885,330	3,906,608	978,722
Capital Purposes	7,071,068	6,882,356	10,000	6,872,356
Federal Gas Tax	918,486	(1,350,516)	-	(1,350,516)
Information Technology Renewal	624,079	1,597,560	951,745	645,815
Infrastructure Renewal	12,287,237	9,213,648	-	9,213,648
Joseph Brant Memorial Hospital	-	709,167	709,167	-
Public Art Reserve Fund	830,473	795,473	-	795,473
Railway Crossing	-	13,949,691	13,949,691	-
Strategic Land Acquisition	2,424,086	8,174,419	5,157,117	3,017,302
Strategic Plan	251,456	260,890	100,000	160,890
<b>Total Other Capital Reserve Funds</b>	<b>\$ 21,989,364</b>	<b>\$ 45,118,017</b>	<b>\$ 24,784,327</b>	<b>\$ 20,333,690</b>

## 2. OPERATING RELATED RESERVE FUNDS AND RESERVES

<b>A) Stabilization Reserves and Reserve Funds</b>	<b>Uncommitted Balance</b>	<b>BALANCE</b>	<b>COMMITMENTS</b>	<b>UNCOMMITTED</b>
	<b>As at Dec 31, 2024</b>			<b>BALANCE</b>
Building Permit Stabilization	3,966,430	4,246,430	280,000	3,966,430
Commodity Stabilization Reserve Fund	984,622	-	-	-
Contingency	4,465,295	12,289,327	3,713,636	8,575,691
Engineering Fee Stabilization	467,598	467,598	-	467,598
Planning Fee Stabilization	620,190	620,190	-	620,190
Severe Weather	4,818,473	-	-	-
Tax Rate Stabilization	5,880,443	12,939,187	1,667,798	11,271,388
<b>Total Stabilization Reserve Funds</b>	<b>\$ 21,203,052</b>	<b>\$ 30,562,732</b>	<b>\$ 5,661,434</b>	<b>\$ 24,901,298</b>

<b>B) Corporate Reserve Funds</b>				
Benefits	3,710,321	4,171,295	593,665	3,577,630
Election	-	571,504	571,504	-
Emergency	186,708	-	-	-
Employee Accident	7,442,992	10,504,106	2,182,112	8,321,995
<b>Total Corporate Reserve Funds</b>	<b>\$ 11,340,020</b>	<b>\$ 15,246,906</b>	<b>\$ 3,347,281</b>	<b>\$ 11,899,625</b>

<b>C) Corporate Reserves</b>				
Insurance	-	5,050,083	5,050,083	-
Ontario Cannabis Legalization Implementation	58,556	58,556	-	58,556
<b>Total Corporate Reserves</b>	<b>\$ 58,556</b>	<b>\$ 5,108,639</b>	<b>\$ 5,050,083</b>	<b>\$ 58,556</b>

# City of Burlington

## Reserve Funds and Reserves

As at September 30, 2025 with Comparatives from December 31, 2024

### 3. LOCAL BOARDS AND PROGRAM SPECIFIC RESERVE FUNDS AND RESERVES

A) Program Specific Reserve Funds	Uncommitted Balance As at Dec 31, 2024	BALANCE	COMMITMENTS	UNCOMMITTED BALANCE
Parks & Recreation Infrastructure				
Arenas	237,494	279,752	-	279,752
Culture	232,651	180,886	-	180,886
Haber Community Centre	629,692	-	-	-
LaSalle Park Pavilion	220,751	220,342	-	220,342
Paletta Mansion	1,008,262	716,262	-	716,262
Pools	481,473	433,350	-	433,350
Recreation Centre	325,631	1,257,022	-	1,257,022
Senior's Centre	375,156	-	-	-
Sports Fields	209,331	179,804	-	179,804
Tyandaga Facility	323,903	288,886	-	288,886
Waterfront Centre	320,361	370,361	60,000	310,361
Youth Initiatives	90,647	90,647	-	90,647
Active Transportation Reserve Fund	1,026,000	1,526,000	-	1,526,000
Burlington Beach Regional Waterfront Park	-	92,000	-	92,000
Community Heritage	178,985	178,985	-	178,985
Community Investment	301,929	299,781	-	299,781
Council Special Initiatives	74,205	74,205	-	74,205
Culture Initiatives	35,204	125,204	-	125,204
Emergency Relief	250,000	-	-	-
Energy Initiatives	80,860	121,914	43,785	78,129
Federal and Provincial Grants	-	10,454,616	10,454,616	-
Fire Dispatch	639,920	639,920	-	639,920
Fire Suppression	97,060	112,060	-	112,060
Forestry	75,119	131,635	-	131,635
Green Initiatives	649,333	736,333	87,000	649,333
Innovation & Transformation Reserve Fund	25,933	445,393	-	445,393
Itabashi Garden	14,038	14,038	-	14,038
Multi-Year Community Investment Plan RF	2,014,659	3,990,530	3,400,000	590,530
Mundialization Committee	169,390	143,335	-	143,335
Municipal Accomodation Tax-City	659,435	662,571	-	662,571
Municipal Accomodation Tax-Tourism	1,532,992	1,532,992	-	1,532,992
Municipal Consent Reserve Fund	234,851	234,851	-	234,851
Naval Memorial	34,349	34,349	-	34,349
Parking District	238,804	238,804	-	238,804
Parking Growth	7,619,204	7,594,204	-	7,594,204
Parking Renewal	4,794,896	3,376,896	-	3,376,896
Policy Initiatives	168,452	479,900	275,000	204,900
Sims Square	224,290	174,290	-	174,290
Tree Establishment & Enhancement	1,049,971	1,126,204	76,233	1,049,971
<b>Total Program Specific Reserve Funds</b>	<b>\$ 26,645,230</b>	<b>\$ 38,558,324</b>	<b>\$ 14,396,633</b>	<b>\$ 24,161,691</b>



## City of Burlington

### Reserve Funds and Reserves

As at September 30, 2025 with Comparatives from December 31, 2024

<b>B) Local Boards Reserve Funds</b>	<b>Uncommitted Balance As at Dec 31, 2024</b>	<b>BALANCE</b>	<b>COMMITMENTS</b>	<b>UNCOMMITTED BALANCE</b>
Art Gallery of Burlington	5,847	-	-	-
BEDC Innovation Centre	326,805	326,805	-	326,805
BEDC Operations	801,305	761,882	-	761,882
BEDC Strategic Initiatives	317,820	317,820	-	317,820
Downtown BIA	295,115	295,115	-	295,115
Library Capital	1,456,761	641,161	-	641,161
Library Operating	307,219	317,115	-	317,115
Museums Board - Ireland House Capital	101,755	101,755	-	101,755
Museums Board - Ireland House Operating	524,433	521,819	-	521,819
Museums Board - Joseph Brant Capital	65,450	65,450	-	65,450
Museums Board - Joseph Brant Operating	447,297	444,682	-	444,682
BPAC - Operating	3,783,613	3,705,776	10,279	3,695,497
BPAC - Capital	1,127,163	1,223,089	-	1,223,089
BPAC - Donations	10,364	15,643	5,279	10,364
Tourism Burlington	273,728	293,295	19,567	273,728
<b>Total Local Boards Reserve Funds</b>	<b>\$ 9,844,673</b>	<b>\$ 9,031,407</b>	<b>\$ 35,125</b>	<b>\$ 8,996,282</b>

<b>C) Program Specific Reserves</b>				
Fire Extrication	857	857	-	857
<b>Total Program Specific Reserves</b>	<b>\$ 857</b>	<b>\$ 857</b>	<b>\$ -</b>	<b>\$ 857</b>

<b>Total Reserve Funds</b>	<b>\$ 129,070,915</b>	<b>\$ 206,075,930</b>	<b>\$ 81,934,149</b>	<b>\$ 124,141,781</b>
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<b>Total Reserves</b>	<b>\$ 4,524,708</b>	<b>\$ 17,398,824</b>	<b>\$ 8,763,719</b>	<b>\$ 8,635,104</b>
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<b>Total Reserve Funds and Reserves</b>	<b>\$ 133,595,624</b>	<b>\$ 223,474,754</b>	<b>\$ 90,697,868</b>	<b>\$ 132,776,885</b>
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## CITY OF BURLINGTON

## OPERATING BUDGET PERFORMANCE FOR THE PERIOD ENDING SEPTEMBER 30, 2025

	2025 Budget	2025 Year End Projections	Variance	Fav/Unfav
<b>Development and Growth Management</b>				
Development and Growth Management Admin	362,343	388,663	(26,320)	
By-law Compliance	3,276,851	3,212,231	64,619	
Building	0	(0)	0	
Community Planning	2,017,359	3,424,107	(1,406,748)	U
<b>Total Development and Growth Management</b>	<b>\$ 5,656,552</b>	<b>\$ 7,025,000</b>	<b>\$ (1,368,448)</b>	<b>U</b>
<b>Community Services</b>				
Community Services Admin	394,507	414,267	(19,760)	
Transit	24,772,582	23,913,594	858,989	F
Recreation Community and Culture	21,338,454	20,045,141	1,293,313	F
Fire	39,186,786	38,691,072	495,714	F
Customer Experience	1,416,054	1,316,054	100,000	
<b>Total Community Services</b>	<b>\$ 87,108,383</b>	<b>\$ 84,380,127</b>	<b>\$ 2,728,256</b>	<b>F</b>
<b>Public Works</b>				
Public Works Admin	444,144	452,014	(7,870)	
Engineering Services	8,939,483	8,694,163	245,320	F
Transportation Services	8,511,221	8,334,219	177,002	F
Roads Park and Forestry	31,557,921	33,157,247	(1,599,326)	U
<b>Total Public Works</b>	<b>\$ 49,452,770</b>	<b>\$ 50,637,643</b>	<b>\$ (1,184,874)</b>	<b>U</b>
<b>Legal and Legislative Services</b>				
Legal and Legislative Services Admin	412,232	416,692	(4,460)	
Legal and Halton Court Services	2,021,694	1,810,212	211,481	F
Legislative Services	1,956,551	1,773,911	182,640	F
Mayor and Council	2,102,055	2,101,005	1,050	
<b>Total Legal and Legislative Services</b>	<b>\$ 6,492,531</b>	<b>\$ 6,101,820</b>	<b>\$ 390,711</b>	<b>F</b>
<b>Enabling Services</b>				
Corporate Affairs	4,517,123	4,554,798	(37,675)	
Burlington Digital Services	13,957,963	13,815,991	141,972	F
Finance	5,428,580	5,255,730	172,850	F
Human Resources	4,582,914	4,787,614	(204,700)	U
Transformation Office	2,745,469	2,465,469	280,000	F
<b>Total Enabling Services</b>	<b>\$ 31,232,049</b>	<b>\$ 30,879,601</b>	<b>\$ 352,447</b>	<b>F</b>
<b>Total Divisions and Departments</b>	<b>\$ 179,942,285</b>	<b>\$ 179,024,192</b>	<b>\$ 918,092</b>	<b>F</b>
<b>Local Boards</b>				
Art Gallery of Burlington	1,078,801	1,078,801	-	
Burlington Public Library	12,338,125	12,338,125	-	
Museums of Burlington	791,169	791,169	-	
Burlington Economic Development and Tourism	1,961,513	1,961,513	-	
Burlington Performing Arts Centre	1,121,291	1,121,291	-	
<b>Total Local Boards</b>	<b>\$ 17,290,899</b>	<b>\$ 17,290,899</b>	<b>\$ -</b>	

	2025 Budget	2025 Year End Projections	Variance	Fav/Unfav
<b>Corporate Expenditures</b>				
Funding for Capital Program	65,965,526	65,965,526	-	
Provisions to Corporate Reserve Funds	7,997,887	7,997,887	-	
Grants and Assistance	617,044	517,044	100,000	
Corporate Shared Facilities	2,493,171	2,654,054	(160,883)	U
Financial Expenses	3,967,584	4,421,136	(453,552)	U
<b>Total Corporate Expenditures</b>	<b>\$ 81,041,212</b>	<b>\$ 81,555,647</b>	<b>\$ (514,436)</b>	<b>U</b>
<b>Total Net Expenditures</b>	<b>\$ 278,274,395</b>	<b>\$ 277,870,738</b>	<b>\$ 403,657</b>	<b>F</b>
<b>Corporate Revenues</b>				
Earnings on Investments	(5,300,000)	(6,500,000)	1,200,000	F
Penalty and Interest on Taxes	(2,300,000)	(2,500,000)	200,000	F
Supplementary Taxes	(1,200,000)	(1,000,000)	(200,000)	U
Payment in Lieu of Taxes	(4,120,550)	(4,304,425)	183,875	F
Other Revenues	(630,000)	(630,000)	-	
Tax Revenues	(264,723,845)	(264,723,845)	-	
<b>Total Corporate Revenues</b>	<b>\$ (278,274,395)</b>	<b>\$ (279,658,270)</b>	<b>\$ 1,383,875</b>	<b>F</b>
<b>Net City Tax Levy</b>		<b>\$ (1,787,532)</b>	<b>\$ 1,787,532</b>	<b>F</b>

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SUBJECT: 2026 Interim Tax Levy By-law  
TO: Committee of the Whole  
FROM: Finance  
N/A

Report Number: FIN-40-25

Wards Affected: All

Date to Committee: December 1, 2025

Date to Council: December 9, 2025

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### **Recommendation**

Approve the by-law substantially in the form attached as Appendix A to finance department report FIN-40-25 which provides for the levy of the 2026 Interim taxes.

### **Executive Summary**

This report presents the interim property tax rates for the levying of interim taxes for the 2026 taxation year.

Purpose of report:

- The 2026 interim tax rates are submitted to Council for approval in the form of the 2026 Interim Tax Levy By-Law.

Key findings:

- Section 317 of the Municipal Act allows the maximum interim levy at 50 per cent of the total taxes levied on a property for the previous year (including tax adjustments such as supplementary assessments and assessment appeals).
- The interim levy is calculated based on the current value assessments provided to the city in December by the Municipal Property Assessment Corporation.

Implications:

- The by-law, once approved, will provide the authority to levy and issue the 2026 interim tax bills to all property owners in the City of Burlington.

### Background

The City bills property taxes twice a year. The first is the interim billing where the installment due dates are in February and April. The second billing, known as final billing, is completed upon the approval of the city and region's budgets and receipt of the education tax rates from the province. The installment due dates for final billing are in the months of June and September. A by-law approved by Council is required for each of the billings.

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### Analysis

On August 16, 2023, the Ontario government extended the postponement of the property tax reassessment through to the end of the 2021-2024 assessment cycle. On November 1, 2024, the Ministry of Finance indicated the province-wide property reassessment will continue to be deferred. Similar to the 2025 tax year, the 2026 tax year will be based on the same valuation date (January 1, 2016), unless there have been changes to a property.

The interim levy is calculated based on the assessments provided in December by the Municipal Property Assessment Corporation (MPAC) multiplied by 50% of the 2025 tax rate (shown on Schedule "A" of the By-law).

Once approved by Council, Finance staff will generate the interim tax bills to be forwarded to property owners in order to meet the legislative time requirement for the initial interim tax due date.

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### Recommendation Details

Approval of the 2026 Interim Tax Levy By-Law (FIN-40-2025) for the levying of tax rates.

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### Key Dates & Milestones

The 2026 interim taxes will be due in two installments as follows:

February 23, 2026

April 23, 2026

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## Implications

The interim tax levy is required to provide the necessary cash flow to meet the obligations of the City including payments to the Region of Halton and the Boards of Education until the final tax rates are established.

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## Strategic 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
- 

## Author:

Sandra Chau  
Specialist, Property Tax Assessment  
905 335-7600 ext. 7754

## Appendices:

A. By-law to levy 2026 interim taxes and establish penalty and interest rates.

## Draft By-laws for Approval at Council:

- Date of draft by-law is December 1, 2025, and the by-law will take effect January 1, 2026 with Council approval on December 9, 2025.

## Report Approval:

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

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER XX-2025

A by-law to levy 2026 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 2026, 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 2026 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 2025, adjusted to annualize any assessment changes incurred during 2025. No adjustment made by the Treasurer shall reduce the 2026 interim levy below 50% of the 2025 adjusted tax amount. No adjustment shall be made by the Treasurer after the Final 2026 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 23, 2026; and,
  - b) The balance shall become due and payable on April 23, 2026.
- 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, 2026.

ENACTED AND PASSED this 10th day of December, 2025.

\_\_\_\_\_  
Marianne Meed Ward MAYOR

\_\_\_\_\_  
Samantha Yew CITY CLERK

**BY-LAW NUMBER XX-2025**  
**SCHEDULE A**  
**2026 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	0.00249559	0.00217822	0.00094370	0.00093059	0.00065367	0.00076500	0.00485796	0.00452748	0.00454059
- Farmlands I	R-1	0.00187169	0.00163366	0.00070777	0.00069794	0.00049025	0.00057375	0.00364346	0.00339560	0.00340543
- 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	0.00499117	0.00435643	0.00188740	0.00186118	0.00130733	0.00076500	0.00895090	0.00828994	0.00831616
New Multi-Residential	N-T	0.00249559	0.00217822	0.00094370	0.00093059	0.00065367	0.00076500	0.00485796	0.00452748	0.00454059
Commercial	C-T	0.00363482	0.00317257	0.00137450	0.00135541	0.00095207	0.00385276	0.00981415	0.00933281	0.00935190
- full shared payment in lieu	C-H	0.00363482	0.00317257	0.00137450	0.00135541	0.00095207	0.00385276	0.00981415	0.00933281	0.00935190
- excess land	C-U	0.00363482	0.00317257	0.00137450	0.00135541	0.00095207	0.00385276	0.00981415	0.00933281	0.00935190
- vacant land	C-X	0.00363482	0.00317257	0.00137450	0.00135541	0.00095207	0.00385276	0.00981415	0.00933281	0.00935190
- Farmlands I	C-1	0.00187169	0.00163366	0.00070777	0.00069794	0.00049025	0.00057375	0.00364346	0.00339560	0.00340543
- Small scale on-farm business	C-7	0.00090871	0.00079315	0.00034363	0.00033885	0.00023802	0.00110001	0.00259037	0.00247003	0.00247481
Office Building	D-T	0.00363482	0.00317257	0.00137450	0.00135541	0.00095207	0.00385276	0.00981415	0.00933281	0.00935190
- full shared payment in lieu	D-H	0.00363482	0.00317257	0.00137450	0.00135541	0.00095207	0.00385276	0.00981415	0.00933281	0.00935190
- excess land	D-U	0.00363482	0.00317257	0.00137450	0.00135541	0.00095207	0.00385276	0.00981415	0.00933281	0.00935190
Shopping Centre	S-T	0.00363482	0.00317257	0.00137450	0.00135541	0.00095207	0.00385276	0.00981415	0.00933281	0.00935190
- excess land	S-U	0.00363482	0.00317257	0.00137450	0.00135541	0.00095207	0.00385276	0.00981415	0.00933281	0.00935190
Parking Lot	G-T	0.00363482	0.00317257	0.00137450	0.00135541	0.00095207	0.00385276	0.00981415	0.00933281	0.00935190
Industrial	I-T	0.00521752	0.00455400	0.00197300	0.00194559	0.00136662	0.00440000	0.01295714	0.01226621	0.01229362
- full shared payment in lieu	I-H	0.00521752	0.00455400	0.00197300	0.00194559	0.00136662	0.00549092	0.01404806	0.01335713	0.01338454
- excess land	I-U	0.00521752	0.00455400	0.00197300	0.00194559	0.00136662	0.00440000	0.01295714	0.01226621	0.01229362
- vacant land	I-X	0.00521752	0.00455400	0.00197300	0.00194559	0.00136662	0.00440000	0.01295714	0.01226621	0.01229362
- excess land shared payment in lieu	I-K	0.00521752	0.00455400	0.00197300	0.00194559	0.00136662	0.00549092	0.01404806	0.01335713	0.01338454
- vacant land shared payment in lieu	I-J	0.00521752	0.00455400	0.00197300	0.00194559	0.00136662	0.00549092	0.01404806	0.01335713	0.01338454
Large Industrial	L-T	0.00521752	0.00455400	0.00197300	0.00194559	0.00136662	0.00440000	0.01295714	0.01226621	0.01229362
- excess land	L-U	0.00521752	0.00455400	0.00197300	0.00194559	0.00136662	0.00440000	0.01295714	0.01226621	0.01229362
- aggregate extraction	V-T	0.00424553	0.00370562	0.00160544	0.00158314	0.00111203	0.00255500	0.00951800	0.00895579	0.00897809
Industrial-Farmlands I	I-1	0.00187169	0.00163366	0.00070777	0.00069794	0.00049025	0.00057375	0.00364346	0.00339560	0.00340543
Industrial-Farmlands I	I-7	0.00130438	0.00113850	0.00049325	0.00048640	0.00034166	0.00110001	0.00323930	0.00306657	0.00307342
Pipelines	P-T	0.00264956	0.00231261	0.00100193	0.00098801	0.00069400	0.00440000	0.00874549	0.00839462	0.00840854
Farm	F-T	0.00049912	0.00043565	0.00018874	0.00018612	0.00013074	0.00019125	0.00100985	0.00094376	0.00094638
Managed Forests	T-T	0.00062390	0.00054456	0.00023593	0.00023265	0.00016342	0.00019125	0.00121450	0.00113188	0.00113516

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SUBJECT: Appointments to Appeals Committee and appointment extensions to Advisory Committees and Pipeline to Permit Standing Committee

TO: Committee of the Whole

FROM: Legal and Legislative Services  
Legislative Services

Report Number: LLS-55-25

Wards Affected: All

Date to Committee: December 1, 2025

Date to Council: December 9, 2025

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### Recommendation

Approve the appointments to the Appeals Committee, as identified in Confidential Appendix A to legislative services report LLS-55-25, for a term ending December 31, 2026, to align with the term of Council; and

Extend the appointments of the Pipeline to Permit Committee members for one year, for a term ending December 31, 2026 to align with the term of Council, as identified in Appendix B to legislative services report LLS-55-25; and

Extend the terms of advisory committee members whose appointments expire at the end of 2025 for the Heritage Burlington Advisory Committee, Burlington Agricultural & Rural Affairs Advisory Committee, Burlington Accessibility Advisory Committee, Mundialization Committee, Integrated Transportation Advisory Committee, Burlington Cycling Advisory Committee, and Burlington Sustainable Development Committee as listed in Appendix B to legislative services report LLS-55-25, for one additional year to align with the end of Council's term; and

Make the Appeals Committee appointee names public following Council approval at the meeting of December 9, 2025.

## **Executive Summary**

### **Purpose of report:**

- The purpose of this report is to provide Council with the names of individuals recommended for appointment to the Appeals Committee to bring the membership to full complement, and to request one-year term extensions for members of the Pipeline to Permit Committee and several advisory committee members whose terms expire at the end of 2025, as listed within Appendix B to this report.
- Staff paused the annual fall recruitment for advisory committees in light of the advisory committee review about to be underway. The one-year extensions will provide sufficient existing membership to maintain quorum and productivity and ensure continuity during the transitional period.
- The current member appointments to the Pipeline to Permit Committee, a standing committee of Council, are set to expire on December 31, 2025. Staff recommend extending these appointments to December 2026 to align with the 2026–2030 Council term and to provide Legislative Services staff sufficient time to confirm appointees while ensuring continuity in the committee's work.

# Recommendation Report

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## Background

### Appeals Committee

Council approved the Terms of Reference for the Appeals Committee at its Special Meeting on August 13, 2025. Following approval, recruitment was initiated immediately to establish the committee.

On October 14, 2025, Council appointed three members to the committee. The Appeals Committee is comprised of five members in total. Recruitment continued through November to fill the remaining vacancies.

The selection panel has completed its second phase of recruitment, and two additional candidates are recommended for appointment and are identified in Confidential Appendix A to this report. With these appointments, the committee will be at full complement and able to commence its mandate in the new year as outlined in the Terms of Reference.

### Advisory Committee appointment extensions

The City conducts annual recruitment each October–November to fill vacancies on both legislated and discretionary advisory committees. These committees—such as the Accessibility Committee, Agricultural and Rural Affairs Committee, Downtown Parking Committee, Inclusivity Committee, Heritage Committee, Integrated Transportation Committee, Mundialization Committee, Sustainable Development Committee, Cycling Committee, and Seniors' Committee, provide important community input on City policies, projects, and initiatives.

Staff paused the annual recruitment process for 2025 for the following reasons:

- A comprehensive review of the City's advisory committees is currently on the Legislative Services work plan and is expected to be completed in early 2026. This review will establish a modernized framework, assess the effectiveness and relevance of the current committee portfolio and structure, and provide direction for future recruitment.
- Traditionally, advisory committees pause their meetings in June 2026 ahead of the fall municipal election, with activities resuming with the next term of Council. Recruiting and onboarding new members now would result in limited engagement and minimal participation prior to the scheduled pause.

- While some committees are below full complement, each has sufficient membership to maintain quorum and continue meaningful work through the first half of 2026.
- The Public Appointment Policy states that the City Clerk is accountable for recruitment to fill vacancies but does not require annual recruitment. Deferring recruitment until after the advisory committee review and 2026 municipal election will allow for a more efficient, coordinated, and needs-based process.

All members were advised by their respective Committee Clerk about the pause and asked if they would be interested in participating for an additional year. Staff are fortunate for the dedicated and committed volunteers who agreed to continue participation with their committee. Subsequently staff is requesting that the terms of willing advisory committee members whose terms expire at the end of 2025 be extended by one year.

### **Pipeline to Permit member extensions**

The Pipeline to Permit Committee is a standing committee of Council whose current member appointments expire at the end of 2025. As a newly established committee, it underwent an initial review of its Terms of Reference in February 2025.

To align the Pipeline to Permit membership terms with those of other city boards and committees, including the Committee of Adjustment and Appeals Committee, staff recommend extending the existing appointments to the Pipeline to Permit Committee for an additional year. This extension will help maintain stability and continuity in the committee's work. Current members bring valuable experience and contextual knowledge that support ongoing initiatives. Extending their terms also provides staff with the necessary time to confirm appointees and consider aligning future appointments with the Council term.

As such, staff recommend extending the appointments of all current members of the Pipeline to Permit Committee for one year, to December 2026, to align consideration of future appointments with the next Council term.

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### **Recommendation Details**

Staff are seeking approval to appoint recommended individuals to the Appeals Committee and to extend terms for advisory committee members and Pipeline to Permit Committee members whose terms are expiring at the end of 2025, for an additional year. The recommended actions ensure continuity in committee operations and permit necessary committee reviews to inform future appointments. Extending current members across both advisory committees and the Pipeline to Permit Committee avoids premature recruitment and aligns membership with the next Council term.

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## Key Dates & Milestones

- Regular meeting of Council on December 9, 2025 – Appeals Committee Appointments, Advisory Committee and Pipeline to Permit extension approval
  - Advisory Committee review - Q1 2026
  - Advisory Committee recruitment – Q3 2026
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## Implications

N/A

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## References

[MO-01-23](#) Proposed Pipeline to Permit Committee

[CM-15-23](#) Pipeline to Permit Terms of Reference

[LLS-19-25](#) Pipeline to Permit Committee Accomplishments and Terms of Reference

[DGM-57-25](#) Appeals Committee Terms of Reference

[Public Appointment Policy](#)

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## Strategic 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
- 

## Author:

Lisa Palermo

Manager, Committee Services/Deputy Clerk

[lisa.palermo@burlington.ca](mailto:lisa.palermo@burlington.ca)

## Appendices:

A. Appointees for term extensions – Pipeline to Permit and various other committees

B. Confidential Appendix - recommended Appeals Committee appointees

Pursuant to Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees

**Draft By-laws for Approval at Council:**

- N/A

**Report Approval:**

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



**Extension of appointments to the Pipeline to Permit Committee**

Extend the following appointments to the Pipeline to Permit Committee for a term to expire on December 31, 2026:

- Kellie McCormack
- Mike Collins-Williams
- Jason Sheldon
- Jackie Isada
- Elisha Vankleef
- Jim Dunn
- Bianca Steer
- John Doyle
- Kristen Delong

**Extension of appointments to the Heritage Burlington Advisory Committee, Burlington Agricultural & Rural Affairs Advisory Committee, Burlington Accessibility Advisory Committee, Mundialization Committee, Integrated Transportation Advisory Committee, Burlington Cycling Advisory Committee and Burlington Sustainable Development Committee**

Extend the following appointments to the Heritage Burlington Advisory Committee for a term to expire on December 31, 2026:

- Steve Allen
- Michael Vollmer
- Len Collins
- Jenna Dobson
- Robin Lloyd
- Catherine Robb

Extend the following appointments to the Burlington Agricultural & Rural Affairs Advisory Committee for a term to expire on December 31, 2026:

- Vincent Sowa
- Erin Fleming
- Larry Campbell
- Michiel Barnard
- Peter Starcevic
- Mariam Abu-El-Magd

Extend the following appointments to the Integrated Transportation Advisory Committee for a term to expire on December 31, 2026:

- Michael Gioseffi
- Lachlan Fraser

Extend the following appointment to the Mundialization Committee for a term to expire on December 31, 2026:

- Diana Tello

Extend the following appointments to the Burlington Accessibility Advisory Committee for a term to expire on December 31, 2026:

- Debbie Strum
- Garth Napier

Extend the following appointments to the Burlington Sustainable Development Committee for a term to expire on December 31, 2026:

- Mathew McAuley
- Dave Rokosh
- Peter Nimmrichter
- Scott Black
- Shuchita Gupta
- Deb Toor

Extend the following appointments to the Burlington Cycling Advisory Committee for a term to expire on December 31, 2026:

- Murray Strum
- Katherine Dobson
- Ellie Castonguay
- Corey Finnigan

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SUBJECT: Amendment to Traffic By-law 86-2007 to permit electric kick-scooters on  
Centennial Trail

TO: Committee of the Whole

FROM: Public Works  
Transportation

Report Number: PWS-45-25

Wards Affected: all

Date to Committee: December 1, 2025

Date to Council: December 9, 2025

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### **Recommendation**

Direct the City Solicitor to prepare, for the approval of Council, the necessary by-law to amend Traffic By-law 86-2007 to permit and regulate the use of electric kick-scooters (e-scooters) on the Centennial Trail, in accordance with the provincial pilot project (O. Reg. 389/19); and

Approve housekeeping amendments to update the definition of “bicycle” to include a “power-assisted bicycle” and use the term “cycling facility” instead of “bicycle route”.

### **Executive Summary**

The purpose of this report is to seek Council approval to amend Traffic By-law 86-2007 to permit and regulate e-scooter use on the Centennial Trail, thereby opting-in to the provincial pilot program.

# Recommendation Report

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## Background

The use of micro-mobility devices such as electric bikes (e-bikes) and electric kick-scooters (e-scooters) continue to grow as a personal transportation mode. These devices provide a convenient and cost-effective mobility solution for short-duration trips and are often used to facilitate “first mile/last mile” connections to transit. As micro-mobility innovations and technologies emerge, the way people move within urban environments will continue to change and disrupt the traditional transportation network.

On November 27, 2019, the Government of Ontario announced a 5-year e-scooter pilot project under the *Highway Traffic Act* ([O. Reg. 389/19](#)) that commenced on January 1, 2020 as part of the *Open for Business Action Plan*. The pilot program was set to expire in November 2024, but in October 2024 the province extended the program until November 27, 2029.

Under [Ontario's E-scooter Pilot Program](#) municipalities can “opt-in” to the pilot program by passing by-laws to allow e-scooters to operate on municipal property, including municipal trails. Participating in the pilot program allows municipalities to choose where and how e-scooters may be used, subject to O. Reg. 389/19, which sets out a number of requirements including a minimum age of 16 years old for riders, mandatory helmet use for riders between 16 and 18 years old, mechanical specifications and speed limits.

The emergence of shared micromobility systems has presented the City with a unique opportunity to participate in the provincial pilot program by launching a time-limited pilot program that enables staff to study the use of e-scooters in a controlled environment, to better understand the opportunities and challenges presented by permitting e-scooters in shared spaces. The [Centennial Trail E-Scooter Pilot](#) allows staff to study travel trends and operating characteristics of e-scooter use and collect ride data that will be critical to informing the recommendation of future e-scooter use in a way that ensures safe integration into the overall mobility network.

---

## Analysis

E-scooter use in the City of Burlington is supported by the Council-approved [Integrated Mobility Plan](#) (TS-07-23) and aligns directly with Policy 3.4 *Integrate and explore Micro-Mobility* which calls for the city to explore opportunities to introduce shared micro-mobility services to support achieving the IMP cycling mode targets and the creation of intermodal connections at transit stops and stations.

In the planning and design of the Centennial Trail E-Scooter Pilot, it was determined that enactment of a new by-law, or amendment to the existing traffic by-law, may not be required as e-scooters are prohibited from being used on municipal roadways. However, a subsequent meeting with MTO (July 14, 2025) confirmed that the enactment of a by-law to define electric kick-scooters and outline the regulations for use was required, irrespective of the pilot being limited to a multi-use trail. The MTO confirmed that the City had support to proceed with the planned pilot implementation (July 21, 2025) under the condition that the necessary by-law was passed by end of 2025.

As such, this report seeks to amend Traffic By-law 86-2007 to include a definition of an electric kick-scooter and to provide regulations in regard to the operation of e-scooters on the Centennial Trail which satisfy the Provincial requirement to participate in the pilot program.

---

### **Recommendation Details**

That Traffic By-law 86-2007 be amended to permit and regulate the use of electric kick-scooters (e-scooters) on the Centennial Trail in accordance with the provincial pilot program (O. Reg. 389/19) and be brought forward for the consideration and approval of Council.

---

### **Implications**

There are no financial implications to the City associated with the recommendation to amend Traffic By-law 86-2007. All operating costs associated with the Centennial Trail E-Scooter Pilot are borne by the commercial operator. Future financial implications will be reviewed and contemplated through a forthcoming recommendation report once the 2-year pilot has expired.

---

### **References**

[O. Reg. 389/19: PILOT PROJECT - ELECTRIC KICK SCOOTERS](#)

[Electric Kick-Style Scooter \(e-scooters\) pilot - Proposed Expansion ERO 019-9099](#)

[Electric kick-style scooters \(e-scooters\)](#)

[Ontario e-scooter pilot program: guidelines for municipalities](#)

[Integrated Mobility Plan - Future State of Transportation White Paper](#)

---

## Strategic 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
- 

### Author:

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Manager, Integrated Mobility  
905-335-7600 ext. 7497

### Draft By-laws for Approval at Council:

- Traffic By-law 86-2007, as amended, to be brought forward to Council on December 9, 2025

### Notifications:

Marie Longtin, Senior Safety Policy Advisor  
Road Safety Program Development Office | Ministry of Transportation  
[marie.longtin@ontario.ca](mailto:marie.longtin@ontario.ca)

### Report Approval:

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

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SUBJECT: Emergency and Continuity Management Program By-law update

TO: Committee of the Whole

FROM: Public Works

Transportation

Report Number: PWS-32-25

Wards Affected: All

Date to Committee: December 1, 2025

Date to Council: December 9, 2025

---

### Recommendation

Approve the by-law, substantially in the form attached as Appendix A to public works report PWS-32-25, to establish an Emergency and Continuity Management Program; and

Repeal By-law 69-2024.

### Executive Summary

Purpose of report:

- To adopt a by-law to establish an Emergency and Continuity Management Program and repeal By-law 69-2024.

Key findings:

- The Emergency and Continuity Management Program By-law needs to be updated to incorporate improvements following the July 2024 Flood, as well as other improvements identified during the provincially mandated annual review of the City's Emergency Response Plan.

Implications:

During emergencies, designated staff may be required to work outside of regular hours and will be compensated based on organizational policy. Designated staff and Council members must also complete required annual training and exercises. The bylaw supports ongoing work under

the Climate Resilient Burlington Plan which includes several initiatives led or supported by the Community Emergency Management Specialists to strengthen climate resilience through 2032.



# Recommendation Report

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## Background

As required under the provincial *Emergency Management and Civil Protection Act, R.S.O. 1990 c.E.9 (EMCPA)*, Transportation Services staff completed the annual review of the City's Emergency Response Plan. Due to the recent addition of a second staff member and restructuring of the program from Fire to Transportation Services, the other components of the City's Emergency and Continuity Management Program were also reviewed. Updates are recommended to reflect organizational changes, feedback from the July 2024 Flood response, and program enhancements.

Key amendments in the by-law include:

### *By-law Appendix A: Emergency and Continuity Management Program*

- Updated program oversight reflecting recent restructuring and program expansion.
- New governance section for the Business Continuity portfolio.

### *By-law Appendix B: Emergency Response Plan*

- Revised Emergency Control Group structure (new alternate Liaison Officer) and the addition of an Assistant Public Information Officer for Public Inquiries to create a direct link with Service Burlington.
- Clarified response expectations for Level 2 activations.
- Removal of references to Alert Burlington, which has been decommissioned.
- Clarification on cost centre creation responsibilities during Level 2, 3 and 4 activations.

### *By-law Appendix C: Emergency and Continuity Management Program Committee Terms of Reference*

- Updated Emergency and Continuity Management Program Committee membership, quorum and department responsible for providing administrative support.

The July 2024 Flood After Action Report will be provided to Council in a separate Council Information Package.

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## Analysis

### Options Considered

1. Status quo – This is not the preferred option; the current program by-law does not reflect the proposed updates to the Emergency Response Plan.

2. Amendment of By-law 69-2024 – This is not the preferred option; As the City’s Emergency Response Plan is one of the by-law appendices, and it is important that there is clarity on the Emergency Response Plan to avoid misinterpretations during large-scale emergencies.
  3. Repealing By-law 69-2024 and adopting a new program by-law; This is the preferred and recommended option. Repealing By-law 69-2024 and adopting a new program by-law will avoid unnecessary confusion during large-scale emergencies.
- 

## **Recommendation Details**

Transportation Services staff recommend that By-law 69-2024 be repealed and that a new by-law be adopted.

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## **Key Dates & Milestones**

**June 3, 2025** – The Emergency and Continuity Management Program Committee approved proceeding with submission of Council Report to repeal By-law 69-2024 and adopt a new program by-law that incorporates changes proposed by staff.

**September 23, 2025** – The Emergency and Continuity Management Program Committee approved subsequent additional changes proposed by staff to the new program by-law following the restructuring from Fire to Transportation Services.

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## **Implications**

- **Financial**
  - During emergencies, designated staff may be required to work outside of normal work hours and will be compensated as per organizational policy 6-40 Overtime, Banked Time and Time Off in Lieu (TOIL) Entitlements.
- **Human Resources**
  - Designated staff and Council members are required to participate in annual training and participate in an annual exercise, and/or complete Incident Management System training, as outlined in the organizational policy for the Incident Management System.
- **Climate**
  - As outlined in the *Climate Projections for Burlington Region (2021)*, under a high emissions scenario, Burlington will experience warmer, wetter and wilder weather from 2051-2080, resulting in more frequent large-scale emergencies or disasters related to severe weather, which will likely increase the risk of:
    - Flooding due to increased precipitation and more intense rainfall events.
    - Property damage and power outages due to high winds.

- Heat-related illness and death due to rising temperatures.
- Impacts to critical infrastructure.
- As the impacts of climate change are high reaching, a proactive and adaptive approach to mitigate the increasing risks associated with severe weather events is required. The *Climate Resilient Burlington Plan (2022)* outlines actions that the City of Burlington will complete from 2022-2032 to prepare for the impacts of climate change and enhance community resilience, including three initiatives led by the Community Emergency Management Specialists in Transportation Services and several others supported by the team.

---

## References

Bylaw 69-2024 Emergency and Continuity Management Program – to be repealed

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## Strategic 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
- 

## Author:

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Community Emergency Management Specialist and CEMC  
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## Appendices:

A. Draft Emergency and Continuity Management Program By-law

## Draft By-laws for Approval at Council:

- By-law going to Council for approval on December 9, 2025, and the by-law will take effect upon approval.

## Report Approval:

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

City of Burlington By-law XX-2025

A by-law to repeal Bylaw 69-2024 and adopt an Emergency and Continuity Management Program.  
File:735-07 (PWS-32-25)

Whereas Section 2.1 of the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*, as amended (the “Act”) requires municipalities to develop and implement an emergency management program and adopt it by by-law and

Whereas the Act requires municipalities to formulate an emergency response plan to govern the provision of necessary services during an emergency and the procedures and manner in which employees of municipalities shall through by-law adopt the emergency response plan, and

Whereas it is deemed necessary to repeal and replace By-law 69-2024.

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

1. The Corporation of the City of Burlington adopts By-law XX-2025 Emergency and Continuity Management Program, which includes, as part of this By-law, the following appendices:
  - Appendix A: Emergency and Continuity Management Program;
  - Appendix B: Emergency Response Plan; and
  - Appendix C: Emergency and Continuity Management Program Committee Terms of Reference.
2. The following designations are appointed as outlined in Appendix B:
  - Community Emergency Management Coordinator and alternates
  - Emergency Control Group members, including the Public Information Officer, and alternates
3. Emergency and Continuity Management Program Committee members, and a program committee chair are appointed, as outlined in Appendix C.
4. By-law 69-2024 is hereby repealed.
5. This By-law comes into force on the day it is passed.

Enacted and passed this 9<sup>th</sup> day, of December, 2025

Mayor Marianne Meed Ward \_\_\_\_\_

Deputy Clerk Lisa Palermo\_\_\_\_\_

Burlington Transportation Services Department – Emergency Management  
426 Brant Street  
Burlington, Ontario  
L7R 3Z6

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# **City of Burlington By-law XX-2025**

## **Appendix A: Emergency and Continuity Management Program**

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## **1. Introduction**

The *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9* and Ontario Regulation 380/04 require municipalities to carry out specific activities annually to comply with legislated standards.

The City of Burlington's Emergency and Continuity Management Program meets legislated standards and has been developed using the Canadian Standards Association (CSA) Z1600 standard for emergency and continuity management as a benchmark for continual improvement.

## **2. Program Structure**

### **2.1. Community Emergency Management Coordinator**

The two Community Emergency Management Specialists are the primary and first alternate Community Emergency Management Coordinator (CEMC). As such, the Community Emergency Management Specialists are responsible for overseeing the development, implementation, evaluation, and maintenance of the Emergency and Continuity Management Program, under the guidance of the Manager, Emergency Management and Environmental Sustainability, who oversees the program on a day-to-day basis. Any additional alternate CEMCs responsibilities will be limited to providing after-hours support for Level 2, 3, or 4 activations of the Emergency Response Plan.

The Community Emergency Management Specialists will work with the Emergency and Continuity Management Program Committee to develop and document a municipal emergency response plan and emergency operational procedures. The City of Burlington will include key stakeholders in the planning process where applicable and engage in such process on a regularly scheduled basis, or when the situation has changed in such a way that the existing plan(s) are put into question.

The primary CEMC is also responsible for ensuring the submission of an annual compliance report to Emergency Management Ontario to demonstrate how the City of Burlington has met the requirements for a municipal emergency management program as outlined in the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*.

### **2.2. Emergency and Continuity Management Program Committee**

The Emergency and Continuity Management Program Committee is responsible for guiding and supporting the City's Emergency and Continuity Management Program. Their tasks include setting priorities and goals, allocating resources, promoting awareness, coordinating initiatives, and monitoring the Program's performance. The Emergency and Continuity Management Program Committee is also responsible for conducting an annual review of the program and recommending any program revisions to City Council.

### **2.3. Emergency Control Group**

The City of Burlington's Emergency Control Group is responsible for managing and coordinating the City of Burlington's response during emergencies to protect life, property, the environment, and economy as outlined in the City of Burlington's Emergency Response Plan. Emergency Control Group members must also participate in annual training and an annual exercise, as mandated under the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*.

## **3. Program Administration**

The City of Burlington's Emergency and Continuity Management Program has been developed, implemented, and updated in accordance with the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9* and Ontario Regulation 380/04.

Program administration is composed of the following elements:

### **3.1. Goals, Objectives, and Performance Measures**

The Emergency and Continuity Management Program Committee will establish program goals, objectives, and performance measures annually, to be integrated into the City's overarching goals and objectives, in the form of the annual work plans for both Community Emergency Management Specialists and the Manager, Emergency Management and Environmental Sustainability.

### **3.2. Budget and Controls**

The City of Burlington has established a program budget allocated to preparedness, response, and recovery efforts to support the program before, during and after an emergency/disaster, which includes an operational budget as well as a reserve fund.

### **3.3. Records Management**

The Community Emergency Management Coordinator will document and maintain logs and records of activities and decisions related to the program and establish and maintain an effective records management process.

## **4. Emergency Management**

### **4.1. Emergency Response Plan**

The City of Burlington has adopted an Emergency Response Plan via by-law, as required under the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*. The Emergency Response Plan is an all-hazards plan based on the provincial Incident Management System.

The Emergency Response Plan outlines how the City of Burlington will respond to large-scale emergencies or disasters within its jurisdiction. The CEMC (primary or first alternate) reviews the Emergency Response Plan annually and brings any recommended major updates to the

By-law XX-2025 APPENDIX A:  
EMERGENCY AND CONTINUITY MANAGEMENT PROGRAM

Emergency and Continuity Management Program Committee for approval prior to Council approval. As identified in the Emergency and Continuity Management Program By-law, the CEMC (primary or first alternate) is authorized to make administrative changes to the Emergency Response Plan.

As outlined in the Emergency Response Plan, the CEMC (primary or first alternate) will oversee the after-action review process following each incident that requires an Emergency Control Group activation. An After Action Report will be created that identifies strengths, areas of improvement and action items.

#### **4.2. Emergency Operations Centre**

The City of Burlington has designated one primary and two alternate Emergency Operations Centre (EOC) locations, from which Emergency Control Group members and activated EOC Support Staff positions will work during a large-scale emergency or disaster. Depending on the incident, hybrid or virtual EOC activations are also possible.

The CEMC (primary or first alternate), in conjunction with Burlington Digital Services and Recreation, Community and Culture, will conduct EOC activation drills each year to confirm that telecommunications equipment and systems are functioning properly at the designated EOC locations. Any identified deficiencies will be added to the Improvement Plan for the Emergency and Continuity Management Program.

#### **4.3. Training and Exercises**

The training and exercise plan will outline the training and exercises for the current Council term and will be reviewed and updated as needed each year.

A new training and exercise plan will be created at the beginning of each Council term.

The training and exercise plan will include the following elements:

##### **4.3.1. Annual ECG Training**

Emergency Control Group members must attend training each year, as mandated under the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9* and Ontario Regulation 380/04. The following topics are included in the annual Emergency Control Group training, as required by Guidance Note 2018-01-01, as follows:

- Emergency and Continuity Management program components, including:
  - The Emergency Response Plan, including Emergency Control Group member roles and responsibilities, and those of organizations which may play a role in response;
  - The procedures used to activate and operate under the Emergency Response Plan;
  - The notification procedures used to notify Emergency Control Group members when the Emergency Response Plan is activated; and
  - The location, communications infrastructure, and technology in the designated EOC locations.



4.3.2. Provincial Training

As the City of Burlington’s Emergency Response Plan is based on the Incident Management System, Emergency Control Group members, as well as staff assigned to EOC Support Staff positions are required to attend Incident Management System training as outlined in the City of Burlington’s Incident Management System organizational policy, as listed below:

Course	IMS Position	
IMS 100	All IMS Positions	
IMS 200	<ul style="list-style-type: none"><li>EOC Director</li><li>Officers (other than Political Liaison Officer)</li><li>Section Chiefs</li></ul>	<ul style="list-style-type: none"><li>Operations Section positions</li><li>Planning Section positions</li><li>Supply Unit Leader</li><li>Facilities Unit Leader</li></ul>
IMS 300	<ul style="list-style-type: none"><li>EOC Director</li><li>Officers (other than Political Liaison Officer)</li><li>Section Chiefs</li></ul>	

Additional provincial training is offered as follows:

- EM 200 Basic Emergency Management (optional)
- EM 240 Note Taking

Any new provincial emergency management or IMS courses will be offered to applicable audiences based on instructor availability.

4.3.3. Annual ECG Exercise

Emergency Control Group members are required to participate in an exercise each year, as required by the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*, to help with familiarization with their roles, and identify any gaps in plans, procedures and/or training. Staff assigned to EOC Support Staff positions may be invited to participate in operations-based, functional or full-scale Emergency Control Group exercises.

Following each annual Emergency Control Group exercise, the CEMC (primary or first alternate) will create an After Action Report that identifies strengths, areas of improvement and action items.

#### 4.4. Public Education

Public education is provided each year on general emergency preparedness, as well as on specific hazards, as required by the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*.

General emergency preparedness public education occurs during Emergency Preparedness Week, which takes place during the first full week of May each year, and which encourages residents to take action to be better prepared to protect themselves and their families before, during, and after emergencies.

#### 4.5. Hazard Identification and Risk Assessment

The City of Burlington annually reviews, and as needed, updates the municipal Hazard Identification and Risk Assessment, which assesses the potential risk of hazards with the capacity to cause an emergency, as required by the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*.

Based on the provincial methodology, hazards from the following three categories will be considered:

1. Natural
2. Human caused
3. Technological

#### 4.6. Critical Infrastructure List

As required by the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*, the City of Burlington annually reviews, and as needed, updates the municipal Critical Infrastructure List, which identifies the critical infrastructure within the City of Burlington that is at risk of being affected by hazards, whether that critical infrastructure is owned by a level of government, or the private sector.

The identification of critical infrastructure within City boundaries helps manage risks, reduce vulnerabilities and strengthen the resilience of critical infrastructure across the ten critical infrastructure sectors defined by Public Safety Canada as listed below:

1. **Health** – healthcare and public health sector facilities
2. **Food** – production, distribution, and retail
3. **Finance** – depository institutions, providers of investment products, insurance companies, other credit and financing organizations, and the providers of the critical financial utilities and services that support these functions
4. **Water** – public drinking water, wastewater
5. **Information and Communication Technology** – telecommunications
6. **Safety** – security and intelligence
7. **Energy and utilities** – electricity, oil, and natural gas
8. **Manufacturing** – basic chemicals, specialty chemicals, agricultural chemicals, pharmaceuticals, consumer products; primary metals, machinery, electrical equipment, appliance and component, and transportation equipment manufacturing

9. **Government** – educational facilities, institutions of higher education, and business and trade schools, government owned facilities
10. **Transportation** – pipeline systems, freight rail, mass transit and passenger rail, highway and motor carrier, aviation, postal and shipping

## 5. Business Continuity

The City of Burlington uses a decentralized model for business continuity planning, with a corporate plan that provides an overall framework to manage significant disruptions that affect multiple departments/services, as well as department and division business continuity plans.

### 5.1. Governance

A governance structure for Business Continuity Management will establish clear roles, responsibilities, and oversight mechanisms to ensure the effective development, implementation, and maintenance of the corporate Crisis Management Plan and departmental/service business continuity plans. The approved governance framework will be formally incorporated into the next update of the City's Business Continuity Management organizational policy.

### 5.2. Planning Responsibilities

#### 5.2.1. Plan Custodians

Each department and division has a designated Plan Custodian, as nominated by the relevant Executive Leadership Team member.

Plan Custodians are responsible for creating and maintaining their department/division business continuity plan, under the guidance of the designated Community Emergency Management Specialist, and for serving as the department/division point of contact for the planning of business continuity exercises.

#### 5.2.2. Community Emergency Management Coordinator

The designated Community Emergency Management Specialist is responsible for:

- Maintaining the corporate level plan
- Providing guidance as needed to Plan Custodians in the creation and maintenance of department/division business continuity plans
- Coordinating business continuity exercises

#### 5.2.3. Emergency and Continuity Management Program Committee

The Emergency and Continuity Management Program Committee is responsible for:

- Approving updates to the corporate level plan
- Ensuring that Plan Custodians within their reporting structure receive support from other staff within the relevant department/division as it relates to the creation and maintenance of department/division business continuity plans

### **5.3. Training and Exercises**

A business continuity training and exercise plan will outline the related training and exercises for the current Council term and will be reviewed and updated as needed each year.

A new business continuity training and exercise plan will be created at the beginning of each Council term.

## **6. Continual Improvement**

The Emergency and Continuity Management Program will be updated to respond to changes to applicable legislation, policies, regulatory requirements, directives, standards, and codes of practice made at various levels of government and by other decision-making authorities as deemed necessary by the Emergency and Continuity Management Program Committee.

The Emergency and Continuity Management Program Committee will assess opportunities to continually improve the program and will conduct an annual review of the program, incorporating ongoing analysis and evaluation, as well as feedback identified in After Action Reports produced following the annual Emergency Control compliance exercise and/or incidents requiring an Emergency Control Group activation.

The Improvement Plan for the Emergency and Continuity Management Program will track the status of action items identified in After-Action Reports, and following EOC activation drills.

# City of Burlington By-law XX-2025

## Appendix B: Emergency Response Plan

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Use the City's Emergency Response Plan for immediate threats to life safety, property and/or the environment that require urgent action to protect the community and infrastructure, beyond first responder capabilities.

During an emergency:

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- CEMC/Alternate CEMC: Refer to Section 6 Concept of Operations
  - Emergency Control Group Members: Refer to Section 6.2 Incident Action Planning Process
- 



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By law XX-2025 APPENDIX B:  
EMERGENCY RESPONSE PLAN

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## 1. Introduction

### 1.1. Purpose

The purpose of the Emergency Response Plan is to provide a framework for how the City of Burlington will provide a planned, coordinated, and effective response to protect life, property, the environment, and local economy when faced with complex, large-scale emergencies.

In accordance with the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*, an emergency is defined as:

“A situation or impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise.” [Section 1].

Source: [Emergency Management and Civil Protection Act](#)

### 1.2. Legal Authorities

#### 1.2.1. Provincial Legislation

The *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9* provides the authority for municipalities to prepare for and respond to emergencies to protect public health, safety, and property. Ontario Regulation 380/04 sets the standards for municipal emergency management programs.

The *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9* requires that:

“Municipalities shall formulate an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency and the council of the municipality shall by by-law adopt the emergency plan.” [Section 3 (2)].

Source: [Emergency Management and Civil Protection Act](#)

#### 1.2.2. Municipal By-law

As required by the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*, this Emergency Response Plan has been adopted by the City of Burlington City Council as part of the Emergency and Continuity Management Program By-law XX-2025 and this Emergency Response Plan will be filed with Emergency Management Ontario, once adopted via by-law.

#### 1.2.3. Authority of the Emergency Response Plan

As per the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*, the Head of Council is authorized to declare that an emergency exists in all or any part of the City of Burlington and make such orders as considered necessary and are not contrary to law to implement the Emergency Response Plan.

In the absence of the Head of Council, or in the case of their inability to act, the designated alternate shall be the Deputy Mayor for Emergencies and Ceremonies, who may exercise the powers and perform the duties of the Head of Council under the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*.

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When an emergency exists, but has not been formally declared to exist, municipal employees may take such action(s) under this Emergency Response Plan as may be necessary to protect the lives, safety, and property of the residents and businesses of the City of Burlington. An emergency declaration is not required during Level 3 Partial Emergency Operations Centre (EOC) or Level 4 Full EOC activations where municipal resources are used to address the impacts of an emergency.

### **1.3. Liability**

#### **1.3.1. Protection from Personal Liability**

The *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9* states:

“No action or other proceeding lies or shall be instituted against a member of council, an employee of a municipality, an employee of a local services board, an employee of a district social services administration board, a minister of the Crown, a public servant or any other individual acting pursuant to this Act or an order made under this Act for any act done in good faith in the exercise or performance or the intended exercise or performance of any power or duty under this Act or an order under this Act or for neglect or default in the good faith exercise or performance of such a power or duty.” [Section 11(1)].

Source: [Emergency Management and Civil Protection Act](#)

#### **1.3.2. Municipality Not Relieved of Liability**

The *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9* states:

“Subsection (1) does not relieve a municipality of liability for the acts or omissions of a member of council or an employee of the municipality referred to in subsection (1) and the municipality is liable as if subsection (1) had not been enacted and in the case of a member of council, as if the member were an employee of the municipality.” [Section 11(3)]

Source: [Emergency Management and Civil Protection Act](#)

### **1.4. Public Access**

As required under the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*, this Emergency Response Plan is available on the City’s website at [www.burlington.ca](http://www.burlington.ca) and paper copies are available upon request by contacting the Community Emergency Management Coordinator (CEMC) at [cemc@burlington.ca](mailto:cemc@burlington.ca).

### **1.5. Freedom of Information and Protection of Privacy**

Any personal information collected under the authority of this Emergency Response Plan shall be used solely for the purpose of planning, preparing, and responding to emergencies as defined within the Emergency Response Plan. The release of any information under this Emergency Response Plan shall be made in conformity with the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56* and the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*.

The Emergency Support Plans as identified in Section 12 do not form part of this Emergency Response Plan as they may contain confidential information, require frequent updating, be of a technical nature, and/or contain sensitive or personal information which could pose a security threat or violate the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56* if released. Any reference to Emergency Support Plans within the Emergency Response Plan is solely for the assistance of the users of the Emergency Response Plan.

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### **1.6. Plan Maintenance and Testing**

The Emergency Response Plan has been developed and maintained by the CEMC and approved by the Emergency and Continuity Management Program Committee and City Council.

In accordance with the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*, the Emergency Response Plan shall be reviewed by the Emergency and Continuity Management Program Committee on an annual basis. Any needed updates will be approved as follows:

- Major updates will be completed by the CEMC and approved by the Emergency and Continuity Management Program Committee prior to City Council approval and will require a by-law amendment, or the repealing and adoption of a new program by-law.
- Minor administrative updates and updates to the Emergency Support Plans and other supporting documentation will be completed by the CEMC and/or Alternate CEMC.

It is the responsibility of each person, service, agency, or department named within the Emergency Response Plan to notify the CEMC of any required administrative updates or Emergency Support Plan updates including but not limited to contact information updates.

Emergency Control Group members shall participate in annual training and an annual exercise to test the effectiveness of the Emergency Response Plan as required by the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9* and Ontario Regulation 380/04. Suggested revisions to the Emergency Response Plan may be identified in the annual exercise After Action Report.

## **2. Planning Framework**

### **2.1. Planning Assumptions**

The City of Burlington is subject to several hazards that may cause varying impacts to public safety, property, the environment, and local economy. The successful implementation of the Emergency Response Plan depends on the availability and coordination of City of Burlington resources and coordination with other levels of government and external partner organizations.

The following planning assumptions form the basis for the Emergency Response Plan:

- This Emergency Response Plan is an all-hazards plan to address all types of emergencies.
- This Emergency Response Plan shall align with Halton Region's Emergency Program and Plan, as required by the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*.
- An emergency may occur with little to no warning and may escalate more rapidly than first responders can manage.
- The City of Burlington will respond to emergencies within the City's jurisdictional boundaries and may request support from Halton Region, the provincial government, or other entities, as required.
- In alignment with the Halton Region Emergency Response Plan,
  - Halton Region will lead the restoration of any disrupted Regional services.
  - The City of Burlington will assume the lead role for any disrupted local municipal services.
  - Both Halton Region and the City of Burlington will coordinate other response operations as needed.

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- An emergency may cause injuries, fatalities, property damage, and disruption of normal support systems.
  - Level 1, 2 and 3 activations are generally within the response capabilities of first responders, the City of Burlington, Halton Region and assisting and support organizations.
  - A Level 4 activation will likely require provincial and/or federal assistance in addition to support from Halton Region and assisting and support organizations.
- During Level 2 activations, emergency response is managed through the City's existing structure, and Managers from impacted Departments will be asked to provide regular situation updates to the CEMC, and participate in scheduled coordination meetings as required
- During Level 3 and 4 EOC activations, an EOC (whether physical, hybrid, or virtual) will be activated and staffed to manage the strategic response to the emergency and support emergency operations at the site.
  - Emergency Control Group members may be required to mobilize to the designated EOC location on short notice to provide timely and effective strategic direction (in the event of a physical EOC activation).
  - Staff appointed to EOC Support positions may also be required to mobilize to the designated EOC location on short notice to assist Emergency Control Group members according to their assigned Incident Management System position.
- The City of Burlington's designated CEMC will execute their assigned responsibilities under this Emergency Response Plan and the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*.
- Local emergency response personnel (first responders, Emergency Control Group members and EOC Support staff) could experience damage or loss to their homes and personal property and could themselves be emergency victims and therefore may not be able to fulfill their designated role.
- Other levels of government and assisting and supporting organizations have their own emergency operating procedures for their staff.
- The City of Burlington and Halton Region will work in conjunction on the following:
  - Emergency declarations or terminations.
  - Media releases.
  - Provision of emergency information during an emergency.

### **2.2. Incident Management System**

This Emergency Response Plan adopts the principles of the Incident Management System, which can be used in any size or type of emergency.

#### **2.2.1. Background**

The Incident Management System is a standardized approach to emergency management encompassing personnel, facilities, equipment, and communications operating within a common organizational structure to bring the situation under control as quickly as possible.

The Incident Management System Doctrine for Ontario was established to provide organizations with a framework to coordinate a structured incident response for incidents of varying types and scales, using effective communication and coordination.

In 2021, Emergency Management Ontario updated the provincial Incident Management System doctrine by releasing Incident Management System 2.0 Guidance (referred to as Incident Management System 2.0). Incident Management System 2.0 is intended to be easier to understand, with improvements in effectiveness, flexibility, and interoperability. The City of Burlington has adopted the principles of IMS 2.0.

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### 2.2.2. Incident Management System Core Principles and Tools

Incident Management System 2.0 has 4 core principles, which each have related tools, as listed below.

Core Principle	Tools
Communication	<ul style="list-style-type: none"><li>• Information management tools<ul style="list-style-type: none"><li>• Common terms</li><li>• Integrated information management</li><li>• Effective emergency information</li></ul></li><li>• Telecommunications technology and systems management</li></ul>
Coordination	<ul style="list-style-type: none"><li>• Common terms</li><li>• Common roles, responsibilities, and structures</li><li>• Manageable span of control</li><li>• Sustainability</li></ul>
Collaboration	<ul style="list-style-type: none"><li>• Common objectives and plans</li><li>• Complex incident objectives and plans</li><li>• Training and exercises</li></ul>
Flexibility	<ul style="list-style-type: none"><li>• Scalability</li><li>• Adaptable</li><li>• Responsive to community needs</li></ul>

Refer to the [Incident Management System Guidance: Version 2.0 document](#) for more detailed information about Incident Management System core principles and tools.

### 2.2.3. Incident Management System Functions

The Incident Management System has five major functions that must be completed during emergencies, regardless of the scale or scope, including Coordination & Command, Operations, Planning, Logistics and Finance & Administration.

The following table shows a high-level summary of each Incident Management System (IMS) function.

IMS Function	Overview
Coordination & Command	<p>Overall authority for the control and direction of the municipal emergency response. The Coordination &amp; Command function, which is filled by the EOC Director, is supported by the following Command Staff positions:</p> <ul style="list-style-type: none"><li>• Public Information Officer</li><li>• Legal Officer</li><li>• Liaison Officer</li><li>• Political Liaison Officer</li><li>• Safety Officer</li></ul>

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IMS Function	Overview
Operations	Coordinates municipal response operations and directs resources and equipment as required through implementation of the Incident Action Plan.
Planning	Collects, evaluates, and distributes incident information, leads the development of the Incident Action Plan in conjunction with other functions, and maintains situational awareness and incident documentation.
Logistics	Arranges for and coordinates needed materials, services, equipment, and resources.
Finance and Administration	Tracks incident related costs, tracks compensation and claims files, and for qualifying incidents where the program has been activated, submits a Municipal Disaster Recovery Assistance program application for partial reimbursement from the province.

For more information on Incident Management System positions within each function, please refer to Emergency Support Plan 5 - Incident Management System Position Checklists and Forms.

### 3. Roles and Responsibilities

As identified in the 3<sup>rd</sup> edition of the *Emergency Management Framework for Canada*, “emergency management is a shared responsibility across all sectors of society”, and this section identifies roles and responsibilities of individuals, businesses, community organizations, external partner organizations and all levels of government.”

#### 3.1. Individuals and Families

The most basic level of response and recovery consists of individuals and families dealing with an emergency that directly affects them. Impacted people may or may not need emergency support from the government, depending on the scale and nature of the emergency, and the resilience of those impacted. Impacted individuals and families connect with government services on an as-needed basis, and do not have specific responsibilities under this plan.

Individuals are encouraged to ensure their households are self-sufficient for a minimum of 72 hours following an emergency and are expected to follow the directions of local authorities for the two basic protective measures that may be required during emergencies – sheltering-in-place and evacuation.

Information on emergency preparedness planning and on how to get updates during emergencies is available on the City of Burlington's website at [www.burlington.ca](http://www.burlington.ca).

#### 3.2. Organizations

Organizations are responsible for having contingency plans for emergencies that may result from their activities, as required by relevant regulating authorities, which should detail initial response procedures and procedures to warn and protect their employees and members of the public who may be impacted, and any additional items required by the relevant regulating authority. Organizations that are not regulated are encouraged to have business continuity plans.

#### 3.3. City of Burlington

The City of Burlington is responsible for the implementation of this Emergency Response Plan during emergencies to protect life safety, property, the environment, and economy, and as applicable, supporting emergency operations in Halton Region or within the Province of Ontario.

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### 3.3.1. Mayor

The City of Burlington Mayor, as Head of Council, has the following responsibilities during emergencies:

#### *Mayor Related Responsibilities*

- Provide updates to constituents, with information as provided by the Public Information Officer
- As part of the Council as a whole, make decisions as required in alignment with CM-20-22 Appendix A Governance and Decision Making (refer to Section 5 for more information).
- In consultation with the Emergency Control Group, making an emergency declaration
- In consultation with the Emergency Control Group, terminating an emergency declaration when the emergency declaration is no longer needed.

#### *Political Liaison Officer Related Responsibilities*

- Serve as the primary Political Liaison Officer on the Emergency Control Group and fulfill the responsibilities outlined in the position checklist (refer to Emergency Support Plan 5 - Incident Management System Position Checklists and Forms for more information).

### 3.3.2. Councillors

City of Burlington Councillors have the following responsibilities during emergencies:

#### *Councillor Responsibilities*

- Provide updates to constituents, with information as provided by the Public Information Officer
- Receive updates on Emergency Control Group activities from the Political Liaison Officer.
- As part of the Council as a whole, make decisions as required according to CM-20-22 Appendix A Governance and Decision Making (refer to Section 5 for more information).

#### *Political Liaison Officer Responsibilities*

- Based on the Deputy Mayor for Emergencies and Ceremonies rotation serve as the Political Liaison Officer on the Emergency Control Group in cases where the Mayor is unavailable or unable to do so, and fulfill the responsibilities outlined in the position checklist (refer to Emergency Support Plan 5 - Incident Management System Position Checklists and Forms for more information).

### 3.3.3. Emergency Control Group

The City of Burlington's Emergency Control Group is responsible for managing and coordinating the City of Burlington's response during emergencies to protect life, property, the environment, and economy.

During Level 3 and Level 4 EOC activations, the Emergency Control Group is responsible for making decisions as required in alignment with CM-20-22 Appendix A Governance and Decision Making (refer to Section 5 for more information).

Below is the list of Emergency Control Group members and their assigned Incident Management System (IMS) position for the City of Burlington:



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IMS Position	Job Title	Overview
EOC Director	1. Chief Administrative Officer (CAO) 2. Commissioner, Public Works	Responsible for the overall management of the EOC, including the provision of support to the incident site(s), and when necessary, incident command. Support to the site includes setting strategic guidance, information support, resource management support, legal support, and financial support.
Public Information Officer	1. Director, Corporate Communications & Engagement 2. Manager, Corporate Communications	Responsible for the development and release of approved information related to the emergency to City staff not involved in the incident response, media, and the public.
Legal Officer	1. Commissioner, Legal and Legislative Services/City Solicitor 2. Deputy City Solicitor	Responsible for monitoring risk exposures and ensuring good risk management practices are applied. Provides legal advice to the Mayor and Emergency Control Group and ensures general compliance with legislation.
Liaison Officer	1. Specialist, Community Emergency Management/CEMC 2. Specialist, Community Emergency Management/Alternate CEMC	Serves as the primary contact for external organizations and advises the EOC Director of issues regarding outside assistance and support.
Political Liaison Officer	1. Mayor 2. Deputy Mayor for Emergencies/Ceremonial* *This position is filled by Councillors based on an established rotation	Responsible for keeping City Council informed of relevant updates from the Emergency Control Group, providing constituent relations, and serving as a City spokesperson.
Safety Officer	1. Manager, Health, Safety & Wellness 2. Advisor, Health & Safety	Monitors safety conditions and develops safety measures as needed to ensure the health and safety of all responders.
Operations Section Chief	<b>Fire Department</b> 1. Fire Chief 2. Deputy Fire Chief <b>Roads, Parks &amp; Forestry (RPF) Department</b> 1. Director, Roads, Parks & Forestry 2. Manager, RPF Business Services	Responsible for providing overall supervision and leadership to the Operations Section, including assisting in the development and implementation of the Incident Action Plan, and organizing, assigning, and supervising all resources assigned operational tasks within an incident.
Planning Section Chief	1. Chief Transformation Officer 2. Chief Information Officer	Responsible for providing overall supervision and leadership to the Planning Section, who is responsible for leading the development of the Incident Action Plan, and overseeing the collection, evaluation, processing, and distribution of incident information.
Logistics Section Chief	1. Commissioner, Community Services 2. Director, Transit	Responsible for providing facilities, services, and materials in support of the incident, and assisting in the development of the Incident Action Plan.
Finance & Administration Section Chief	1. Chief Financial Officer 2. Controller and Manager, Financial Services	Responsible for financial and administrative support to an incident, including cost analysis and financial and administrative aspects.



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Emergency Control Group members can refer to Emergency Support Plan 5 - Incident Management System Position Checklists and Forms for position specific checklists, which provide detailed information about the responsibilities for specific IMS positions.

### 3.3.4. EOC Support Staff

EOC Support Staff positions are Incident Management System positions that work in support of the emergency in support of an Emergency Control Group member.

Please refer to Emergency Support Plan 5 - Incident Management System Position Checklists and Forms for more information on the responsibilities of EOC Support Staff positions.

### 3.3.5. Departments

City of Burlington departments are responsible for the implementation of measures to protect public safety, property, and the environment within the City of Burlington, and are authorized to take required actions during Level 1 or 2 activations, and before an emergency declaration.

Departments are also responsible for implementing emergency response actions as directed by the City's Emergency Control Group during Level 3 and 4 EOC activations.

### 3.3.6. Community Emergency Management Coordinator

Municipalities are required to have a Community Emergency Management Coordinator (CEMC), who is responsible for the coordination of the City of Burlington's Emergency and Continuity Management Program in compliance with the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*, and who is the primary provincial contact during emergencies.

The primary CEMC is the Community Emergency Management Specialist, and the alternate CEMCs include:

- Community Emergency Management Specialist
- Commissioner, Public Works,
- Director, Roads, Parks & Forestry
- Director, Transportation Services
- Deputy Fire Chief
- Fire Chief.

## 3.4. Assisting and Supporting Organizations

During Level 3 and Level 4 EOC activations, the City of Burlington may be supported by assisting and supporting organizations.

**Assisting organizations** may provide personnel, services, or other resources to the City of Burlington. Assisting organization agency representatives are responsible for providing agency-specific information to the City of Burlington Liaison Officer, including:

- Statutory authorities and responsibilities
- Resource availability, and capabilities
- Constraints, limitations, and concerns
- Areas of agreement and disagreement between agency officials

Examples of assisting organizations include:

- Burlington Hydro, who is responsible for power restoration.
- Conservation Halton, who is responsible for flood forecasting and monitoring.
- Enbridge, who is responsible for gas restoration.

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- Halton Regional Paramedic Services, who are responsible for providing medical treatment to injured individuals and as needed, transporting them to hospitals for further treatment.
- Halton Regional Police Services, who are responsible for enforcing laws and road closures, directing traffic, and overseeing evacuation efforts.

**Supporting organizations** may provide support services to the City of Burlington during an emergency, but do not provide any direct (tactical) support. Supporting organization agency representatives are responsible for providing organization-specific information to the City of Burlington Liaison Officer, including:

- Resource availability, and capabilities
- Constraints, limitations, and concerns
- Areas of agreement and disagreement between agency officials

Examples of supporting organizations include:

- Faith-based organizations
- Local and national non-profit organizations
- Local community organizations

### 3.5. Halton Region

Halton Region's response is guided by the *Halton Region Emergency Response Plan (2024)* and supporting emergency plans. Halton Region is responsible for providing the services listed below during emergencies:

- Emergency Public Health Services (Public Health Department)
- Emergency Social Services (Social and Community Services Department)
- Evacuations (Halton Regional Police Service)
- Regional Infrastructure Services (Public Works Department)

It is acknowledged that subsequent updates to the *Halton Region Emergency Response Plan (2024)* take precedence over the information listed above in the event of any discrepancies.

Please refer to Halton Region's website ([www.halton.ca](http://www.halton.ca)) for the current version of their emergency response plan.

### 3.6. Province of Ontario

The Province of Ontario's emergency response is guided by ministry emergency plans and the *Provincial Emergency Response Plan (2020)*.

During emergencies, provincial assistance to municipalities may include the provision of advice, personnel, equipment, supplies and other resources to assist in dealing with an emergency.

The table below outlines the provincial ministries that are considered the lead for the following types of consequences, as identified in the *Provincial Emergency Response Plan, Appendix C*, which lists the Order in Council (OIC) 1157/2009 responsibilities:

Ministry	OIC Responsibility
Agriculture, Food and Rural Affairs	Farm animal disease; food contamination, agricultural plant disease and pest infestation

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<b>Ministry</b>	<b>OIC Responsibility</b>
Attorney General	Any emergency related to the administration of justice including the operation of the courts, and provision of legal services to government in any emergency
Children, Community and Social Services	Any emergency that requires emergency shelter, clothing and food; victim registration and inquiry services; personal services
Solicitor General	Any emergency that requires the coordination of provincial emergency management; nuclear and radiological, severe weather; war and international; any other peacetime emergency not listed herein; building structural collapse, explosion and structural fire; space object crash; terrorism; civil disorder; any emergency that requires the continuity of government services
Energy, Northern Development and Mines	Energy supply, abandoned mine hazards, and any emergency requiring support of provincial emergency management in Northern Ontario
Environment, Conservation and Parks	Spills of pollutants to the natural environment including fixed site, transportation spills, and drinking water
Health	Human health, disease and epidemics; health services during an emergency
Labour	Any emergency that affects worker health and safety
Long-Term Care	Human health, disease and epidemics; health services during an emergency (in long-term care)
Government and Consumer Services (delegated to Treasury Board Secretariat)	Any emergency that affects labour relations and human resource management in the provincial government
Municipal Affairs and Housing	Any emergency that requires the coordination of extraordinary provincial expenditures
Natural Resources and Forestry	Forest fires, floods, drought/low water, dam failures, crude oil and natural gas exploration and production, natural gas and hydrocarbon underground storage and salt solution mining emergencies, erosion, soil and bedrock instability
Transportation	Transportation

It is acknowledged that subsequent updates to the *Provincial Emergency Response Plan (2020)*, *Appendix C* will identify any subsequent updates to OIC 1157/2009, which take precedence over the information listed above in the event of any discrepancies.

Please visit [www.ontario.ca](http://www.ontario.ca) for the current version of the *Provincial Emergency Response Plan* and appendices.

### **3.7. Government of Canada**

As outlined in the *Federal Emergency Response Plan (2011)*, federal departments and agencies can provide support to the Province of Ontario for events related to their specific mandate, within existing authorities.

The list below identifies the federal Emergency Support Functions (ESF). ESFs group functions most frequently used in providing federal support to provinces and territories in response to a request for assistance during an emergency, in a manner consistent with the respective mandated areas of responsibility.

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<b>Minister(s) with Primary Responsibility</b>	<b>Emergency Support Function</b>
Transport Canada	Transportation
Industry Canada	Telecommunications
Agriculture Agri-Food Canada and Canadian Food Inspection Agency	Agriculture and Agri-Food
Natural Resources Canada	Energy Production & Distribution
Health Portfolio, Public Health Agency of Canada and Health Canada	Public Health & Essential Human Services
Environment Canada	Environment
Human Resources and Skills Development Canada (HRSDC)	Human and Social Services
Royal Canadian Mounted Police	Law Enforcement
Department of Foreign Affairs and International Trade Canada	International Coordination
Public Works and Government Services Canada	Government Services
Public Safety Canada, Operations Directorate	Logistics Operations Management
Canada Border Services Agency	Border Services

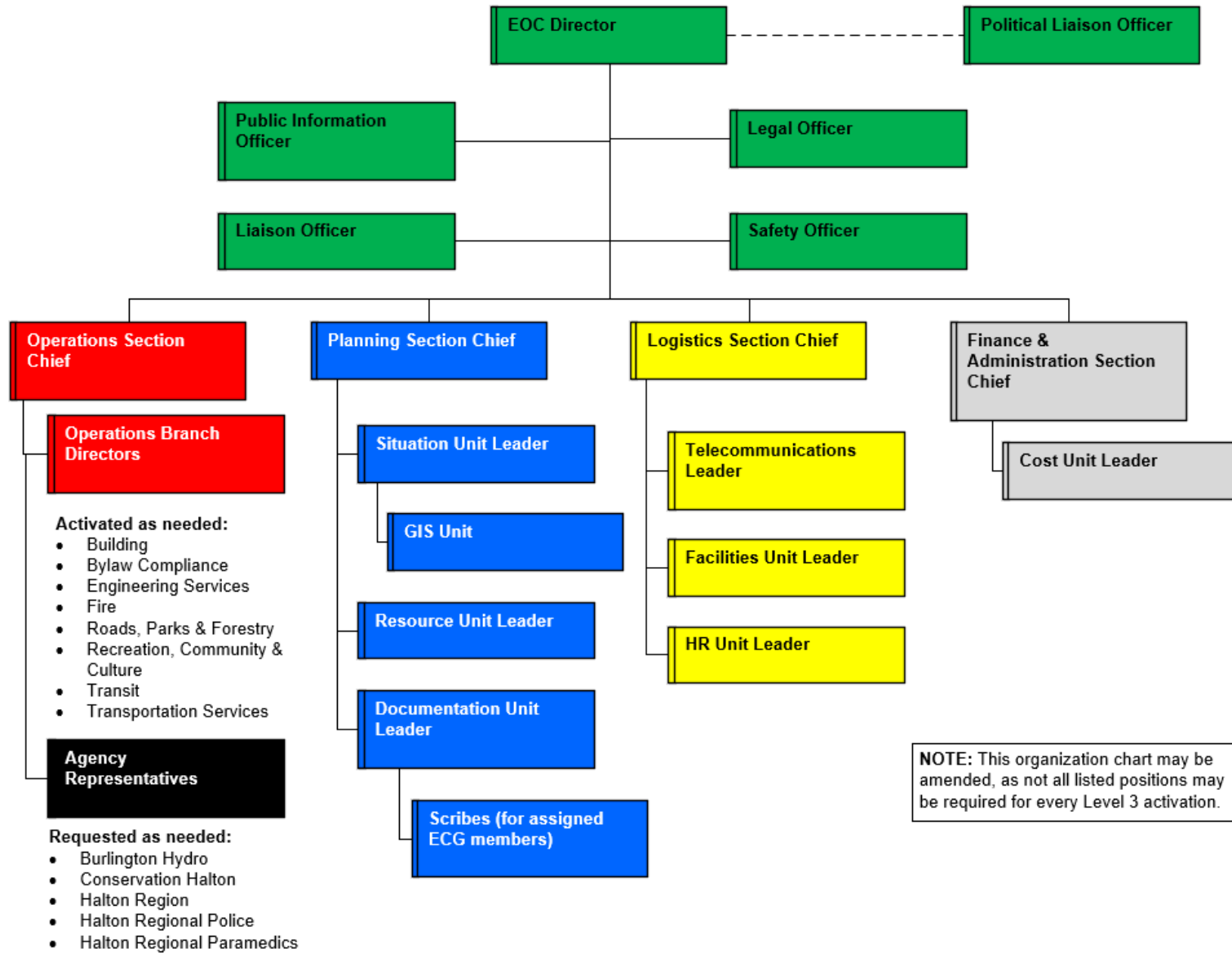
It is acknowledged that subsequent updates to the *Federal Emergency Response Plan (2011)* take precedence over the information listed above in the event of any discrepancies.

Please visit [www.canada.ca](http://www.canada.ca) for the current version of the *Federal Emergency Response Plan*.

#### **4. EOC Organizational Structure**

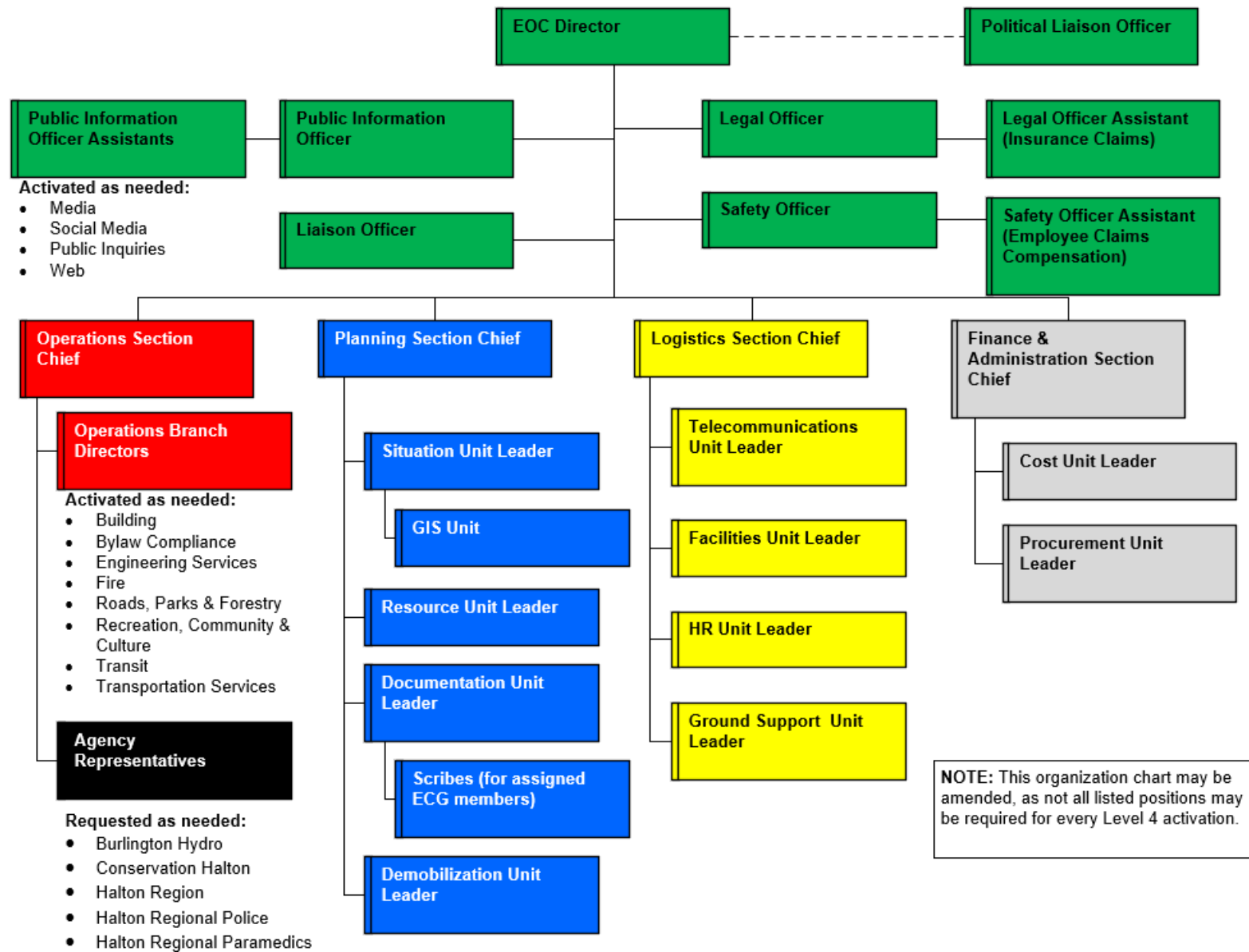
Below are the EOC organization charts for Level 3 and Level 4 EOC activations, which represent a combination of Emergency Control Group members and EOC Support positions. Note that the organization charts are guidelines for planning purposes and the IMS positions activated may differ based on the needs of an emergency.

#### 4.1.1. Level 3 Partial EOC Activation Organizational Structure



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4.1.2. Level 4 Full EOC Activation Organizational Structure



## 5. Decision Making Authority

During an emergency that requires changes to service delivery levels, decisions will be made by the designated group as outlined in CM-20-22 Appendix A: Governance and Decision Making, as listed below:

The extent of the re-design in service delivery will direct the decision-making process and ultimately, where the decision is made. The following are guidelines for decisions:

Committee/Council	Burlington Leadership Team/Emergency Control Group/Service Leads
<ul style="list-style-type: none"> <li>• Service Level impacts (each stage) <ul style="list-style-type: none"> <li>○ Increase and/or decrease of service levels – longer-term</li> <li>○ Commission and/or decommission of services</li> </ul> </li> <li>• Financial Impacts <ul style="list-style-type: none"> <li>○ Fiscal year operating and capital budget implications</li> </ul> </li> <li>• Corporate policy impacts</li> <li>• Community Impacts</li> <li>• Reputation and other risks</li> </ul>	<ul style="list-style-type: none"> <li>• Tactical and operational impacts on City services delivered within the limits of Council approved service levels and budgets</li> <li>• Human resource deployment</li> <li>• Health &amp; safety issues</li> <li>• Immediate operational response related to COVID-19 and other emergencies (e.g., weather events)</li> </ul>
How: Approval of Council based on separate motion tied to specific criteria (as indicated above) for <u>service program changes</u> ).	How: Endorsement of Council of <u>service modifications</u> decisions made by staff.

## 6. Concept of Operations

### 6.1. Activation and Notification

#### 6.1.1. Plan Activation

During normal operations, the Emergency Response Plan activation level is Level 1 Routine Monitoring.

Emergency Control Group members are responsible for:

- Notifying the CEMC or Alternate CEMC of any incidents that might require:
  - i. Level 2 Enhanced Monitoring & Coordination
  - ii. Level 3 Partial EOC activation
  - iii. Level 4 Full EOC activation

The CEMC or Alternate CEMC is responsible for:

- Monitoring for situations with the potential for Level 2, 3, or 4 activations using established monitoring channels
- For potential Level 3 Partial or Level 4 Full EOC activations, consulting with the Fire Chief (or designate) and CAO (or designate) to determine the appropriate activation level, type and the appropriate Operations Section Chief, based on the incident type, as outlined in Sections 6.1.1.1 and 6.1.1.2.

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6.1.1.1. *Activation Levels*

Activation Level	Situation	Operational Implications
(1) Routine Monitoring	Incident that is addressed using standard operating procedures, policies, and plans, including but not limited to the following types of incidents: <ul style="list-style-type: none"> <li>• House fires</li> <li>• Minor weather events</li> <li>• Water main breaks</li> <li>• Motor vehicle accidents and</li> <li>• Isolated road closures</li> </ul>	<b>No significant impact on operations</b> <ul style="list-style-type: none"> <li>• City departments will use existing policies, plans, protocols, and guidelines</li> <li>• Halton Region First Response Protocol may be activated if displaced resident(s) need accommodation</li> </ul>
(2) Enhanced Monitoring & Coordination	Incident or emergency with minor to moderate impacts to public safety, property and/or the environment contained within the incident perimeter(s) or incidents with the potential for Level 3 or 4 activation. <b>Examples include:</b> <ul style="list-style-type: none"> <li>• House or apartment fire with limited displacement</li> <li>• Localized flooding</li> <li>• Contained hazardous material spills</li> <li>• Forecast severe weather</li> </ul>	<b>Minor to moderate impact on operations</b> <ul style="list-style-type: none"> <li>• CEMC/Alternate CEMC on stand-by</li> <li>• Emergency response is managed through the City's existing structure, and Managers/Directors from impacted Departments will be asked to provide regular situation updates to the CEMC, and participate in scheduled coordination meetings as required</li> <li>• City departments will use existing policies, plans, protocols, and guidelines</li> <li>• CEMC/Alternate CEMC to schedule coordination meetings with relevant staff and external stakeholders, as needed</li> <li>• Halton Region First Response Protocol may be activated if displaced resident(s) need accommodation</li> <li>• May require activation of a Reception Centre at designated City facilities</li> </ul>
(3) Partial EOC Activation	Emergencies with impacts to public safety, property and/or the environment outside incident perimeter <ul style="list-style-type: none"> <li>• Possible need for localized evacuations and/or road detours</li> <li>• Media interest</li> </ul> <b>Examples include:</b> <ul style="list-style-type: none"> <li>• Hazardous material spills</li> <li>• Multiple/ widespread fire locations</li> <li>• Uncontrolled active threat</li> <li>• Need for shelter-in-place and/or evacuation orders</li> <li>• Full highway closures</li> </ul>	<b>Large impact on operations</b> <ul style="list-style-type: none"> <li>• Site(s) requires EOC support</li> <li>• Large impact to several City service levels</li> <li>• Support may be required from other levels or government and assisting or supporting organizations</li> <li>• May require activation of Reception Centre(s) at designated City facilities and/or an Evacuation Centre at Haber Community Centre for displaced individuals</li> </ul>
(4) Full EOC Activation	Emergencies with major impacts to public safety, property and/or the environment outside incident perimeter <ul style="list-style-type: none"> <li>• Multiple incident sites</li> <li>• Need for widespread shelter-in-place and/or evacuation orders</li> <li>• Significant road detours required</li> <li>• Multi-day highway closure</li> <li>• Major media and public interest</li> </ul> <b>Examples include:</b> <ul style="list-style-type: none"> <li>• Ice storm</li> <li>• Tornado</li> <li>• Train derailment</li> <li>• Widespread flooding requiring shelter-in-place or evacuation orders</li> <li>• Large explosion</li> <li>• Pipeline leak</li> </ul>	<b>Major impact on operations</b> <ul style="list-style-type: none"> <li>• Multiple sites require EOC support</li> <li>• Major impact to several City service levels</li> <li>• Support required from other levels or government and assisting or supporting organizations</li> <li>• Likely to require activation of Reception Centre(s) at designated City facilities and/or an Evacuation Centre at Haber Community Centre for displaced individuals</li> </ul>



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**6.1.1.2. Activation Type**

An Emergency Operations Centre (EOC) is a “a designated and appropriately equipped facility where officials from an organization(s) assemble to manage the response to an emergency or disaster.”

Source: [Emergency Management Glossary of Terms](#)

Primary activities that occur within an EOC include:

- Collecting, analyzing and sharing incident information;
- Supporting resource needs and requests, including allocation and tracking;
- Coordinating plans and determining current and future needs; and
- In some cases, providing coordination and policy direction.

Below is a list of the different EOC activation types, along with related considerations and support requirements.

Activation Type	Description	Considerations For Use	Support Requirements
Physical	<p>A physical EOC is a designated space that is used where Emergency Control Group members and EOC Support Staff work to manage the City's response to an emergency.</p> <p>Refer to Emergency Support Plan 3 for a list of the City's designated EOC locations.</p>	<ul style="list-style-type: none"> <li>• No widespread travel disruptions</li> <li>• Can function during power outages</li> </ul>	<p><b>At designated location</b></p> <ul style="list-style-type: none"> <li>• Requires Recreation, Community &amp; Culture support for initial set-up</li> <li>• Requires ongoing telecommunications support to ensure ability to communicate externally</li> </ul> <p><b>Infrastructure Needed</b></p> <ul style="list-style-type: none"> <li>• Internet connection</li> <li>• Network connection</li> </ul>
Hybrid	<p>A hybrid EOC involves a physical EOC location where some individuals participate virtually.</p> <p>Refer to Emergency Support Plan 3 for a list of the City's designated EOC locations.</p>	<ul style="list-style-type: none"> <li>• Can allow for additional personnel to participate if there are space limitations</li> <li>• Can be used to create a safer environment when social distancing measures are required</li> <li>• Can be used if required personnel unable to attend in-person</li> </ul>	<p><b>At designated location</b></p> <ul style="list-style-type: none"> <li>• Requires Recreation, Community &amp; Culture support for initial set-up</li> <li>• Requires ongoing telecommunications support to ensure ability to communicate externally</li> </ul> <p><b>Infrastructure/Technology Needed</b></p> <ul style="list-style-type: none"> <li>• Internet connection</li> <li>• Network connection</li> <li>• MS Teams and SharePoint operational</li> </ul>
Virtual	<p>A virtual EOC uses network, software and video or teleconferencing to allow Emergency Control Group members and EOC Support Staff to work to manage the City's response to an emergency virtually.</p>	<ul style="list-style-type: none"> <li>• Can allow for additional personnel to participate if there are space limitations</li> <li>• Can be used to create a safer environment when social distancing measures are required</li> <li>• Can be used when there are widespread travel disruptions or unsafe road conditions</li> </ul>	<p><b>Technology Needed</b></p> <ul style="list-style-type: none"> <li>• MS Teams and SharePoint operational</li> </ul> <p><b>Infrastructure Needed</b></p> <ul style="list-style-type: none"> <li>• Internet connection</li> <li>• Network connection</li> </ul>

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### 6.1.2. Notification

The table below lists the notifications that will be used for each activation level.

Activation Level	Notification(s)
(1) Routine Monitoring	Relevant Departments will make notifications based on existing policies, plans, protocols, and guidelines.
(2) Enhanced Monitoring & Coordination	<p>The CEMC/Alternate CEMC or applicable lead department will send an initial notification to the LIST – Level 2- Enhanced Monitoring Outlook distribution group.</p> <p>The notification will advise stakeholders of the situation and actions being taken. As needed, the CEMC/Alternate CEMC will schedule coordination meetings with relevant departments and external partner organizations.</p>
(3) Partial EOC Activation	<p>The CEMC/Alternate CEMC will send notifications to the following stakeholders, as outlined in the Emergency Support Plan 1 – Notification, which includes:</p> <ul style="list-style-type: none"> <li>• Primary Emergency Control Group members and their assigned Scribes</li> <li>• Alternate Emergency Control Group members and EOC Support Staff positions</li> <li>• Halton Region, Emergency Management Ontario, and local MPP and MPs</li> </ul>
(4) Full EOC Activation	

### 6.1.3. EOC Activation

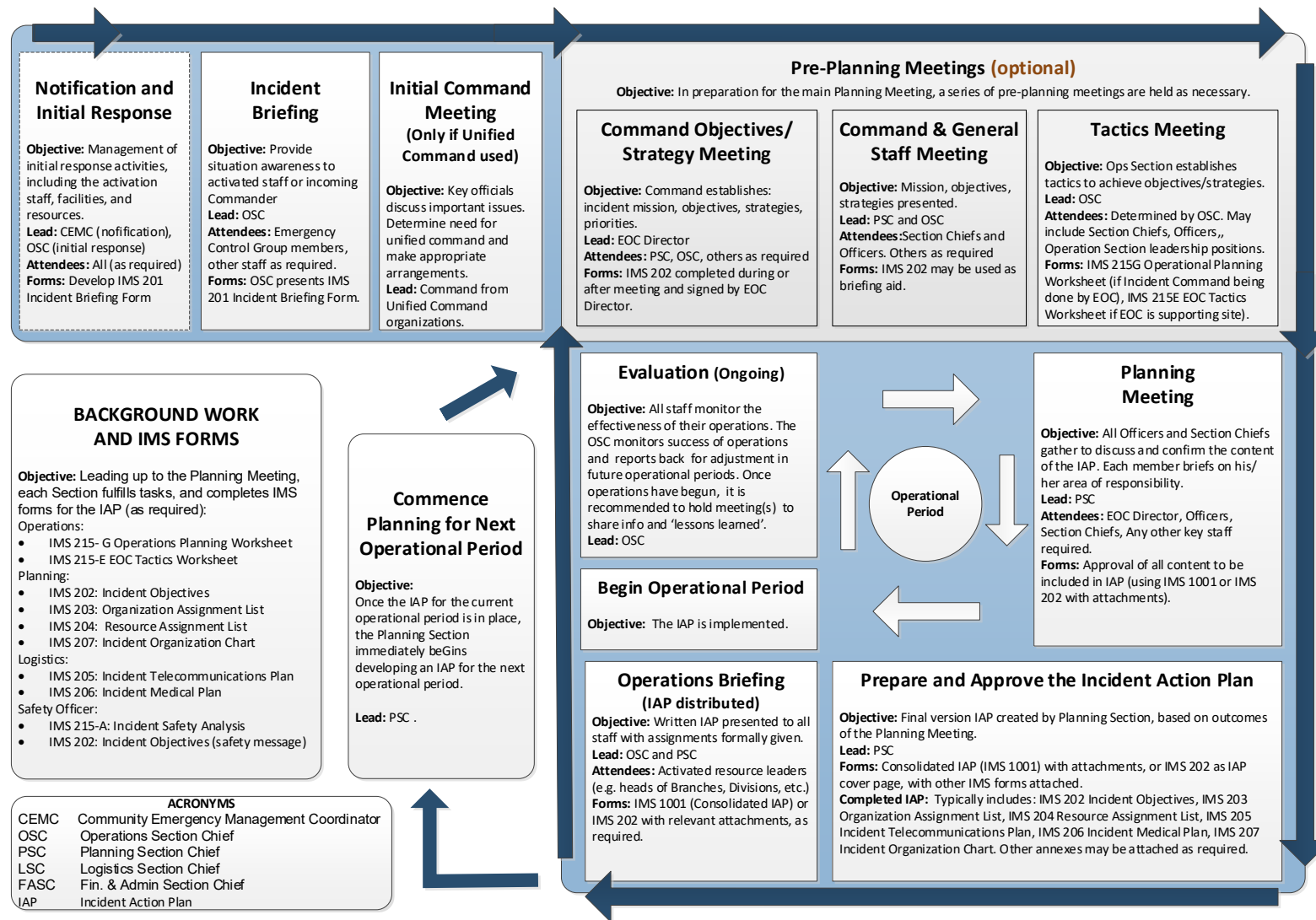
Upon being notified of a physical or hybrid EOC activation from the CEMC or Alternate CEMC, designated departments/divisions will complete the following actions:

Department/Division	EOC Activation Actions
Recreation, Culture and Community Services	Responsible for the physical room set-up of the designated EOC location, as per the related Standard Operating Procedure.
Burlington Digital Services	Responsible for setting up IT equipment at the designated EOC location.
Emergency Control Group Team 1 members and assigned Scribes	<p><b>Physical/Hybrid EOC Activations</b> Responsible for reporting to the designated EOC location for the Incident Briefing at the designated time. For hybrid EOC activations, may attend the Incident Briefing virtually.</p> <p>When reporting to the designated EOC locations, responsible for bringing needed technology (work laptop/tablet and charger, work cell phone and charger) and setting up their individual workstation.</p> <p><b>Virtual EOC Activations</b> Responsible for attending the virtual Incident Briefing at the designated time.</p>

More detailed information is available in Emergency Support Plan 3 - EOC Activation.

## 6.2. Incident Action Planning

During Level 3 and 4 EOC activations, the Incident Action Planning Process will be used to create, implement, and monitor the effectiveness of an Incident Action Plan. Below is a graphic of this process:



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Emergency Control Group members and EOC Support Staff can refer to the following Emergency Support Plans for more detailed information:

- Emergency Support Plan 5 (Incident Management System Position Checklists and Forms) for your assigned position checklist and forms.
- Emergency Support Plan 6 (Incident Action Planning Process) for more detailed information on the meetings and briefings that occur during the planning for each operational period.

### 6.2.1. Response Goals

#### Level 2 (Enhanced Monitoring)

During Level 2 response, the EOC is not activated. City departments manage operational incidents with the use of existing policies, plans, protocols, and guidelines. Internal and external communications are coordinated as needed.

#### Level 3 and Level 4 Response

During Level 3 and Level 4 EOC activations, the Emergency Control Group will prioritize incident objectives based on the following response goals, in order of priority:

- |   |   |
|---|---|
| 1) Protect the safety of all responders | 6) Ensure the continuity of essential services and government |
| 2) Protect and preserve lives           | 7) Protect property   |
| 3) Treat the sick and injured           | 8) Protect the environment                                    |
| 4) Care for immediate needs             | 9) Prevent or reduce economic and social losses               |
| 5) Protect public health                |   |

## 7. Emergency Declaration and Termination

### 7.1. Declaration of Emergency

The Emergency Control Group will make a recommendation to the Mayor or designate regarding the need to formally declare an emergency, which should be done in consultation with Halton Region.

Please refer to Emergency Support Plan 4 - Emergency Declaration and Termination for detailed information on the emergency declaration process and the required notifications.

The Premier of Ontario may also declare an emergency in Burlington, as the Premier has the authority under the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9* to declare that an emergency exists in all or any part of Ontario.

### 7.2. Termination of Emergency

Following an emergency declaration, once the incident is no longer causing a threat to the City of Burlington and a state of normalcy has been established, the Emergency Control Group will recommend that the emergency declaration be terminated. The Mayor, designate or City Council as a whole can terminate an emergency declaration.

Please refer to Emergency Support Plan 4 - Emergency Declaration and Termination for detailed information on terminating an emergency and the required notifications.

NOTE: The Premier of Ontario may also terminate a declared emergency in Burlington, as the Premier has the authority under the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9* to

terminate declared emergencies in Ontario.

## 8. Information Management

### 8.1. Incident Information

Incident information refers to information about the incident that is shared by personnel involved in the incident response for operational purposes.

Once incident information has been collected, confirmed to be accurate, and analyzed as useful, it is shared with relevant stakeholders, including:

- Incident personnel
- Between the EOC and incident site(s)
- Between incident response organizations through the most appropriate method

All incident personnel are responsible for sharing incident information with incident personnel as outlined in their IMS position checklist.

The main coordinating entity for internal incident information based on activation level is outlined below.

Activation Level	Lead for Internal Incident Information
Level 2 Enhanced Monitoring & Coordination	CEMC/Alternate CEMC
Level 3 Partial EOC Activation	Planning Section Chief (or Situation Unit Leader if activated)
Level 4 Full EOC Activation	

### 8.2. Employee Information

Employee information refers to high level information about the incident to City staff who are not involved in the incident response for their general awareness.

The main coordinating entity for employee information based on activation level is outlined below.

Activation Level	Responsible Party
Level 2 Enhanced Monitoring & Coordination	Corporate Communications and Engagement
Level 3 Partial EOC Activation	Public Information Officer
Level 4 Full EOC Activation	

### 8.3. Public Information

Public information refers to information that is released to the general public and media about the incident about the emergency, what the City of Burlington is doing in response to the emergency, what the public needs to do to stay safe, and reinforcing official sources of information for subsequent updates.

The main coordinating entity for public information based on activation level is outlined below.

Activation Level	Responsible Party
Level 2 Enhanced Monitoring & Coordination	Corporate Communications and Engagement
Level 3 Partial EOC Activation	Public Information Officer
Level 4 Full EOC Activation	

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During emergencies, the relevant lead for public information will work in conjunction with their Halton Region counterpart, the Director of Communications, on public information, including but not limited to media releases.

### 8.3.1. Emergency Alerts

#### 8.3.1.1. Alert Ready

Alert Ready is Canada's national emergency alerting system, that sends notifications through television, radio and to LTE-connected and compatible wireless devices and cannot be opted out of.

The main coordinating entity for contacting the Provincial EOC to request that they issue an Alert Ready notification on the City of Burlington's behalf based on activation level is outlined below.

Activation Level	Responsible Party
Level 2 Enhanced Monitoring & Coordination	CEMC/Alternate CEMC
Level 3 Partial EOC Activation	Liaison Officer
Level 4 Full EOC Activation	

Detailed instructions on how to request that the Provincial EOC issue an Alert Ready notification on behalf of the City of Burlington are available in the Emergency Notification Job Aid.

### 8.3.2. Media Spokesperson(s)

The Political Liaison Officer position on the Emergency Control Group is the main spokesperson for the City of Burlington. Additional City spokesperson(s) may be required depending on the emergency.

All media requests related to an emergency will be directed to the Public Information Officer to ensure consistent messaging and for proper follow-up.

### 8.3.3. Emergency Information Centre

As needed, an Emergency Information Centre may be established for the following activities:

- Media check-in and accreditation
- Handling media inquiries
- News conferences
- Monitoring media reporting to ensure that inaccurate or misleading information is corrected
- Arranging site tours (if deemed appropriate and safe)
- Updating website and social media information

If an Emergency Information Centre is deemed necessary, the request to activate an Emergency Information Centre will be made to the Logistics Section Chief.

### 8.3.4. Public Inquiries

Service Burlington is the first point-of-contact for residents and local businesses calling for information about an emergency, particularly in relation to any related impacts on City services. During Level 3 and Level 4 EOC activations, the Manager of Customer Experience will liaise with the Public Information Officer to gather information needs based on the calls being received from the public.

Service Burlington can be accessed in the following ways:

- In-person at City Hall (426 Brant Street) from 8:30am to 4:30pm from Monday to Friday, except for statutory holidays and other City closures
- On the phone by calling 905-335-7777

- By email at [city@burlington.ca](mailto:city@burlington.ca)

## **9. Requests for Assistance**

During Level 3 and Level 4 EOC activations, the City of Burlington may request assistance to augment existing resources or provide specialized expertise at any time, without any loss of control or authority, from any person or agency, including:

- Other levels of government
- Private sector
- Volunteer agency sector

The City of Burlington may incur charges for any services requested. Where cost has been incurred by the City of Burlington through the implementation of this Emergency Response Plan, or in connection with an emergency, the City of Burlington has the right of action against any person who caused the emergency for the recovery of such money or cost and may seek reimbursement for all or part of the applicable costs as per the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*.

### **9.1. Reciprocal Agreements**

Reciprocal agreements, such as mutual aid/assistance agreements or memorandums of understanding for the provision of personnel, services, equipment, or materials during an emergency may be invoked in accordance with their terms.

### **9.2. Assisting and Supporting Organizations**

The CEMC/Alternate CEMC, who is also the Liaison Officer, is responsible for contacting assisting and supporting organizations to request any needed support.

### **9.3. Neighbouring Municipalities**

The CEMC/Alternate CEMC, who is also the Liaison Officer, is responsible for contacting the relevant municipal CEMC to make requests for support outside of any existing reciprocal agreements, and for notifying the on-call Regional CEMC of any requests made to other Halton municipalities to ensure that resource allocations are monitored.

### **9.4. Halton Region**

During emergencies, the City of Burlington may request regional emergency response resources from Halton Region. The City of Burlington Mayor or CAO is responsible for contacting the Regional CAO to make the needed request(s).

### **9.5. Province of Ontario**

During major incidents or declared emergencies, a municipality can request on-site personnel from relevant ministries to advise and/or assist in the response.

The CEMC/Alternate CEMC, who is also the Liaison Officer, is responsible for contacting the relevant ministry(ies) and/or the Provincial EOC to request provincial support, as needed.

Please refer to Section 3.6 for more information on the provincial ministries that are responsible for having specified emergency plans.

### **9.6. Government of Canada**

During large, complex emergencies that affect several communities, the Province of Ontario can request support from federal departments and/or agencies.



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Requests for federal assistance may include support for:

- Operational coordination
- Emergency evacuation, transportation and logistics
- Specialized response resources for wildland interface fires, flooding, and extreme weather
- Emergency public health, medical and social services

Prior to issuing a request for federal assistance, the Provincial EOC must confirm that no other suitable resources are available. Once confirmed, the Provincial EOC will initiate a request for federal assistance to Public Safety Canada's Ontario Regional Director, who chairs the Federal Coordination Group. The Minister of Public Safety has the ultimate authority for approving requests for federal assistance.

Please refer to Section 3.7 for more information on the federal emergency support functions.

## 10. Finance and Administration

### 10.1. Incident Cost Centre

Once an emergency activation has occurred, an Incident Cost Centre needs to be established as soon as possible. The Cost Centre will be used for expenses directly related to the emergency response. The responsibility for the creation and maintenance of the Incident Cost Centre is outlined below.

Activation Level	Responsible Party
Level 2 Enhanced Monitoring & Coordination	Finance Department
Level 3 Partial EOC Activation	Finance & Administration Section Chief
Level 4 Full EOC Activation	

### 10.2. Disaster Financial Assistance

#### 10.2.1. Municipal Disaster Recovery Assistance

The Municipal Disaster Recovery Assistance program is intended to help municipalities recover from extraordinary operating and capital costs after a natural hazard (which the province refers to as a natural disaster).

The responsibility for submitting claims on behalf of the City of Burlington for incidents that meet the eligibility criteria where the program has been activated by the Minister of Municipal Affairs and Housing is outlined below.

Activation Level	Responsible Party
Level 2 Enhanced Monitoring & Coordination	Finance Department
Level 3 Partial EOC Activation	Finance & Administration Section Chief
Level 4 Full EOC Activation	

More information on the application process for the Municipal Disaster Recovery Assistance program is available on the [Guidelines to apply for Municipal Disaster Recovery Assistance website](#).

#### 10.2.2. Disaster Recovery Assistance for Ontarians

The Disaster Recovery Assistance for Ontarians program is intended to help people affected by emergencies caused by natural hazards with help covering costs related to cleaning, repairing or replacing essential property, and must be activated by the Minister of Municipal Affairs and Housing.



Municipal staff may be required to coordinate with Halton Region and Ministry of Municipal Affairs and Housing staff to complete damage assessment visits of affected households, as this information helps inform the decision on whether the Disaster Recovery Assistance of Ontarians program will be activated.

More information on the Disaster Recovery Assistance for Ontarians program is available on the [Disaster Recovery Assistance website](#) .

## 11. Glossary of Terms

### **After Action Report**

A report that documents the performance of tasks related to an emergency, exercise, or planned event, and, where necessary, makes recommendations for improvements.

### **Critical Infrastructure**

Interdependent, interactive, interconnected networks of institutions, services, systems, and processes that meet vital human needs, sustain the economy, protect public safety and security, and maintain continuity of and confidence in government.

### **Declaration of Emergency**

A signed declaration in writing in accordance with the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*. This declaration is usually based on a situation or an impending situation that threatens public safety, public health, the environment, critical infrastructure, property, and/or economic stability and exceeds the scope of routine community emergency response.

### **Disaster**

A serious disruption to an affected area, involving widespread human, property, environmental and/or economic impacts that exceed the ability of one or more affected communities to cope using their own resources.

### **Emergency**

A situation or impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident, or an act whether intentional or otherwise.

### **Emergency Control Group**

A group comprised of senior staff and employees of an organization, and others that may be involved in directing that organization's response to an emergency, including the implementation of its emergency response plans and procedures.

### **Emergency Information**

Information about an emergency can be disseminated in anticipation of an emergency or during an emergency. It may provide situational information or directive actions to be taken by the public.

### **Emergency Operations Centre**

A designated and appropriately equipped facility where officials from an organization assemble to manage the response to an emergency or disaster.

### **Emergency Response Plan**

A plan developed and maintained to direct an organization's external response to an emergency.

### **Emergency Social Services**

Emergency Social Services is a planned emergency response organization designed to provide those basic services considered essential for the immediate and continuing well-being of persons displaced due to an emergency or disaster.

### **Hazard Identification and Risk Assessment**

Hazard identification is a structured process for identifying those hazards which exist within a selected area and defining their causes and characteristics. Risk assessment is a methodology to determine the nature and extent of risk by analyzing potential hazards and the evaluation of vulnerabilities and consequences.

### **Incident**

An occurrence or event that requires an emergency response to protect people, property, the environment, the economy and/or services.

### **Incident Action Plan**

Within the Incident Management System, an oral or written plan containing general objectives reflecting the overall strategy for managing an incident. It may include the identification of operational resources and assignments. It may also include attachments that provide directions and important information for management of the incident during one or more operational periods.

### **Incident Management System**

A standardized approach to emergency management encompassing personnel, facilities, equipment, procedures, and communications operating within a common organizational structure. The Incident Management System is based on the understanding that in any and every incident there are certain management functions that must be carried out regardless of the number of persons who are available or involved in the emergency response.

## **12. Emergency Support Plans**

Below is a list of Emergency Support Plans that are referenced in this Emergency Response Plan, that provide supplementary information for Emergency Control Group members and staff assigned to EOC Support Staff positions.

- **Emergency Support Plan 1 - Notification**

This Emergency Support Plan outlines the process for notifying relevant personnel of a Level 3 Partial EOC or Level 4 Full EOC activation.

- **Emergency Support Plan 2 - Contact Lists**

This Emergency Support Plan is updated annually and provides relevant internal and external contact information.

- **Emergency Support Plan 3 – EOC Activation**

This Emergency Support Plan outlines the procedures involved in the activation of designated EOC locations, including physical, hybrid and virtual activations.

- **Emergency Support Plan 4 - Emergency Declaration and Termination**

This Emergency Support Plan outlines considerations related to declaring an emergency and terminating an emergency declaration, as well as the related processes.

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- **Emergency Support Plan 5 - Incident Management System Position Checklists and Forms**  
This Emergency Support Plan provides Incident Management System position specific checklists for Emergency Control Group members and EOC Support Staff positions as well as Incident Management System forms.
- **Emergency Support Plan 6 - Incident Management System Incident Action Planning Process**  
This Emergency Support Plan outlines the iterative Incident Management System Incident Action Planning Process, including meeting/briefing agendas and related responsibilities.
- **Emergency Support Plan 7 – Recovery (*To be developed*)**  
This Emergency Support Plan provides a framework for how internal and external stakeholders will work together during the recovery process following a large-scale emergency or disaster.

Transportation Services Department – Emergency Management  
426 Brant Street  
Burlington, Ontario  
L7R 3Z6

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# **City of Burlington By-law XX-2025**

## **Appendix C: Emergency and Continuity Management Program Committee Terms of Reference**

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## 1. Terms of Reference

### 1.1. Council Mandate

The Burlington Emergency and Continuity Management Program Committee has been established by Burlington City Council in accordance with Subsection 11(1) of Ontario Regulation 380/04 under the *Emergency Management and Civil Protection Act, RSO, 1990. c.E.9*. The Emergency and Continuity Management Program Committee shall report to Burlington City Council through the Committee of the Whole.

### 1.2. Goal

The goal of the Emergency and Continuity Management Program Committee is to advise and assist the City of Burlington with respect to the City's Emergency and Continuity Management Program.

### 1.3. Purpose and Scope

The Emergency and Continuity Management Program Committee guides and oversees the development, implementation, and maintenance of the City of Burlington's Emergency and Continuity Management Program, including providing policy advice and facilitating inter-departmental program initiatives in accordance with the *Emergency Management and Civil Protection Act, RSO, 1990. c.E.9* and Ontario Regulation 380/04.

### 1.4. Responsibilities

The responsibilities of the Burlington Emergency and Continuity Management Program Committee include:

- Providing guidance and assistance in setting priorities and goals for the City's Emergency and Continuity Management Program (hereafter referred to as the Program).
- Sharing information and building upon identified synergies across corporate risk and business continuity with the Executive Leadership Team.
- Providing recommendations on personnel, resources, and equipment for the Program.
- Ensuring that all agencies, volunteers, groups, staff, and other programs are aware of the goals of the Program.
- Ensuring the cooperation and coordination of all Program initiatives in areas under their influence.
- Monitoring, evaluating, and providing feedback on Program initiatives.
- Approving in principle all Program policies and plans prior to corporate implementation and submission to Burlington City Council for approval where required.

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- Considering emergency and continuity management related issues and receiving updates as may be brought forward by municipal departments and other organizations represented on the Emergency and Continuity Management Program Committee from time to time.
- Conducting an annual review of the Program to ensure that program activities are delivered in accordance with the *Emergency Management and Civil Protection Act, RSO, 1990. c.E.9* and Ontario Regulation 380/04.
- Making recommendations to Council for the revision of the Program, if necessary.

**1.5. Composition**

The Emergency and Continuity Management Program Committee shall be comprised of both voting and non-voting members, as identified below.

**Voting Members** are City of Burlington staff who are entitled to one vote during motions. Voting members are listed below:

1. Chief Administrative Officer or designate
2. Mayor or Deputy Mayor (for emergencies/ceremonial)
3. Community Emergency Management Specialist/Community Emergency Management Coordinator (CEMC)
4. Community Emergency Management Specialist/Alternate CEMC
5. Head of Corporate Affairs or designate
6. Commissioner, Development and Growth Management or designate
7. Commissioner, Community Services or designate
8. Commissioner, Public Works or designate
9. Commissioner, Legal and Legislative Services/City Solicitor or designate
10. Chief Human Resources Officer or designate
11. Chief Financial Officer or designate
12. Chief Information Officer or designate
13. Chief Transformation Officer or designate
14. Fire Chief or designate

**Non-Voting Members** are comprised of supporting agency representatives as identified below:

15. Chief Emergency Management or designate, Halton Region
16. Manager, Flood Forecasting & Operations or designate, Conservation Halton
17. Specialist, Emergency Management or designate, Joseph Brant Hospital
18. Emergency Planning Coordinator, Halton Regional Police Service
19. Emergency Management Coordinator or designate, Canadian Red Cross
20. Director, Health and Safety or designate, Burlington Hydro

**1.6. Committee Chair**

The Chair of the Emergency and Continuity Management Program Committee will be the Chief Administrative Officer (CAO) or designate, who is responsible for presiding over Emergency and Continuity Management Program Committee meetings and assisting the Emergency and Continuity Management Program Committee in reaching consensus on fundamental policy issues of concern.

EMERGENCY AND CONTINUITY MANAGEMENT PROGRAM COMMITTEE TERMS OF REFERENCE

**1.7. Quorum**

Quorum shall consist of a majority of the voting members listed in Section 1.5, which represents 8 voting members.

Emergency and Continuity Management Program Committee meetings will require quorum to proceed to ensure that motions can be voted upon and passed as needed.

**1.8. Frequency of Meetings**

Emergency and Continuity Management Program Committee meetings should generally be scheduled two times per year, and at a minimum shall meet once in the calendar year. The CEMC, on behalf of the Committee Chair, may call a meeting at any other time deemed necessary.

**1.9. Support Staff**

The Transportation Services Department shall provide administrative support, including the general administrative co-ordination of meetings, the taking of meeting minutes, and the distribution of agendas and minutes.

**1.10. Committee Records**

The CEMC is responsible for distributing meeting reports one week prior to each Emergency and Continuity Management Program Committee meeting, and Emergency and Continuity Management Program Committee members are responsible for reviewing the meeting report prior to the related Emergency and Continuity Management Program Committee meeting.

The CEMC will retain Emergency and Continuity Management Program Committee records including agendas, minutes, reports, and presentations, and will also submit applicable Emergency and Continuity Management Program Committee meeting minutes to Emergency Management Ontario as part of the annual municipal compliance submission.

**1.11. Annual Report**

The CEMC will create an annual report for City Council regarding the City's Emergency and Continuity Management Program. The annual report will provide a summary of the provincial compliance items, and other in-progress and completed program initiatives.

**1.12. Maintenance of Terms of Reference**

These Terms of Reference shall be maintained by the CEMC and shall be reviewed at the end of each City Council term by the Emergency and Continuity Management Program Committee.

Amendments to these Terms of Reference may be proposed by the Emergency and Continuity Management Program Committee through staff, to Burlington City Council.

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SUBJECT: Assumption of Alton Village West Subdivision

TO: Committee of the Whole

FROM: Public Works  
Engineering Services

Report Number: PWS-39-25

Wards Affected: 6

Date to Committee: December 1, 2025

Date to Council: December 9, 2025

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### Recommendation

Assume the Alton Village West Subdivision, registered as Plan 20M-1193, File 510-03/03; and

Accept all works and services under the jurisdiction of the city within the subdivision to become the property of the City of Burlington; and

Direct the City Clerk to notify Halton Region of this assumption; and

Direct the City Clerk to notify Conservation Halton of this assumption; and

Authorize the City Solicitor to prepare any necessary documents and authorize the Mayor and City Clerk to sign them; and

Direct the City Clerk to present the necessary by-law to Council to accept all works and services of the said plan of subdivision and assume the following streets as public highways:

STREET	PARCEL	PIN NUMBER
Palladium Way	20M-1193	071950350
Tufgar Crescent	20M-1193	071950351
Everila Road	20M-1193	071950352
Thomas Alton Boulevard	20M-1193	071950353
Goodyear Road	20M-1193	071950354



Lula Road	20M-1193	071950355
Leonardo Street	20M-1193	071950356
Michelangelo Road	20M-1193	071950357
Lodi Road	20M-1193	071950358
Guernsey Lane	20M-1193	071950359
Koenig Road	20M-1193	071950360
Koenig Road	20M-1193	071950361; and

Authorize the City Solicitor or their designate, to amend the parcel designation in the bylaw, if necessary, upon registration of the by-law.

## **Executive Summary**

Purpose of report:

- The purpose of this report is to recommend that the Alton Village West subdivision be assumed.

Implications:

- The estimated annual maintenance cost for the assumed infrastructure within this subdivision is \$93,000 per year, based on 2025 operating budget projected costs. The costs of maintaining additional roadway assets are included annually in the Roads, Parks and Forestry Department's operating budget.

# Recommendation Report

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## Background

This subdivision was registered as Plan 20M-1193 on September 17, 2017. This subdivision includes the following infrastructure that will become the responsibility of the City of Burlington:

- 7.5 lane kilometers of road;
- 12,595 metres of storm sewer and related appurtenances;
- 32 metres of 6 metres x 1.8 metres precast concrete culvert;
- 25 metres of 700 mm concrete culvert;
- 7,500 metres of concrete curb and gutter;
- 4,500 metres of 1.5 metres wide concrete sidewalk;
- 590 metres of 1.5 metres high black vinyl coated chain link fence
- 775 metres of 1.8 metres high black vinyl coated chain link fence
- 550 metres of 1.2 metres high decorative metal fencing
- 420 boulevard trees;
- 110 street lights;
- 411 plantings;
- 6 entry features;
- 1 park;
- 1 stormwater management facility; and
- 1 creek block.

All works in the Alton Village West subdivision have been completed. The underground and aboveground services have been accepted. It therefore remains for Council to accept the works and services in the subdivision and relieve the developer of his obligations under the subdivision agreement.

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## Recommendation Details

Once Council approves the assumption of this subdivision, securities and inspection fees deposited with the City by the developer will be released.

Staff have confirmed with all City departments, Halton Region, Conservation Halton, public utilities (including Burlington Hydro Inc.), and the Halton School Boards that all subdivision agreement requirements have been fulfilled. It is therefore recommended that this subdivision be assumed.

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## Key Dates & Milestones

September 2017 – Subdivision was registered as Plan 20M-1193

December 2024 – Subdivision works substantially completed

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## Implications

The estimated annual maintenance cost for the assumed infrastructure within this subdivision is \$93,000 per year, based on 2025 operating budget projected costs. The costs of maintaining additional roadway assets are included annually in the Roads, Parks and Forestry Department's operating budget.

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## Strategic 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
- 

## Author:

Jeff McIsaac, C.E.T.  
Supervisor, Development Engineering  
905-335-7600 ext. 7679

## Appendices:

A. Detail Sketch

## Draft By-laws for Approval at Council:

- Date to Council: December 9, 2025

## Notifications:

Michael Tasker  
MT Management Services  
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Ronald MacKenzie  
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City of Burlington (Geomatics)  
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**Report Approval:**

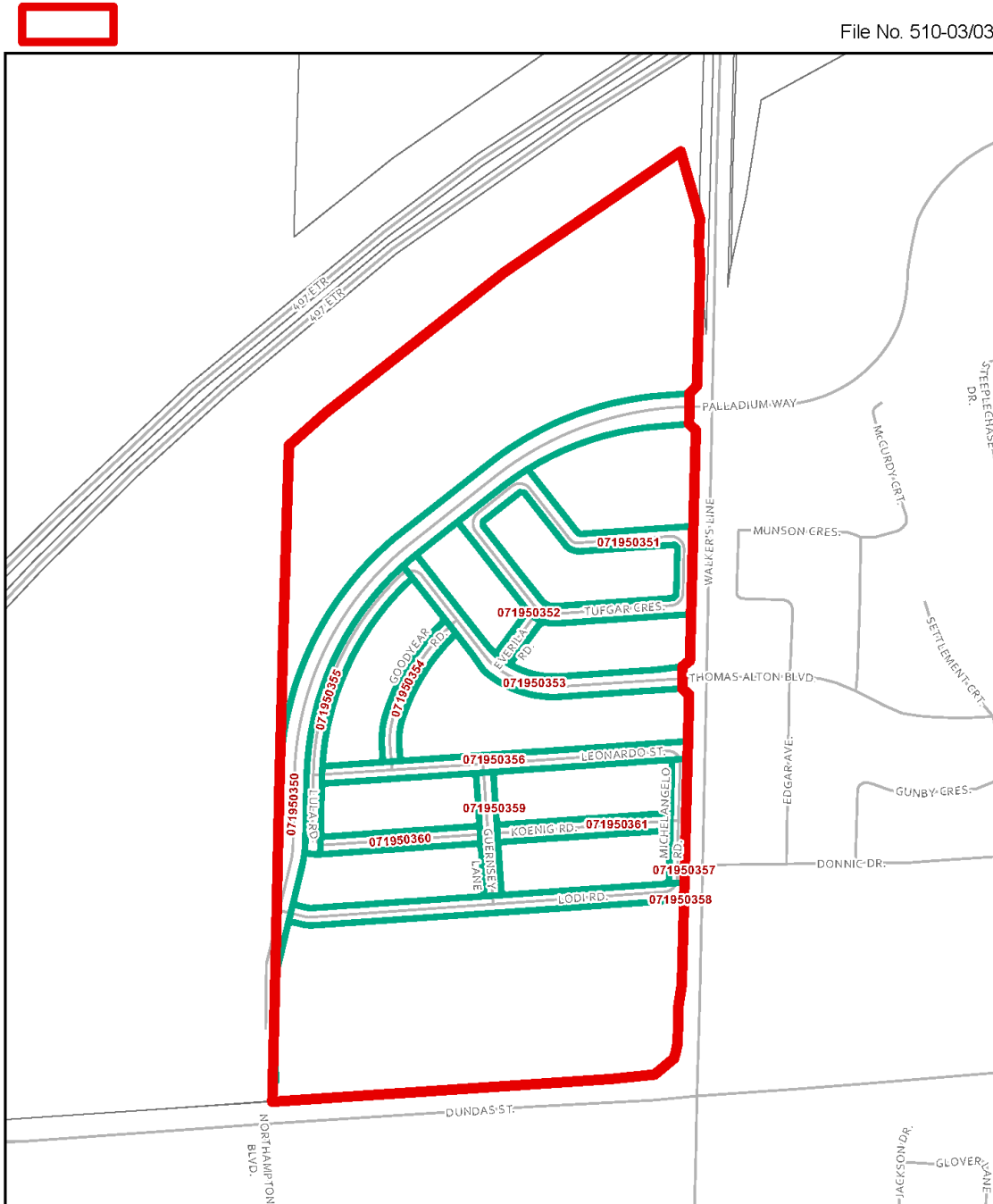
All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.

## Appendix A

### DETAIL SKETCH

Alton Village West (20M-1193)

File No. 510-03/03



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SUBJECT: Council Remuneration Working Group recommendation report

TO: Committee of the Whole

FROM: Legal and Legislative Services

Legislative Services

Report Number: LLS-54-25

Wards Affected: All

Date to Committee: December 1, 2025

Date to Council: December 9, 2025

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### **Recommendation**

Receive for information the recommendations from the Council Remuneration Working Group ("CRWG"), attached as Appendix A to legal and legislative services report LLS-54-25.

### **Executive Summary**

Purpose of report:

For each new term of Council, a citizen working group is established to review remuneration and staff/budget support provided to members of council.

The recommended mandate of the working group is to conduct research, review policies and practices, make comparisons to similar sized municipalities and prepare a report with recommendations for remuneration and support, including salary, group benefits, OMERS, staff support and financial/budgetary support, for the next term of council office (2026-2030).

Council at its meeting held April 15, 2025 approved the recommendations contained in legislative services department report LLS-08-25. Through that report, Council approved the Terms of Reference for the Council Remuneration Working Group ("CRWG") and directed the CRWG to report its findings to Council before December 31, 2025.

# Recommendation Report

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## Background

In April 2025, Council approved the Terms of Reference for the CRWG. A recruitment process was undertaken in May 2025, followed by interviews in June. The interview panel consisted of Laura Atanas, Manager of Total Compensation and Data Analytics; Tolu Ajise, Supervisor of Accounting; and Lisa Palermo, Manager of Committee Services/Deputy Clerk. Of the eight applications received, seven candidates were recommended for the City Manager's approval (note: one member subsequently stepped down for personal reasons). The recommended applicants brought a balanced mix of experience in compensation, finance, and public-sector governance, representing a broad cross-section of wards and community diversity:

- Nancy Van Kessel (Chair)
- Mark Ajodha
- Amara Itua-Ojefua
- Marsha Paley
- Jessica Ferguson
- Anam Khan

The CRWG met six times, supported by staff from Human Resources, Finance, and Legislative Services. Prior to each meeting, members reviewed a range of materials including staff reports related to Council remuneration and expenses, past remuneration committee reports, and the final Ward Boundary Review report. Members also reviewed comparator data from similarly sized municipalities, including information related to remuneration and expenses, population, demographics, and committee and board participation. To further inform its work, the CRWG developed and distributed an online survey to Members of Council to gather feedback on current compensation, staffing resources, and the expenses policy.

The CRWG collaboratively assessed the information gathered and developed a final report with recommendations covering salaries, benefits and pension, expenses, council staff support, agencies/boards/committees participation, and customer relationship management. This final report, including analysis and recommendations in each area, is attached as Appendix A.

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## Analysis

The CRWG undertook a thorough review of staff reports, corporate and organizational policies, comparator municipal data, and the results of the Council survey. The recommendations put

forward reflect a balanced approach intended to strengthen good governance, support effective Council operations, and ensure fiscal responsibility.

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### **Recommendation Details**

Council is being asked to receive the recommendations contained in the CRWG report attached as Appendix A. Receiving the report does not commit Council to any course of action at this time. Should Council wish to explore any specific recommendation further, a Member of Council may bring forward a motion directing staff to provide additional analysis before a decision is made.

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### **Key Dates & Milestones**

Council December 9, 2025

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### **Implications**

Any financial, human resources, legal, communications, or engagement implications will be evaluated and addressed through future staff reports associated with this matter.

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### **References**

- [Report LLS-08-25](#) Council Remuneration and Total Rewards By-law and Working Group Terms of Reference
  - [Report FIN-01-25](#) Remuneration and expenses paid to Council and appointees for 2024
- 

### **Strategic 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
- 

### **Author:**

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Manager, Committee Services/Deputy Clerk  
[lisa.palermo@burlington.ca](mailto:lisa.palermo@burlington.ca)



**Appendices:**

A. Council Remuneration Working Group recommendations report

**Draft By-laws for Approval at Council:**

- None

**Notifications:****Report Approval:**

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

## **2025 Council Remuneration Working Group (“CRWG”) Report**

Prior to presenting the analysis and recommendations, the CRWG would like to express its appreciation for the opportunity to participate in this committee and provide input on behalf of City of Burlington (“City”) residents. Furthermore, the CRWG would like to acknowledge the strong support received from City staff who facilitated access to all relevant information and answered all questions to ensure this report was comprehensive and accurate. Thank you, Lisa Palermo, Laura Atanas, Tolu Ajise and all others working behind the scenes to support CRWG efforts. The CRWG also appreciates the time taken by members of Council to respond to the survey and would like to reinforce that the input received was used to shape the recommendations.

This report has been broken down into relevant sections that address the key components of Council total compensation and also includes follow up on topics previously raised, as well as new considerations the CRWG believes are relevant.

### **Salaries**

The analysis of salary structures across comparable Ontario municipalities indicates that Burlington’s combined remuneration for the Mayor and Councillors—reflecting both City and Halton Region components—remains within the upper tier of comparator municipalities. On a per capita basis, Burlington ranks among the top five municipalities reviewed, reflecting competitive compensation relative to population size and service responsibilities. Council members receive an annual adjustment (paid in January) to salaries based on the average of the annual Consumer Price Index (“CPI”) for Toronto and Ontario. The CRWG believes this annual review formula for annual adjustments is reasonable and provides a transparent and equitable mechanism that ensures remuneration keeps pace with cost-of-living changes, without requiring discretionary review.

The CRWG’s findings are based on its review of salary and per capita remuneration data for select regions and municipalities across Ontario, including Guelph, Hamilton, Markham, Mississauga, Newmarket, Ottawa, Richmond Hill, Toronto, Waterloo, and Whitby. The findings take into consideration that certain municipalities (e.g. Whitby and Newmarket) have part-time councillors. The comparative data examined mayor and councillor compensation at both regional and local levels, expressed in total salary and per capita terms, to assess Burlington’s relative position within the provincial context. The CRWG also considered the recent introduction of the Deputy Mayor role among Council members to assess if this incremental accountability warranted additional salary compensation. Each Councillor is assigned a Deputy Mayor with Portfolio role for the

term of council and, in addition to this, they serve as the Deputy Mayor of Emergencies/Ceremonial, on a rotational basis.

**Recommendations:**

- 1) It is recommended the current salary structure, including annual CPI-based adjustments, be maintained. In the CRWG's view, salaries are appropriately positioned relative to municipalities of comparable size and governance complexity, providing fair compensation while supporting fiscal accountability.
- 2) It is recommended the subsequent CRWG consider demographic, population and ward changes when reviewing council compensation. Expected changes in these areas may impact overall councillor workload and per capita distribution of work and may affect equitable compensation.
- 3) It is recommended Council consider a reasonable stipend to augment the current salary to reflect the additional work performed when assuming Deputy Mayor responsibilities.

**Benefits and Pension**

The benefit and pension packages for members of Council align with those of the City's non-union employees which, in the view of the CRWG, remains a fair and equitable approach. Members of Council are eligible for participation in group benefits coverage (extended health care, dental, basic life insurance, and long-term disability) including early retirement benefits and the Ontario Municipal Employees' Retirement System ("OMERS") pension plan during their time in office. Group benefits coverage ceases for basic life insurance and long-term disability at the end of the month in which the Council member turns age 65. Contributions into the OMERS pension plan ceases in November of the year in which the Council member turns age 71.

Recent changes have been made to provide members of Council with payment in lieu of employer contributions for group benefits that cease over the age of 65 as well as payment in lieu of the employer portion of the OMERS pension plan contributions that cease beyond the age of 71 until the end of their term in office. No severance entitlement is provided upon completion of service, reflecting the term-contract nature of members of council.

**Recommendations:**

- 1) It is recommended the City should maintain the current alignment of Council members' benefit coverage with that of non-union employees, ensuring consistency and equity across employment and service categories.
- 2) It is recommended members of Council consider introducing a flexible health spending account (non-taxable) and/or wellness spending account (taxable) to augment the benefits package.

Noting the existing alignment between Council members and non-union employee benefits, it is not the intention of the CRWG to create divergence between these two groups.

**Expense Budgets/Special Initiative Reserve Fund**

The CRWG noted the following background regarding expense budgets and the Special Initiative Reserve Fund ("the Fund"):

- The Fund was established in 2022 to accumulate the annual surplus of any budgeted funds that were not spent in a given year.
- The balance of the Fund as of Dec. 31, 2024, was \$72,336, which is equivalent to seven times the current annual expense budget of one Councillor.
- In 2024, the total approved budget per Councillor was \$10,400. A total of \$1,238 was added to the Fund as a result of a net underspend in 2024.
- Since its inception, a total of \$9,783 has been withdrawn from the Fund.
- In their responses to the CRWG Councillor survey, several Councillors indicated a desire for additional funding, particularly for mail outs and special events, which seems incongruous with the rapid accumulation of the Fund.

The CRWG notes the balance of the Fund has grown to a significant amount within a relatively short period. These funds are not serving their intended purpose if they remain unused. It is unclear why the Fund has been underutilized when Councillors have expressed a need for funding in the very areas the Fund was created to support. The CRWG also observed the process for accessing the Fund does not appear onerous.

**Recommendations:**

- 1) It is recommended that no inflationary increase to the annual expense budget be approved until the Fund is used or nearly depleted.

- 2) It is recommended Councillors establish a realistic timeline for spending the existing balance. They should also allocate the balance evenly among themselves over the identified period or make a collective decision to allocate disproportionately based on unique ward needs or special circumstances. Individual Councillor budgets should temporarily reflect this expected increase in spending.
- 3) It is recommended Councillors work with City staff to better understand the rapid accumulation of the Fund. They should also establish and implement a Fund Utilization Threshold Policy that sets clear parameters for when reserves must be used and the procedures to be followed should the Fund exceed a certain limit (e.g. reallocation to Councillors as appropriate). This will help ensure proper financial management and avoid the continued buildup of unused balances.

## **Council Staff Support**

The CRWG noted the following regarding staffing support available to Councillors:

- Each Councillor has a dedicated 'Council Assistant & Community Liaison' responsible for managing the administrative needs of the Councillor's office.
- The 'Council Assistant & Community Liaison' are City of Burlington employees.
- In their responses to the CRWG Councillor survey, several Councillors expressed a need for a communications support resource.
- A review of comparable Ontario municipalities indicates that Burlington's current staffing levels provide adequate administrative support to meet existing Council office needs.
- The communications workload coming from each Councillor's office has remained reasonable and relatively consistent over time.
- Corporate Communications currently provides adequate centralized support through standardized templates, key messaging, and content alignment.
- While the current structure assumes full-time Councillors have sufficient capacity and administrative support to manage communications in collaboration with Corporate Communications, constituent engagement and social media demands have become increasingly complex.

## **Recommendation:**

- 1) To enhance efficiency, ensure message alignment, and strengthen engagement with residents, it is recommended Council explore the addition of a shared communications resource to support Councillors. This model would be similar to

other municipalities that currently use a dedicated communications resource. The role's scope would focus specifically on areas that are not currently supported by Communications and Engagement. It is further recommended that this role initially be established as a part-time pilot position to assess its effectiveness, relevance, and impact on resident engagement and overall service delivery before any permanent structure is considered.

## **Agencies, Boards and Committees (“ABCs”)**

Council remuneration for ABCs is determined by legislation and local policies. Compensation varies based on the member's role (e.g. director or chair) and the time commitment. With respect to the number of roles Councillors have on ABCs, there are some variations between the six Councillors. Most Councillors serve on three committees while others participate on more. However, the actual workload hours are not available to determine if there are workload and, subsequently, remuneration differences. Additional information regarding committee mandate and meeting attendance would be helpful in assessing workload and if it is equitable amongst Councillors.

### **Recommendations:**

- 1) It is recommended that prior to the appointment of the 2026 to 2030 Council members, a review be undertaken of the various ABCs to identify, if possible, the equitable distribution of roles per Councillor. This may include determining the following: a) a continuing need for Council members' participation on certain ABCs; b) the potential for the discontinuation of these positions; and c) opportunity to merge some of the ABCs.
- 2) Without a more thorough understanding of the time commitment, at this time, 'it is recommended that no additional remuneration, as paid by the City, be considered for the ABC roles at the City-level. Any suggestion for additional remuneration, for example a Chair's/Vice-Chair's/member's role on a standing committee at the Regional level, can be suggested to Halton Region in line with other Regional/other upper tier municipalities though this is external to the scope of this remuneration review.

## **Customer Relationship Management (“CRM”)**

The CRM was noted in the 2021 CRWG report as a potential topic for further consideration in the 2025 report. However, this subject was not raised by any members of Council in the 2025 survey and has not been indicated by staff members supporting the CRWG as a significant discussion point.

### **Recommendation:**

- 1) Given the subject does not continue to be a matter of concern, the CRWG recommends no further action be taken at this time, and the succeeding CRWG reassess the relevance, if so indicated by members of Council.

### **Conclusion**

The CRWG recommendations are the result of a thorough analysis of relevant information provided to the team including direct feedback from the affected stakeholder group. The CRWG appreciates the opportunity to present these recommendations and the associated consideration of suggested next steps.

SUBJECT: Endorsement of partnership agreement for temporary dome structure at Corpus Christi High School

TO: Committee of the Whole

FROM: Community Services  
Recreation, Community and Culture

Report Number: CSS-27-25

Wards Affected: all

Date to Committee: December 1, 2025

Date to Council: December 9, 2025

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### Recommendation

Direct the Director of Recreation, Community and Culture to negotiate and finalize a supported dome operating agreement with Halton Catholic District School Board (HCDSB) as outlined in community services report CSS-27-25; and

Direct the Director of Recreation, Community and Culture to initiate a procurement process, in accordance with the City's procurement by-law, to secure an operator responsible for the design, construction, operation, and ongoing maintenance of the dome facility; and that the procurement include provisions to ensure broad community access and the implementation of equitable and affordable pricing structures; and

Authorize staff to take all steps necessary to negotiate, approve and enter into a long-term lease and subsequent sub-lease of the dome at Corpus Christi High School, with content satisfactory to the Manager of Realty Services, and in a form satisfactory to the Commissioner of Legal and Legislative Services/City Solicitor.

### Executive Summary

Recreation, Community and Culture (RCC) is proposing a strategic partnership with the Halton Catholic District School Board (HCDSB) to establish a supported dome at Corpus Christi High School. This initiative mirrors the successful model implemented in the Town of Milton, where a similar relationship exists; the Town leases the land from the School Board and then the



Town enters into a sub-lease agreement with the Operator to build, operate and maintain the dome facility—at no infrastructure cost to taxpayers.

The project directly addresses the growing demand for indoor rectangular turf fields identified in the City's [Live & Play Plan \(2024\)](#). It offers a timely solution to reduce Burlington residents' reliance on facilities outside the city and provides daytime winter access for high school students.

Through the establishment of a formal Facility Partnership Agreement, the City has the opportunity to secure additional winter field time, promote equitable allocation among user groups, and incorporate a community pricing structure aligned with the principles outlined in the [Framework for Recreation](#).

#### Purpose of report:

To seek Council approval to proceed with a Facility Partnership with HCDSB for the development of a supported dome at Corpus Christi High School. The dome would be delivered through a third-party operator responsible for building, operating, and maintaining the facility.

#### Key findings:

Burlington is approaching full buildout, which presents both challenges and opportunities for maximizing the use of existing public assets. Community demand for indoor rectangular turf fields continues to grow, with many residents currently traveling outside the city to access suitable facilities. The proposed site at Corpus Christi High School offers a strong fit for this initiative, with no current residential adjacency which can sometime be politically challenging to install in existing neighbourhoods while addressing an identified community needs. The model implemented in Milton provides a compelling precedent, demonstrating that a third-party operated dome can deliver community access without direct capital or operating costs to taxpayers. This approach supports equitable access, maintains pricing principles that aligns with the city's Framework for Recreation and allocation policies, and reflects a fiscally responsible strategy for expanding recreational infrastructure.

#### Implications:

The proposed dome partnership carries a range of implications that reflect both operational feasibility and strategic opportunity. Financially, the model is efficient, with no direct capital and new operating costs to taxpayers. Any legal or administrative expenses associated with the partnership—such as lease and contract development and oversight—will be absorbed within existing departmental budgets, ensuring fiscal responsibility. Legally, the initiative requires lease agreement with the Halton Catholic District School Board, sublease consent, and clearly defined, enforceable terms within the procurement process to safeguard community access and expectations.

From a staffing perspective, the impact is expected to be minimal. City staff will be involved primarily in negotiations, procurement, and ongoing oversight of the partnership, allowing existing resources to be leveraged without significant disruption. Effective communication and engagement will be critical throughout the process. Continued dialogue with user groups, residents, and stakeholders will help ensure transparency, build trust, and support equitable access to the facility. Overall, the partnership represents a forward-thinking approach to expanding recreational infrastructure in a way that is inclusive, cost-effective, and aligned with Burlington's long-term vision.

# Recommendation Report

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## Background

The City has a long-standing and successful partnership with HCDSB, including a Reciprocal Agreement for shared gym and field use as well as a lease at St. Christopher's Elementary School for the City's Orchard Community Hub. Building on this collaborative foundation, the City is exploring a new partnership opportunity with HCDSB to address growing community demand for indoor recreational space.

A similar model has been successfully implemented in the Town of Milton—where HCDSB granted a sub-lease opportunity to the Town to allow for a commercial operator to deliver a dome facility that serves both school and community. This approach has proven effective in providing a benefit to all parties, including allocation of space and agreed upon pricing.

Currently, Burlington operates three domes through a Joint Venture Agreement with the Burlington Soccer Club (BSC). Despite this existing infrastructure, demand for indoor rectangular turf fields continues to exceed supply, as identified in the City's Live & Play Plan (2024). Residents are increasingly seeking access to year-round recreational amenities, and this proposed partnership offers a cost-effective and timely solution to expand capacity in a high-demand area.

HCDSB has expressed a preference to work directly with the City and is open to a third-party construction and operating lease arrangement, facilitated through the City. This model would allow for shared use between the school and the broader community, while upholding Burlington's commitment to equitable access, fiscal responsibility, and strategic growth.

This report was also shared with the Community Planning department, and they offered the following in relation to the Bronte Meadows development:

The proposed dome is located adjacent to currently vacant lands known as Bronte Creek Meadows (BCM). BCM consists of the area south of Upper Middle Road, west of Burloak Drive, north of Mainway and east of Creek Way and Corpus Christi high school. The City's Bronte Creek Meadows Area-Specific Planning Project established a vision for a complete, mixed-use community, integrating housing, employment, parks, and sustainable transportation while protecting natural heritage on the BCM lands. Through staff report [DGM-32-25](#), Official Plan Amendment (OPA) No. 4 was adopted by Council in May 2025, which sets the planning framework to accommodate approximately 16,000 residents, 9,000 housing units, and 3,600 jobs on these lands, with policies requiring further studies to be completed prior to submission of development applications.

With OPA 4 now approved and in effect, the next step towards development of the BCM lands is for the landowner/developer to complete further technical studies and submit applications for Zoning By-law Amendment and Plan of Subdivision.

Planning staff will support the development of the partnership for the temporary dome structure at Corpus Christi and provide guidance for the development of the dome that considers the future vision of BCM and future development applications.

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## **Analysis**

### **Option 1 Proceed with Corpus Christi Dome Partnership**

This option proposes that the City advance a strategic partnership with the Halton Catholic District School Board (HCDSB) to enable the development of a dome facility at Corpus Christi High School. Under this model, a third-party operator would be procured to design, construct, operate, finance and maintain the facility, with the City providing ongoing oversight.

#### **Process Overview**

- The City will initiate a formal procurement process in accordance with the City's procurement by-law to identify a qualified third-party operator.
- The procurement will include specific requirements to:
  - Ensure rental fees reflect the principles of the Framework for Recreation;
  - Guarantee daytime access to the facility for school use;
  - Establish partnership terms that mitigate operational risks to the City, including safeguards against potential insolvency of the third-party operator.
  - Assign responsibility for capital investment and ongoing operating costs to the third-party operator, who will be required to propose a sustainable business model as part of the procurement process.

#### **Benefits**

- Increases indoor turf capacity without incurring capital or operating costs to taxpayers.
- Supports equitable access and allocation across a diverse range of user groups.
- Aligns with facility priorities identified in the City's Live & Play Plan.
- Reduces dependency on out-of-town facilities, enhancing local access for Burlington-based community organizations.

## **Key Considerations**

- The procurement process must clearly articulate expectations around pricing and access to ensure fairness, transparency, and alignment with community values.
- The City must assess and prepare for potential risks associated with third-party operation, including financial insolvency or service disruption.

## **Implementation Notes**

- The dome facility would be delivered and managed by the selected third-party proponent, with the City retaining oversight to ensure compliance with pricing and access commitments.
- Early and proactive engagement with key stakeholders—including sports organizations, schools, and residents—will be essential to fostering trust and inclusive participation.
- Transparent communication regarding allocation policies and pricing structures will be critical to maintaining public confidence and meeting community expectations.

## **Option 2 – Maintain Status Quo**

This option involves continuing with existing indoor turf infrastructure, primarily through a Joint Venture Agreement with Burlington Soccer Club (BSC), without pursuing new development at Corpus Christi High School.

### **Benefits:**

- Avoids administrative or legal complexities associated with a new partnership.
- Maintains consistency with current operational models.
- Reinforces the City's established Joint Venture partnership framework, which has delivered successful outcomes through collaboration with local sport organizations. While this model offers many advantages, it does prioritize the interests of the Burlington Soccer Club due to their financial investment, which can limit equitable access for other user groups.

### **Considerations:**

- Does not address the current shortfall in indoor turf capacity.
- May contribute to ongoing community frustration among residents due to limited access.
- Teams may continue to travel to other municipalities, impacting local participation.
- Misses a timely opportunity to collaborate with HCDSB while interest is active.
- Fails to advance key recommendations from the City's Live & Play Plan (2024).
- Overlooks potential third-party investment in recreational infrastructure and operations.

### **Option 3 – Joint Venture with a Not-for-Profit Organization**

This option explores a traditional Joint Venture partnership with a not-for-profit organization—such as the Burlington Soccer Club—to develop and operate a dome facility. The City would provide land, through a lease from the school board or capital support, through the [Joint Venture Loan program](#), while the partner would manage day-to-day operations.

#### **Benefits:**

- Offers potential to expand indoor turf supply through a familiar and proven model.
- Encourages shared governance and community collaboration.
- Builds on existing relationships with local sport organizations.

#### **Considerations:**

- Requires significant staff time to negotiate and support the Joint Venture.
- Involves a more complex governance and oversight structure.
- Community access may be limited by the partner's programming priorities.
- Longer implementation timeline (estimated 1–2 years) due to required negotiations and approvals.
- May not fully align with the equitable access goals outlined in the City's Live & Play Plan.

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### **Recommendation Details**

Based on the analysis of all three options, Option 1 is strongly recommended. It offers the greatest overall benefit to the Burlington community by expanding access to indoor turf facilities in a high-demand area, without imposing direct capital or operating costs on taxpayers. This approach leverages the City's existing, trusted partnership with the Halton Catholic District School Board and builds on a proven model that has delivered successful outcomes in other municipalities.

The proposed partnership ensures equitable access across user groups, aligns with the goals outlined in the Live & Play Plan (2024), and supports Burlington's commitment to inclusive, fiscally responsible, and sustainable infrastructure development. With HCDSB's expressed interest and the site's current availability, timely action is essential to secure this opportunity before surrounding development limits feasibility.

Moving forward with Option 1 positions the City to meet growing recreational needs, strengthen inter-agency collaboration, and deliver meaningful community impact—efficiently and transparently.

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## Key Dates & Milestones

### Q1 2026

- Negotiate Supported Dome Lease Agreement with the Halton Catholic School Board (HCDSB).
- Secure sublease consent and finalize partnership terms.

### Q2 2026

- Begin procurement process to identify a qualified operator to build, operate and maintain the dome.

### Q3 2026

- Conclude procurement process and select proponent.
- Negotiate sub-lease with selected proponent.
- Begin pre-construction planning and coordination.

### Q4 2026

- Commence construction and installation of the dome structure at Corpus Christi High School.

### Q4 2026- Q1 2027

- Dome becomes operational, providing indoor turf access for both school and community use.

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## Implications

The proposed dome partnership is expected to have minimal staffing impact, relying on existing City resources to support negotiations, procurement, and ongoing oversight. RCC staff will collaborate with Legal Services to establish a lease agreement with the Halton Catholic District School Board (HCDSB), secure sublease consent from HCDSB and negotiate sub-lease with successful proponent, and embed enforceable provisions that ensure community access, equitable use, and transparency.

RCC staff will also work closely with the Communications team to lead early and inclusive engagement with user groups and to develop clear, consistent messaging regarding pricing structures and allocation processes.

To mitigate potential risks, the City will develop a comprehensive agreement that outlines roles, responsibilities, and contingency measures. Should the City determine that the partnership cannot proceed in a manner that aligns with its strategic and community interests, it will reserve the right to withdraw from the initiative.

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## References

[City of Burlington – Live & Play Plan \(2024\)](#)

[Article on the Town of Milton/HCDSB Dome Partnership Model](#)

[RCC-03-21 Orchard Community Hub](#)

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## Strategic 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
- 

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## Notifications:

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## Report Approval:

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



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SUBJECT: Public Tree By-law update & Private Tree By-law amendment

TO: Committee of the Whole

FROM: Public Works

Roads, Parks and Forestry

Report Number: PWS-22-25

Wards Affected: All

Date to Committee: December 1, 2025

Date to Council: December 9, 2025

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### Recommendation

Approve the Public Tree By-law substantially in the form attached as Appendix A to public works report PWS-22-25 and repeal Public Tree By-law 68-2013; and

Approve the amendment to Forestry Reserve Fund By-law 105-2015, substantially in the form attached as Appendix C to public works report PWS-22-25; and

Approve the amendment to Private Tree By-law 40-2022, substantially in the form attached as Appendix D to public works report PWS-22-25.

### Executive Summary

Purpose of report:

- This report recommends repealing and replacing Public Tree By-law 68-2013 with a more efficient framework that aligns with the Private Tree By-law and modern city practices. Additionally, it proposes the amendment of an existing reserve fund by-law to support public tree maintenance and advanced assessments resulting from construction and/or other works. It also recommends amending the Private Tree By-law to correct the numbering of sections in Part 8: Enforcement, Remedial Actions and Recovery of Expenses.

## Key findings:

- **Process-related changes:**
  - **Enhanced definitions:** Clearer definitions improve efficiency and transparency for staff, applicants, and the public.
  - **Consistency in formatting and document structure:** By aligning the Private Tree By-law with the Public Tree By-law in terms of layout creates a consistent, user-friendly experience.
  - **Alignment of enforcement capabilities:** Broadened enforcement powers allow for action against individuals who cause or permit violations, strengthening enforcement which is in line with the Private Tree By-law and with other City regulations.
  - **Streamlined tree securities method:** The introduction of a tiered approach for tree securities provides a more transparent and predictable process.
  - **Updated tree reproduction cost calculation:** The adoption of the trunk formula technique ensures accurate and fair tree replacement fees, aligning with industry standards.
- **Fee-related changes:**
  - **Introduction of a compliance inspection fee:** A new tiered fee to offset the cost of monitoring compliance applied to the number of trees requiring compliance review. This addition is also in alignment with the private tree by-law.
  - **Introduction of a pre-exploratory excavation fee:** A new fee for applications requiring additional investigation to support canopy retention goals.
  - **Changing the public tree removal fee structure to a tiered approach:** A tiered approach to the fee ensures fair administrative fees for tree removal permits.
  - **Amendment of the forestry reserve fund by-law:** A modification to the existing forestry reserve fund by-law for staff to be able to utilize forfeited public tree securities to address public tree related issues resulting from construction and/or other works.

*\*\* Note: the fee changes were part of the 2026 rates and fees by-law update.*

- **Amendment the Private Tree By-law:**
  - **Correcting the numbering of sections in Part 8: Enforcement, Remedial Actions and Recovery of Expenses:** Amend the Private Tree By-law to correct the numbering of sections in Part 8.

## Implications:

- The updated Public Tree By-law offers a streamlined, modern approach with enhanced clarity and consistency. Aligning the text with the Private Tree By-law creates a cohesive framework, improving operational efficiency and supporting better

enforcement. These changes ensure that tree management practices meet current industry standards.

# Recommendation Report

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## Background

The existing Public Tree By-law has served the City well but requires updates to reflect modern urban forestry practices. The 2022 Private Tree By-law introduced enhanced efficiency, clearer language, and stronger enforcement, which this update aims to replicate for public trees. By aligning the public and private tree by-laws, the City will create a more consistent and cohesive framework for urban tree management.

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## Analysis

A review of the current by-law showed significant differences in structure and clarity when compared to the Private Tree By-law. Updating this by-law will improve consistency and make the process more efficient. Additionally, a review of the forestry reserve funds revealed an opportunity to use forfeited public tree securities by amending an existing reserve fund to include a new direction. More specifically, this fund will help address issues related to public trees, particularly those impacted by construction or other activities, by providing funds to support maintenance and advanced assessments of public trees that will improve their overall health and ensure their long-term survival.

## Benefits:

**Modern Practices:** The proposed updates align with modern urban forestry practices, ensuring that both public and private tree management follows the same clear, consistent requirements. By unifying the language in the by-law such as standardized definitions, along with the formatting structure, these proposed revisions will improve the understanding and implementation, which will help ensure smoother communication and more efficient operations.

**Enforcement Strengthened:** Expanding enforcement to include those who permit violations allows for a more comprehensive approach to addressing tree-related issues. Currently, enforcement is limited to the individual directly responsible, meaning the person who completed the work that caused the violation, but the new revisions will enable action against those who cause or permit violations. This broader enforcement capability aligns the public tree by-law with the private tree by-law and other City regulations, strengthening the City's ability to address tree-related violations more effectively. Additionally, a provision for administrative monetary penalties has been introduced, providing the City with greater flexibility in implementing this tool to address violations when that by-law becomes available.

**Simplified Process:** Transitioning to a tiered approach using a series of diameter ranges for tree securities improves transparency and fairness for applicants and City staff. Currently, the security value is calculated using the aggregate caliper method, which considers the impact of proposed work within the tree protection zone but can be unpredictable as it is calculated after a formal review is completed by staff. The proposed shift to a tiered-based approach will offer a more predictable process for everyone involved.

**Accurate Tree Reproduction Costs:** Adopting the trunk formula technique for calculating tree replacement fees ensures fairer compensation for public trees by providing a more standardized, data driven and objective assessment. This method incorporates the size, species, and condition into the calculation to provide a cost to reproduce the existing tree. The current method, based on the aggregate caliper approach, does not accurately reflect the true cost of replacing a tree in its current form. By adopting the trunk formula technique, which is widely recognized and accepted in arboricultural and legal fields, it will provide a more accurate and defensible calculation that ensures the cost of replacing public trees is appropriately represented. This approach follows the best practices in the industry, making sure all the important details of the tree are considered so that compensation is fair and complete.

**Compliance Inspection:** The introduction of a compliance inspection fee will support timely enforcement and resource allocation by helping to cover the staff costs involved in these inspections. Compliance inspections are time-consuming and require significant staff resources, especially when multiple trees are involved. This increased workload requires staff to reallocate time from other essential tasks, such as reviewing applications and managing ongoing aspects of the program. To address this, the fee structure will be tiered and based on the number of trees subject to a compliance related inspection. This will ensure that if more trees need to be inspected, the extra time and resources required by staff are accounted for. This tiered fee structure fairly distributes inspection costs, enabling the City to cover costs without raising taxes. In doing so, it balances the workload and upholds high compliance standards without extra financial strain on taxpayers.

**Pre-Exploratory Exercises:** New fees for pre-exploratory excavation ensure thorough investigations are conducted to support public tree retention and enhancement. This fee applies to permit applications requiring additional assessments to evaluate potential impacts on trees, especially when the initial information is insufficient, and the impacts are not well understood. These assessments, often involving on-site observations by qualified tree professionals and staff, help prevent improper tree removal and/or safety issues. This new fee allows the City to recover the costs of on-site attendance and additional review without increasing tax support, helping to fund the extra resources required for more in-depth

evaluations. These exercises are rare and are typically applied to utility and servicing-based projects.

**Public Tree Removal Fee Structure:** The tiered fee structure ensures fairness and balance in the tree removal permit process. It aligns with the fee structure for the private tree by-law and reflects the fact that the initial fee helps cover administrative costs associated with the permit review. The reduced fee for additional trees accounts for tree-specific requirements, such as inspections (where applicable). This system is designed to help the City cover the costs associated with these reviews while also improving affordability for property owners.

**Forestry Reserve Fund:** Revenue from forfeited public tree securities will be used for maintenance, corrective action, and advanced assessments of publicly owned trees to address health issues caused by construction and/or other activities. This funding allows for expedited work to support tree retention through efforts like Level 3 risk assessments, which go beyond the typical capacity of the current operational budget. No immediate deposit into the fund is anticipated with this change, but rather the modification to the fund is to ensure funds can be transferred and used in the future.

#### **Considerations:**

**Resource Allocation:** The changes, particularly expanded enforcement and the introduction of new fees, are designed to integrate smoothly into the existing framework. Staff are already familiar with similar practices under the private tree by-law, so additional resource requirements should be minimal.

**Financial Impact:** The introduction of compliance inspection and pre-exploratory excavation fees ensures that resource costs are covered when additional time is needed. The new, tiered-based tree securities method enhances cost transparency, and staff will guide applicants to navigate the updated processes effectively. Additionally, changes to the fee structure for public tree securities, and public tree removal will help customers better plan their projects by clearly understanding the financial implications of working around City trees, and the costs associated with removing additional trees.

**Monitoring and Evaluation:** Regular monitoring and assessment of the by-law changes will be necessary to ensure the desired outcomes are being met. Tracking the effectiveness of enforcement actions, the impact of the new security collection methods, and the accuracy of the new fee structures will help refine processes and identify areas for improvement.

Community Engagement and Communications:

- The updated by-law will be posted on the City's website, with additional guidance on key changes.
  - Updates to the existing guide to tree protection document will be made to clarify and provide guidance on the new tree replacement cost methodology.
  - Notices will be placed on relevant platforms, including the City's "Get Involved" page with updates captures in existing Knowledge Base Articles for staff as required.
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### **Recommendation Details**

The repeal and replacement of the public tree by-law is an important step toward modernizing urban tree management. Aligning the formatting structure, language terms and definitions with the private tree by-law will ensure a cohesive, user-friendly process for applicants and staff. These updates, including expanded enforcement powers, and a more accurate financial structure will enable the City to address tree violations more effectively, reduce confusion, and ensure fair compensation for tree replacement. By implementing these changes, the City will be better positioned to meet its urban forestry goals and continue enhancing the health and sustainability of its tree canopy.

The amendment of the Private Tree By-law corrects the numbering of sections in Part 8: Enforcement, Remedial Actions and Recovery of Expenses.

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### **Key Dates & Milestones**

Not Applicable

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### **Implications**

The proposed repeal and replacement of the Public Tree By-law will create a more streamlined and unified approach to public tree permitting and enforcement. This will enhance services in both the forestry and legal departments, ensuring better coordination. Additionally, the updates will ensure proper cost recovery for staff resources and provide a more transparent process for customers.

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### **References**

Public Tree Bylaw 68-2013

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## Strategic 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
- 

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### Appendices:

- A. Public Tree By-law
- B. Cost Comparison Example – Public Tree Replacement
- C. Amending Forestry Reserve Fund By-law
- D. Amending Private Tree By-law

### Draft By-laws for Approval at Council:

- Public Tree By-law scheduled for approval at City Council December 9, 2025
- Amending Forestry Reserve Fund By-law scheduled for approval at City Council Dec 9, 2025.
- Amending the Private Tree By-law scheduled for approval at City Council December 9, 2025.

### Notifications:

Not Applicable

### Report Approval:

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



## The Corporation of the City of Burlington

### City of Burlington By-law XX-2025

#### Description

Being a by-law to prohibit and regulate the destruction and injury of trees on public property and to regulate the planting and maintenance of trees on or affecting public property within the City of Burlington and to repeal By-law No. 68-2013 (PWS-22-25)

#### Preamble

Whereas the Council of the Corporation of the City of Burlington is authorized, without limiting the broad municipal powers, by subsection 11(2) and sections 135, 139 to 141, 429, 431, 436, 444, 445 and 446 of the *Municipal Act, 2001*, S.O. 2001 c.25, as amended, to regulate and prohibit the destruction or injuring of trees and to provide for a system of fines and other enforcement orders;

Whereas the Council of the Corporation of the City of Burlington is authorized, without limiting the broad municipal powers, by subsection 11(2) and sections 62, of the *Municipal Act, 2001*, S.O. 2001 c.25, as amended, to enter at any reasonable time, land along any of its highways to inspect and conduct tests on trees and remove decayed, damaged, or dangerous trees or branches of any trees in the opinion of the employee or agent, the tree or branch poses an immediate danger to the health or safety of any person using the highway;

Whereas the Council of the Corporation of the City of Burlington is authorized without limiting the broad municipal powers by sections 9, 10 and 11, and section 391(1) of the *Municipal Act, 2001*, S.O. 2001 c.25, as amended the municipality may impose fees or charges on persons;

Whereas Council for the City of Burlington considers it desirable and necessary to repeal By-law No. 63-2013, and to enact a new by-law to regulate the injury, destruction, maintenance, and planting of public trees;

Whereas the Council for the Corporation of the City of Burlington deems it in the public interest to recognize the importance of trees to the environment within the City and wishes to protect and preserve trees growing upon or located upon City-owned land

Whereas the Halton Region Tree By-law 121-05 regulates the destruction or injuring of trees in woodlands with the parameters set out in that By-law;

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

#### PART I: DEFINITIONS

1.1. For the purposes of this by-law, the following definitions shall apply:

**“Administrative Monetary Penalties By-law”** means the Administrative Penalties By-law 40-2016 of the City, as amended or replaced from time to time;

**“administrative penalty”** means an administrative monetary penalty (AMP) established by this By-law and specified in the Administrative Monetary Penalties By-law;

**“applicant”** means a person who has submitted an application for a public tree permit;

**“application”** means a complete tree permit application;

**“application processing fee”** means the fee charged by the City for the administration of a tree permit application under this By-law as may be prescribed from time to time in the City’s Rates and Fees By-law;

**“arborist report”** means a technical report prepared by a qualified tree professional which details specific and accurate information about trees, including but not limited to location, species, size, condition, structural integrity, disease, infestations and vitality, and identifies the nature of work to be undertaken as well as appropriate tree protection and preservation measures to be implemented according to City Standards;

**“boundary tree”** means a tree where any part of its trunk is located on both public property and an adjacent property;

**“care and maintenance”** means performing work in accordance with the American National Standards ANSI A300 and best management practices identified by the International Society of Arboriculture, including inspections, pruning, cabling and bracing, treatments for insect and disease, watering and fertilization;

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

**“City Standards”** means the most recent version of the City of Burlington Standard Specifications for Tree Protection and Preservation;

**“compliance inspection fee”** means the fee charged by the City for an inspection to confirm compliance with this By-law or any Order or direction issued under this By-law as may be prescribed from time to time in the City’s Rates and Fees By-law;

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

**“contractor”** means a person engaged to perform a specific activity or service, on or at a particular land or premises;

**“destroy”** or **“destruction”** mean any of the following:

- (a) to remove or cut down a tree; or
- (b) to injure a tree to such an extent that the tree is deemed by the Manager to no longer be viable such that it is necessary to remove the tree, or that the tree's vitality has been reduced to such an extent that, in the opinion of the Manager, the tree cannot recover to be maintained and must be removed;

**“diameter at breast height” or “DBH”**

- (a) means the measurement of the diameter of the trunk of a tree from the outside bark at a height of 1.37 meters above the existing ground adjoining its base; or,
- (b) where there are multiple stems of a tree, means the square root of the sum of each stem diameter squared measured from the outside bark at a height of 1.37 meters;

**“Director”** means the Director of Roads, Parks and Forestry for the City of Burlington, and includes the Director's designate;

**“emergency tree work”** means where the City must execute work to injure or destroy a tree in order to address an immediate danger to the health and safety of any person or property;

**“fee” or “fees”** means the fees prescribed in the Rates and Fees By-law;

**“good arboricultural practice”** means the removal, planting and tree maintenance activities in accordance with the American National Standards ANSI A300 and best management practices identified by the International Society of Arboriculture, conducted to the satisfaction of the Manager;

**“hardscaping”** means any non-living element including bricks, concrete, stones, asphalt, synthetic or composite material, loose material (e.g., gravel); pavers, tile, and wood.

**“heritage tree”** means trees designated under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c. 0.18, as amended or trees recognized as heritage trees by Forests Canada and the Ontario Urban Forest Council;

**“injure” or “injury” or “injured”** means any act or omission that may harm or damage a tree's health and/or structure, in any manner, including, but not limited to any or a combination of the following:

- (a) removing, cutting, debarking, marking, defacing, girdling, tapping of a tree, or smothering a tree's roots;
- (b) pruning;

- (c) failing to protect a tree in accordance with the City Standards;
- (d) interfering with the water supply, nutrients and/or air supply of a tree;
- (e) setting fire to a tree;
- (f) affixing materials to a tree;
- (g) mechanical damage to a tree;
- (h) transplanting a tree;
- (i) applying harmful and/or toxic substances on, around or near the tree;
- (j) compaction, excavation, tunneling or re-grading within the tree protection zone;
- (k) storing, depositing, maintaining or placement of materials within the tree protection zone of a tree;
- (l) installing softscape or hardscape within the tree protection zone;
- (m) damage caused by construction related activities including driveways, and service (e.g., utility) installation/connections/decommissions;
- (n) the fastening of any sign, bill, notice, wire, rope, nail, or other object to, around, on, or through any tree in any manner, or around, on or through the stakes or posts that supports such tree;
- (o) any other damage, disturbance or alteration resulting from neglect, or by design;

**“lot”** means a parcel of land having specific boundaries which is capable of legal transfer;

**“Manager”** means the Manager of Urban Forestry for the City of Burlington, or designate, and also means City Arborist;

**“nursery”** means a lot on which the principal active business is the selling of plants, shrubs and trees to the public;

**“Officer”** means a person appointed by Council as a municipal law enforcement officer, a by-law enforcement officer of the City, or a person appointed under this By-law to administer or enforce this By-law and includes a person employed by the City whose duties are to enforce this By-law;

**“orchard”** means a Lot on which the principal active business is the growing of fruit for sale to the public;

**“order”** means an order issued under this By-law;

**“owner”** means a registered owner of a property, and their respective successors and assigns;

**“permit alteration fee”** means the fee charged by the City to alter a tree permit under this By-law as may be prescribed from time to time in the City’s Rates and Fees By-law;

**“permit extension fee”** means the fee charged by the City to extend a tree permit under this By-law as may be prescribed from time to time in the City’s Rates and Fees By-law;

**“permit holder”** means to any person whom a permit under this by-law has been issued;

**“permit issuance fee”** means the fee charged by the City under this By-law when a tree permit is issued as may be prescribed from time to time in the City’s Rates and Fees By-law;

**“permit transfer fee”** means the fee charged by the City to transfer or assign a tree permit under this By-law as may be prescribed from time to time in the City’s Rates and Fees By-law;

**“person”** includes an individual, sole proprietorship, partnership, association, or corporation;

**“private property”** means all lots or property except lots or property owned by the City;

**“public property”** means includes a highway, park, natural area, woodlot, boulevard, or any other public place or land owned by, or leased by, or leased to, or controlled by, or vested in the City;

**“public tree”** means any tree on public property and shall include a boundary tree;

**“public tree security”** means a security deposit payment charged by the City under this By-law where a tree permit is issued as may be prescribed from time to time in the City’s Rates and Fees By-law;

**“pruning”** means the removal of branches from a tree in accordance with good arboricultural practice;

**“qualified tree professional”** means a professional who has gained recognized certifications, qualifications and expertise in the care and management of trees. Recognized certifications and qualifications for qualified tree professionals include:

- (a) Registered Consulting Arborist (RCA) with the American Society of Consulting Arborists (ASCA);
- (b) Board Certified Master Arborist or Arborist Municipal Specialist with

the International Society of Arboriculture (ISA);

- (c) Registered Professional Forester (RPF) as defined in the *Professional Foresters Act, 2000*, S.O. 2000, c.18;
- (d) Certified Arborist with the International Society of Arboriculture; or,
- (e) Qualified Tree Risk Assessor with the International Society of Arboriculture (ISA);

**“Rates and Fees By-law”** means City of Burlington By-law 70-2024 to impose Rates and Fees, as amended or replaced from time to time;

**“replacement tree compensation”** means the fee charged by the City for payment as cash-in-lieu of planting a replacement tree(s) under this By-law, as may be calculated using the trunk formula technique, prescribed from time to time in the City’s Rates and Fees By-law, which fee shall be deposited by the Manager into the Tree Establishment & Enhancement Reserve Fund;

**“Tree Establishment & Enhancement Reserve Fund ”** means the Tree Establishment & Enhancement Reserve Fund established by City of Burlington By-law 40-2024, as amended or replaced from time to time;

**“Forestry Reserve Fund”** means the Forestry Reserve Fund established by the City of Burlington By-law 105-2015, as amended, or replaced from time to time;

**“softscape”** means any living or organic elements including shrubs, flowers, succulents, grasses, sod, flower beds, mulch, and soil.

**“tree”** means any species of woody perennial plant, including its root system that will reach a height of at least 4.5m at physiological maturity;

**“TRAQ report”** means a report prepared by a qualified tree professional and who is a qualified tree risk assessor in accordance with the ISA Tree Risk Assessment Qualification;

**“tree permit”** means a permit issued by the City under this By-law;

**“tree protection plan”** means a scaled two-dimensional plan prepared by a qualified tree professional in conjunction with an arborist report that identifies the accurate location, species, and size of trees and identifies the extent of injury or destruction, as applicable, and illustrates details of protection measures including the location of protective barriers;

**“tree protection zone”** means the minimum setback from a tree (including above and below ground level) required to protect the health and structural integrity of a tree as prescribed by the City’s Standards, as amended, or replaced from time to time;

**“trunk formula technique”** means a technique for evaluating the value of trees for replacement in accordance with the trunk formula technique as prescribed by the

CTLA Guide for Plant Appraisal, 10th Edition. Where no evidence exists on site, each tree that can be proven to have existed, through the use of aerial photos, City databases, existing surveys, photographs or streetview imagery, shall be replaced to the satisfaction of the Manager;

**“woodland”** means an area of land defined as a woodland in the Halton Tree By-law 121-05, as amended, with at least:

- (a)
  - (i) 1000 Trees, of any size, per hectare or 500 such Trees per 0.5 hectare;
  - (ii) 750 Trees, measuring over five (5) centimetres in Diameter at DBH, per hectare or 375 such Trees per 0.5 hectare;
  - (iii) 500 Trees, measuring over twelve (12) centimetres in Diameter at DBH, per hectare or 250 such Trees per 0.5 hectare; or
  - (iv) 250 Trees, measuring over twenty (20) centimetres in Diameter at DBH, per hectare or 125 such Trees per 0.5 hectare;

but does not include:

- (b)
  - (i) an active cultivated fruit or nut orchard;
  - (ii) a plantation established for the purpose of producing Christmas Trees;
  - (iii) a plantation specifically planted and maintained for the purpose of harvesting as certified in writing by an Officer based on field inspection and investigation;
  - (iv) a Tree nursery, or
  - (v) a narrow linear strip of Trees that defines a laneway or a boundary between fields

For the purpose of this By-law, the boundary of a woodland shall be defined by the ecological limit of the woodland and not by property boundaries. Where a potential woodland is dissected by a road or path not wider than 20m or by a natural feature such as a creek, the boundary of the woodland shall be deemed to cross the road, path or natural feature, but the area of the woodland shall be calculated exclusive of the area of the road, path or natural feature.

## **Part 2: BY-LAW TITLE**

2.1 The short title of this By-law shall be the “Public Tree By-law”

## **PART 3: APPLICATION OF THE BY-LAW**

- 3.1 This By-law applies to trees on public property within the geographic boundaries of the City but does not apply to woodland(s) that are governed by the Halton Region Tree By-law 121-05, as amended or replaced from time to time.
- 3.2 Nothing in this By-law shall exempt any person from complying with any other By-law or requirement of the City, or from obtaining any certificate, licence, permission, permit, authority or approval required by the City including in any other City By-law.

Page 7 of

- 3.3 Nothing in this By-law, or a tree permit issued pursuant to this By-law, is to be construed as permitting anything which is prohibited under federal or provincial legislation, and where there is a conflict in this respect between federal or provincial legislation and this By-law, the federal or provincial legislation prevails.

#### **PART 4: AUTHORITY**

- 4.1 The Director is authorized to administer and enforce this By-law, including, but not limited to:
- (a) perform any act that the Manager or an Officer is authorized to perform under this By-law;
  - (b) negotiate and enter into agreements with respect to work as required to ensure compliance with this By-law and the City Standards;
  - (c) prescribe the form of any notices, applications, permits, policies, guidelines, and documents required or permitted pursuant to this By-law, and to amend or revise such notices, applications, permits, policies, guidelines or documents, from time to time;
  - (d) establish methods for the care and maintenance of public trees, and carry out activities related to their care and maintenance;
  - (e) plant and remove or cause to plant and remove without notice or compensation to any person any public tree;
  - (f) prescribe, amend or revise the City Standards;
  - (g) assign duties or delegate tasks under this By-law to be carried out in the Director's absence or otherwise;
  - (h) assign Officers to enforce this By-law;
  - (i) prune or remove or cause to be pruned, or removed, without notice or compensation to any person, trees or tree branches located on private property if they extend over public property and are deemed hazardous. If a tree on private property creates an unsafe condition or obstructs traffic, and pruning alone is insufficient, the Director may remove the entire tree to eliminate the hazard;
  - (j) conduct reviews under Part 9 of this By-law and, on a review under Part 9 of this By-law, where in the Director's opinion it is reasonable to do so, provide relief from the tree permit application requirements under section 7.1 of this By-law.



4.2 The Manager is authorized to:

- (a) issue notices and orders under this By-law;
- (b) issue, refuse, revoke, alter, extend, transfer, or assign tree permits;
- (c) impose new terms and conditions of a tree permit;
- (d) establish conditions related to tree permits;
- (e) perform any act that an Officer is authorized to perform under this By-law; and,
- (f) transfer funds into the Forestry Reserve Fund and the Tree Establishment & Enhancement Reserve Fund in accordance with this By-law and to utilize funds from the Forestry Reserve Fund and the Tree Establishment & Enhancement Reserve Fund in accordance with those by-laws.

4.3 Officers are authorized to enforce this By-law and shall have the authority to:

- (a) carry out inspections;
- (b) issue orders or impose other requirements as authorized under this By-law;
- (c) stop any work causing injury or destruction to a tree located on Public Property that is taking place contrary to this By-law or a tree permit issued under this By-law; and
- (d) give immediate effect to any orders or other requirements made under this By-law.

## **PART 5: OBLIGATIONS AND PROHIBITIONS**

5.1 Every person carrying out work on public property that may impact public trees shall carry out work in accordance with:

- (a) this By-law;
- (b) the City's Standards;
- (c) the provisions of any approved tree protection plan and/or arborist report; and,
- (d) any other policy or standard pursuant to this Bylaw as identified by the Manager.

5.2 Except as provided under Part 6 of this By-law, no person shall, without obtaining a tree permit under this By-law:

- (a) injure or destroy, or cause or permit the injury or destruction of, a public tree.

In the event there is no tree stump or other evidence of the injury or destruction of a public tree, reference to photographic evidence, notes, aerial photos, existing surveys, streetview imagery, or City database information pertaining to the tree may be relied upon to determine whether a public tree has been injured or destroyed;

- (b) injure or destroy, or cause or permit the injury or destruction of, a heritage tree, unless they also receive approval to do so under the requirements of the Ontario Heritage Act, R.S.O 1990, c. O.18;
- (c) injure or destroy, or cause or permit the injury or destruction of any tree listed under the provincial Endangered Species Act, 2007, c. 6 or those tree species provided protection by the federal Species at Risk Act, 2002, S.C. 2002, c. 29, unless they also receive approval to do so under the requirements of the provincial Endangered Species Act, 2007, c. 6 or the federal Species at Risk Act, 2002, S.C. 2002, c. 29;
- (d) plant or place, or cause or permit the planting or placing of any trees partially or wholly located on public property;
- (e) interfere or cause or permit interference with fences, structures, barriers delineating tree protection zones;
- (f) interfere or cause or permit interference with tree protection signage, plaques protective devices, or maintenance items (e.g., guy wires) on, around or through any public tree;
- (g) remove or cause or permit the removal of any woody debris that has fallen or has been cut down by the City on public property; or
- (h) climb or permit any person under their care or control to climb any public tree.

### 5.3 No person shall:

- (a) complete works identified in 5.1 and 5.2 other than in compliance with this By-law, the City Standards, the provisions of any approved tree protection plan and/or arborist report, and all other applicable laws;
- (b) contravene, or cause or permit the contravention of the terms or conditions of a tree permit, this By-law, or any policy or guideline made or issued under this By-law;
- (c) hinder or obstruct, or attempt to hinder or obstruct, either directly or indirectly, an Officer or any person who is exercising a power or performing a duty under this By-law;
- (d) provide false or inaccurate information in an application for a tree permit under this By-law or any document or thing required to be submitted under

this By-law;

- (e) provide false information or give a false statement to an Officer or an employee and/or agent of the City while in the lawful exercise of a power or duty under this By-law;
- (f) fail to submit a tree protection plan required under section 7.15 of this By-law;
- (g) fail to comply with a tree protection plan required under section 7.15 of this By-law;
- (h) fail to comply with any order or notice issued under the authority of this By-law;
- (i) fail to cease activity when a tree permit is revoked; or,
- (j) fail to post a tree permit.

## **PART 6: EXEMPTIONS**

6.1 Notwithstanding anything to the contrary herein, this By-law does not apply to:

- a) activities and matters exempted under Subsection 135(12) of the Municipal Act, 2001, S.O. 2001, c.25, as amended; or,
- b) woodland or woodlots as regulated by the Halton Region By-law 121-05.

## **PART 7: TREE PERMITS AND TREE PROTECTION**

### **Tree Permits - General**

7.1 A person seeking to injure or destroy a tree(s) in relation to which a tree permit is required under this By-law, shall apply for a tree permit by submitting the following to the Manager:

- a) a completed tree permit application form;
- b) a non-refundable application processing fee;
- c) a drawing or sketch showing the location of trees to be injured, destroyed, or retained;
- d) an arborist report, if required, in a form satisfactory to the Manager;
- e) a scaled, 2-dimensional tree protection plan, if required, in a form satisfactory to the Manager;
- f) the payment of replacement tree compensation fees as determined using the

trunk formula technique;

- g) a report documenting exploratory investigative work by a qualified tree professional to confirm the details of the tree permit application;
- h) payment of the applicable permit issuance fees;
- i) payment of the applicable public tree security;
- j) a letter of undertaking and proof of insurance;
- k) a report completed by a qualified tree professional, which may include, but is not limited to, a TRAQ Report, prior to the issuance of a tree permit for the purpose of determining if the proposed work is able to proceed to the satisfaction of the Manager;
- l) any revised or additional information or documentation as may be required by the Manager to determine if the tree permit should be issued.

7.2 After receipt of a complete application, including any revised or additional information required, the Manager shall:

- (a) issue a tree permit(s) with or without conditions, in accordance with section 7.5 of this By-law;
- (b) refuse to issue a tree permit(s) for any of the reasons stated in section 7.6 of this By-law;
- (c) advise the applicant that no tree permit(s) is required for the work proposed in the application, and in that case, no further fee shall be payable; or
- (d) where an application for rezoning, official plan amendment, a consent, a minor variance, a plan of subdivision or a site plan has been made in relation to the work for which a tree permit application has been submitted, advise the applicant that any tree permit applications associated with those other types of application(s) will be considered together with and will be dependent upon any final approvals associated with those other types of application(s).

7.3 If an applicant for a tree permit:

- (a) does not provide the information or documents required under section 7.1 within the time specified by the Manager; or
- (b) has not taken any active steps to complete the tree permit application process and the application is more than one year old,

the application shall be deemed withdrawn, and the applicant shall not be entitled to a refund of any prescribed fees paid. The Manager may close the tree permit application file when the applicant withdraws or is deemed to have withdrawn the application.

## Issuing Tree Permits

- 7.4 The circumstances in which the Manager may issue a tree permit for the injury or destruction of a tree include the following:
- (a) the applicant has complied with the application requirements in subsection 7.1; and
  - (b) the Manager determines that there are no reasonable alternatives to the injury or destruction of the tree(s).

## Tree Permit Conditions

- 7.5 The Manager may impose conditions as a requirement of obtaining or continuing to hold a tree permit under this By-law, which may include, but are not limited to, one or more of the following:
- (a) the manner and timing of the destruction and/or injury of a public tree(s);
  - (b) a requirement that a tree protection zone be established around any trees and to comply with the City Standards and any other standards to the satisfaction of the Manager;
  - (c) to perform any work authorized by a tree permit under the supervision of a qualified tree professional;
  - (d) a requirement that the work is to be performed in accordance with an approved arborist report, tree protection plan, and/or landscape plan to the satisfaction of the Manager;
  - (e) to provide a report completed by a qualified tree professional following the completion of the work authorized or required by the tree permit;
  - (f) to contact the City's Forestry Department for inspection as required by the tree permit;
  - (g) to restore the subject site to a specified condition, to the satisfaction of the Manager;
  - (h) to establish a tree protection zone and install and maintain tree protection fencing around any tree(s) including horizontal (on grade) root protection in accordance with the City Standards, and in accordance with the approved tree protection plan and arborist report, to the satisfaction of the Manager;
  - (i) to conduct work authorized by the tree permit in accordance with the City's relevant policies, procedures, By-laws as well as the City Standards;
  - (j) to post the permit in a conspicuous location;
  - (k) to provide public tree security, in a form acceptable to the Manager and in the amount specified in the Rates and Fees By-law; and

- (l) to comply with such other reasonable conditions that the Manager deems necessary for the purpose of regulating the injury or destruction of tree(s).

### **Refusing a Tree permit**

7.6 The Manager may refuse to issue a tree permit on any of the following grounds:

- (a) the application for a tree permit is incomplete;
- (b) the work proposed is to injure or destroy a healthy tree;
- (c) the impacted tree is protected under the *Ontario Endangered Species Act*, 2007, as amended;
- (d) the impacted tree is protected under the *Ontario Heritage Act*, R.S.O 1990, c. O.18, as amended
- (e) the application is for the destruction or injury of a tree and there are reasonable alternatives to the injury or destruction of the tree;
- (f) the methods proposed in the application or the results to be achieved are, in the opinion of the Manager, not in accordance with good arboricultural practice;
- (g) the work proposed does not comply with the City Standards;
- (h) the application relates to a tree that is subject to a building permit, rezoning, a consent, a minor variance, a plan of subdivision, or a site plan that has been submitted to the City but has not received final approval;
- (i) a person or property will be adversely affected;
- (j) a nuisance may occur;
- (k) as a result of the removal of a tree, flood or erosion control, slope stability or the ecological integrity of any public property may be negatively affected; or,
- (l) where an order and/or notice under this By-law has been given to the applicant and, at the time of the application, the person has not complied with the order and/or notice;
- (m) for other such reasonable reasons.

### **Suspension, Alteration, and Revocation of Tree permits**

7.7 The Manager may immediately suspend, alter, or revoke a tree permit where:

- (a) any term or condition of a tree permit, or applicable policy or guideline, is not complied with;

- (b) the specifications and recommendations in the arborist report, tree protection plan, or associated plans are not followed;
  - (c) any order(s) or notices of the Manager under this By-law have not been complied with;
  - (d) a situation of immediate threat or danger to any person or property exists;
  - (e) any of the reasons for which the Manager could have refused to issue a tree permit under this By-law arise; or
  - (f) the tree permit was issued because of mistaken, false or incorrect information received by the Manager.
- 7.8 If the Manager refuses to issue a tree permit, or alters, suspends or revokes a permit, the Manager will notify the applicant in accordance with this By-law to inform them of the decision with respect to the application or permit.
- 7.9 Upon the revocation or suspension of a tree permit, the permit holder shall immediately cease all activities being conducted under the tree permit or ensure the immediate termination of all activities for which a tree permit had been issued.
- 7.10 The written notice given under section 7.8, shall:
- (a) set out the grounds for the decision; and
  - (b) identify reasonable particulars of the grounds for the decision.

### **Tree Permit Terms and Requirements**

- 7.11 A tree permit is the property of the City and may not be transferred or assigned without the written approval of the Manager and upon payment of the prescribed permit transfer fee.
- 7.12 A tree permit expires on the earlier of:
- (a) the expiry date indicated on the tree permit;
  - (b) on notice of revocation by the Manager.
- 7.13 Notwithstanding section 7.12 of this By-law:
- (a) on request of the permit holder and payment of the prescribed permit extension fee, the Manager may extend the expiration date of a tree permit.
  - (b) in determining whether to grant a request to extend the expiration date of a tree permit under subsection (a), the Manager shall consider:
    - (i) the work to be completed during the extension;
    - (ii) the progress of the work completed;

- (iii) any potential conflict that may result from the extension with other planned or ongoing work;
  - (iv) the safety and convenience of the public;
  - (v) the permit holder's compliance with this By-law; and
  - (vi) any conditions of the tree permit.
- (c) a permit holder cannot apply for more than one extension and shall make a new application under section 7.1 for any other continuation or resumption of activities commenced under an expired tree permit.

7.14 A permit holder shall immediately inform the Manager of any change to:

- (a) the information contained in an application for a tree permit;
- (b) the information contained in a tree permit that has been issued;
- (c) the characteristics of the work for which the tree permit has been issued; or,
- (d) the cancellation of the work for which the tree permit was obtained.

The Manager may require any one or more of: revised or additional information, additional prescribed fees, or a new application with respect to a change under subsection 7.14.

### **Tree Protection**

7.15 Where the manager determines that any proposed work could cause injury to public trees, notwithstanding that the person is not seeking a permit to injure or destroy any public tree(s), the Manager may require a person to establish a tree protection zone and/or submit a tree protection plan in respect of any such public trees, all to the satisfaction of the Manager. This includes the establishment of root protection in line with City Standards, and/or as outlined in an approved tree protection plan and arborist report. In such circumstances, the person shall establish the required tree protection zone and/or submit the required tree protection plan within the time specified by the Manager and prior to the commencement of the proposed work.

### **Tree Security**

7.16 Where a permit holder has provided the City with public tree security, the permit holder shall notify the Manager to perform a final inspection, upon completion of the work for which the permit was issued. Following the completion of the final inspection, the Manager shall:

- (a) Return the public tree security to the permit holder if the Manager has determined that the conditions of the tree permit and this By-law have been



complied with;

- (b) Transfer the public tree security or a portion of the public tree security to the Forestry Reserve Fund if the Manager has determined (in their sole discretion) that any or all the security is required to correct non-compliance with the tree permit and/or this By-law;
  - (c) Retain the public tree security for a period of three (3) years from the date of the final inspection, if the Manager is unable to conclude during the final inspection the mitigative measures to apply. For clarity the Manager shall comply with subsections i) and ii) once they are able to assess whether a public tree has been injured and shall return the public tree security at the expiration of the three (3) year period if no injury is observed.
- 7.17 Where a tree permit has been revoked or suspended and no new tree permit has been issued or the suspension has not been lifted within six (6) months of the date of revocation or suspension, the Manager shall perform an inspection of the work for which the tree permit was issued, upon completion of which the Manager shall:
- (a) Return the public tree security to the permit holder if the Manager has determined that the conditions of the tree permit and this By-law have been complied with;
  - (b) Transfer the public tree security or a portion of the public tree security to the Forestry Reserve Fund if the Manager has determined (in their sole discretion) that any or all the security is required to correct non-compliance with the tree permit and/or this By-law;
  - (c) Retain the public tree security for a period of three (3) years from the date of the final inspection, if the Manager is unable to conclude during the final inspection the mitigative measures to apply. For clarity the Manager shall comply with subsections i) and ii) once they are able to assess whether a public tree has been injured and shall return the public tree security at the expiration of the three (3) year period if no injury is observed.
- 7.18 Notwithstanding anything set out in this By-law, if after a period of 10 years the securities have not been collected by the applicant, the public tree security will be deemed forfeited into the Forestry Reserve Fund.

### **Compliance Inspection**

- 7.19 A compliance inspection fee may be charged as detailed in the City's Rates and Fees By-law for an inspection to confirm compliance with this By-law or any Order or direction issued under this By-law.

## **PART 8: ENFORCEMENT, REMEDIAL ACTIONS AND RECOVERY OF EXPENSES**

### **Entry and Inspections**

- 8.1 A person authorized to enforce this By-law may enter on any land, including private property, at any reasonable time and in accordance with the conditions set out in the *Municipal Act, 2001* for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
- (a) an order or other requirement under this By-law, including any policy or guideline made or issued in connection to this By-law;
  - (b) the tree permit or a condition of a tree permit issued under this By-law;
  - (c) for the purposes of doing work as authorized by the Director under this By-law; or
  - (d) an order made under section 431 of the *Municipal Act, 2001*.
- 8.2 For the purposes of the inspection under section 8.1 and in accordance with the conditions set out in section 436 of the *Municipal Act, 2001*, a person authorized to enforce this By-law may:
- (a) require the production for inspection of documents or things relevant to the inspection;
  - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
  - (c) require information in writing or otherwise as required by an Officer from any person concerning a matter related to the inspection; and
  - (e) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 8.3 Any person authorized to enforce this By-law may undertake an inspection pursuant to an order issued by a provincial judge or justice of the peace under section 438 of the *Municipal Act, 2001*, in accordance with the conditions set out in that section, where they have been prevented or is likely to be prevented from carrying out an inspection under this By-law.

## Orders

- 8.4 If an Officer is satisfied that a contravention of this By-law or a tree permit has occurred, they may make an order requiring the person who contravened the By-law or the tree permit, or who has caused or permitted the contravention, to discontinue the contravening activity and/or do work to correct or rectify the contravention.
- 8.5 If the Officer is satisfied that a contravention of this By-law or tree permit has occurred which has resulted in emergency tree work, they may retain a contractor to execute work to correct and/or rectify the contravention at the expense of the

person who caused or permitted the contravention. Details of the expense and other elements to rectify and remedy the contravention will be outlined in an order following the elements as set out in section 8.6.

8.6 An order under Section 8.4 or 8.5 shall set out:

- (a) reasonable particulars of the contravention adequate to identify the contravention and the location on which the contravention occurred;
- (b) the date or dates by which there must be compliance with the order, which may be of immediate effect should the Officer determine that the circumstances warrant;
- (c) a notice that if the work is not completed in compliance with the order within a specified time period, then the work may be done at the expense of the person ordered to do the work;
- (d) the action to be completed by the permit holder or any other person who caused or permitted the contravention in order to rectify and remedy the contravention, which may include but is not limited to requiring:
  - (i) that prior to performing any additional work or activities, all necessary permits or other approvals be applied for and obtained;
  - (ii) compliance with any of the conditions set out in section 7.5 of this By-law;
  - (iii) that works be performed to rectify and remedy the contravention in accordance with methods as established by the Manager, including that the work be performed by a prescribed contractor;
  - (iv) that compensation for any injured or destroyed tree be provided through payment of replacement tree fees calculated in accordance with the trunk formula technique, which the Manager shall deposit into the Tree Establishment & Enhancement Reserve Fund;
  - (v) that where emergency tree work is executed, the person shall pay the full cost the City incurred to rectify and remedy the contravention;
- (e) Any other information the Officer may deem appropriate.

8.7 An order under this By-law may require the permit holder or any other person who caused or permitted the contravention, to pay a prescribed compliance inspection fee, or any other prescribed applicable fee(s), by a specified date and time. In the event the fee is not paid, the fees shall be deemed a debt owing to the City, and the City may recover the fees by adding the fees to the tax roll and collect the fees in the same manner as municipal taxes.

- 8.8 Where a time frame is set out in an order or other document for carrying out any action, an Officer may extend the time for compliance beyond the established time frame provided such extension is required and is acceptable to the Officer.
- 8.9 If an Officer is satisfied that a contravention of this By-law or a tree permit has occurred, the owner of the lot immediately abutting the Public Property on which the tree(s) is located shall be presumed to have caused or permitted the injury or destruction of the tree or caused or permitted the contravention of the conditions of a tree permit issued under this By-law, as the case may be, which presumption may be rebutted by the owner by evidence to the contrary on a balance of probabilities.

### **City Carrying Out the Work**

- 8.10 Where a person does not comply with a direction or a requirement, including an order or a condition of a tree permit under this By-law to do a matter or thing, the Manager, with such assistance by others as may be required, may carry out such direction, requirement or order at the person's expense.
- 8.11 Where a person has contravened this By-law or a tree permit to the extent that City is required to carry out emergency tree work to correct or rectify the contravention the Manager, with such assistance by others as may be required, execute the emergency tree work to correct or rectify the contravention at the person's expense.
- 8.12 The Manager is authorized to give immediate effect to any direction or requirement under sections 8.10 and 8.11. Where the costs of doing a matter or thing under section 8.10 and 8.11 are estimated to be:
- (a) up to but not including \$100,000, the Director may proceed without further approval and in accordance with the City's Procurement Policy; or
  - (b) \$100,000 or greater, the Director may proceed with approval of an authorized person or of Council and in accordance with the City's Procurement Policy.
- 8.13 The City may recover the costs of doing a matter or thing under section 8.10 and 8.11 by means of any one or more of:
- (a) bringing an action;
  - (b) adding the costs to the tax roll and collecting them in the same manner as property taxes and such costs shall include an annual interest rate of 15 per cent commencing on the day the City incurs the costs and ending on the day the costs, including the interest, are paid in full;
  - (e) realizing on public tree security provided for this purpose; or,

- (d) charging a prescribed fee, where applicable, or as otherwise set and approved by Council from time to time.
- 8.14 The amount of the City's costs, including interest to the date payment is made in full, constitutes a lien upon the land, upon the registration of a notice of lien upon the land.
- 8.15 Where any tree located on public property is damaged to the degree that it must be replaced, the Manager may take whatever actions are required to obtain compensation for the City for the loss of the tree.

## **PART 9: REVIEW**

- 9.1 A person who has received a notice of refusal to issue a tree permit or notice that a tree permit has been revoked or suspended from the Manager may request a review to the Director by sending a request for review in writing, as directed by the Manager, within 14 days of receiving the notice.
- 9.2 On a review of the Manager's decision to refuse, revoke or suspend a tree permit and in exercising its authority under this Part, the Director may confirm, modify or rescind the decision of the Manager.
- 9.3 The decision of the Director under this Part is final.

## **PART 10: OFFENCE**

- 10.1 All contraventions of any provision of this By-law or an order or direction made under this By-law are designated as multiple offences and continuing offences.
- 10.2 Every person who contravenes any provision of this By-law or an order or direction made under this By-law is guilty of an offence and on conviction under Part I of the *Provincial Offences Act* is liable to a fine as set under section 91.1 of that Act or such other fine as the court considers appropriate, in accordance with the *Provincial Offences Act*.
- 10.3 Every person who contravenes any provision of this By-law or an order or direction made under this By-law is guilty of an offence and on conviction under Part III of the *Provincial Offences Act* is liable to a fine as follows,
  - (1) A person, other than a corporation, is liable to a fine of not less than \$250 and not more than \$100,000 for a first conviction and to a fine of not less than \$500 and not more than \$100,000 for a subsequent conviction;
  - (2) A person that is a corporation is liable to a fine of not less than \$350 and not more than \$100,000 for a first conviction and to a fine of not less than \$500 and not more than \$100,000 for a subsequent conviction;
  - (3) For a continuing offence, a person, including a person that is a corporation, is liable to a fine, for each day or each part of a day that the offence continues,

of not less than \$500 and not more than \$10,000 and the total of all the daily fines is not limited to \$100,000;

- (4) For a multiple offence, a person, including a corporation, is liable to a fine, for each offence included in the multiple offence, of not less than \$500 and no more than \$10,000 and the total of all fines for each included offence is not limited to \$100,000.

10.4 An officer or director of a corporation who knowingly concurs in a contravention by the corporation of any provision of this By-law or an order or direction made under this By-law, is guilty of an offence and is liable to a fine set out in subsections 10.3(1), (3) or (4).

10.5 Every person, including a person that is a corporation, who contravenes any provision of this By-law or an order or direction made under this By-law is liable to a special fine, which may exceed \$100,000, in an amount that eliminates or reduces any economic advantage or gain from the contravention and the special fine may be in addition to a fine set out in sections 10.3 and 10.4.

10.6 When a person has been convicted of an offence, the court in which the conviction has been entered and, subsequently, any court of competent jurisdiction, may, in addition to any other remedy and to any penalty imposed by this By-law, make an order prohibiting the continuation or repetition of the offence by the person convicted.

## **PART 11: ADMINISTRATIVE PENALTIES**

11.1 This By-law in its entirety is designated as a By-law to which the City's Administrative Monetary Penalties By-law applies.

11.2 Every person who contravenes this By-law when given a penalty notice, in accordance with the City's Administrative Monetary Penalties By-law, shall be liable to pay the City an administrative penalty in the amount specified in the Administrative Monetary Penalties By-law, and any fees related thereto.

11.3 Where an administrative penalty and administrative fee(s) respecting the administrative penalty, as specified in the Administrative Monetary Penalties By-law, are not paid within sixty days after the date that they become due and payable, the treasurer of the City may add the administrative penalty and administrative fee(s) to the tax roll for any property for which all of the owners are responsible for paying the administrative penalty and administrative fee(s), and collect it in the same manner as municipal taxes.

## **PART 12: MISCELLANEOUS**

12.1 Unless otherwise specifically stated, all fees referred to in this By-law shall be as set out in the City's Rates and Fees By-law, or as otherwise set and approved by

Council from time to time.

- 12.2 Any unpaid fee constitutes a debt of the person to the City and may be added to the tax roll and collected in the same manner as municipal taxes.
- 12.3 Should a court of competent jurisdiction declare a part or whole of any provision of this By-law to be invalid or of no force and effect, then the particular provision or part thereof is deemed severable from this By-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its remaining terms to the extent possible under law.
- 12.4 References in this By-law to any legislation or By-law means as may be amended or replaced from time to time and include any regulations thereunder.

### **Methods of Giving Notice**

- 12.5 Any notice given by the City pursuant to this By-law in writing, including an order, may be given in any of the following ways
  - (a) personally;
  - (b) by posting it on the recipient's property;
  - (c) by fax to the recipient's last known fax number;
  - (d) by e-mail to the recipient's last known e-mail address; or
  - (e) by registered or regular mail or courier or hand delivery addressed to the recipient's last known address.
  - (f) In the event that service cannot be carried out for any reason, the Officer may place the order in a conspicuous place on the lands immediately abutting the land where the subject tree is/was situated and placement of the order will be deemed sufficient service of the order.

### **Deemed Effective**

- 12.6 Notice given in accordance with section 12.5 shall be deemed to be effective:
  - (a) on the date it is personally given, posted to the recipient's property, delivered by courier, or hand delivered;
  - (b) on the date on which the fax is sent;
  - (c) on the date the e-mail is sent; or
  - (d) on the fifth day after the date of mailing by registered or regular mail.

## **PART 13: REPEAL, EFFECTIVE DATE AND TRANSITION**

- 13.1 By-law No. 63-2013 is hereby repealed.

13.2 This By-law comes into force on the date of its passing.

13.3 Despite the repeal of By-law No. 68-2013 under section 13.1:

- (a) the repeal shall not affect and that By-law shall continue to apply to:
  - (i) any offence committed against the provisions of that By-law;
  - (ii) any penalty or fee incurred in respect of that By-law;
  - (iii) any debt owed under that By-law; or,
  - (iv) any investigative proceedings under that By-law;
- (b) that By-law shall continue to apply to proceedings in respect of offences that occurred before its repeal;
- (c) any tree permit applications received by the City prior to the date of the repeal, for which a decision has not been rendered on the date of the repeal, will be processed in accordance with this By-law, and the fees and charges payable for the tree permit applications shall be those in effect at the time of the repeal;
- (d) any tree permit application(s) received by the City prior to the date of the repeal shall be subject to section 7.3 of this By-law;
- (e) all of the terms and conditions of any tree permits issued under By-law 68-2013 that are in effect at the time of the repeal or that are issued in accordance with subsection 13.3(c) above, will continue as terms and conditions of a tree permit issued under this By-law and be subject to this By-law.

#### **PART 14: ENACTMENT**

Passed this XX day of XXXXX 2025

Mayor Marianne Meed Ward \_\_\_\_\_

City Clerk \_\_\_\_\_





## Appendix B: Cost Comparison Example – Public Tree Replacement

No.	Example Description <i>*sizes (cm) are diameter measurements</i>	Current Cost Method	Proposed Cost Method
1	The utility company requires installation of new services that requires the removal of five (5) public trees : Tree 1: White Mulberry (24cm), Tree 2: Black Walnut (24cm), Tree 3: Black Walnut (27cm), Tree 4: Manitoba Maple (20cm), Tree 5: Manitoba Maple (18cm).	\$8,000	\$8,100
2	New single-family home requires removal of one (1) public tree : Tree 1: Norway Maple (23cm)	\$2,500	\$1,400
3	New condominium requires the removal of 26 public trees: Tree 1: Austrian Pine (40cm), Tree 2: White Oak (18cm), Tree 3: Norway Maple (41cm), Tree 4: Austrian Pine (40cm), Tree 5: Scots Pine (26cm), Tree 6: Red Oak (24cm), Tree 7: Scots Pine (21cm), Tree 8: Scots Pine (22cm), Tree 9: Red Oak (27cm), Tree 10: Austrian Pine (32cm), Tree 11: Austrian Pine (29cm), Tree 12: Red Oak (25cm), Tree 13: Scots Pine (25cm), Tree 14: Scots Pine (21cm), Tree 15: Scots Pine (14cm), Tree 16: Red Oak (24cm), Tree 17: Austrian Pine (24cm), Tree 18: Austrian Pine (21cm), Tree 19: Austrian Pine (18cm), Tree 20: Red Oak (22cm), Tree 21: White Spruce (5cm), Tree 22: Austrian Pine (27cm), Tree 23: Austrian Pine (29cm), Tree 24: Austrian Pine (31cm), Tree 25: Mountain Ash (22cm), Tree 26: Austrian Pine (19cm)	\$36,500	\$55,300

Current Cost Method: aggregate caliper method which factors in the size and condition of the tree and identifies the total caliper to replace using 50mm caliper trees valued at \$515 per replacement tree required

Trunk Formula Technique: using the reproduction cost method. This factors in the size, and depreciation factors such as condition, functional (e.g., overhead wires) and external limitations (e.g., pests) and then evaluates that based on a unit cost to purchase that same tree species from a nursery. The unit cost is taken from an industry standard document that identifies the unit costs based on nursery prices in Ontario. Additional costs such as cleanup costs, replacement tree installation, after care are also factored into the output

which will provide a dollar amount to reproduce that same tree as it currently exists. A visual is provided below:

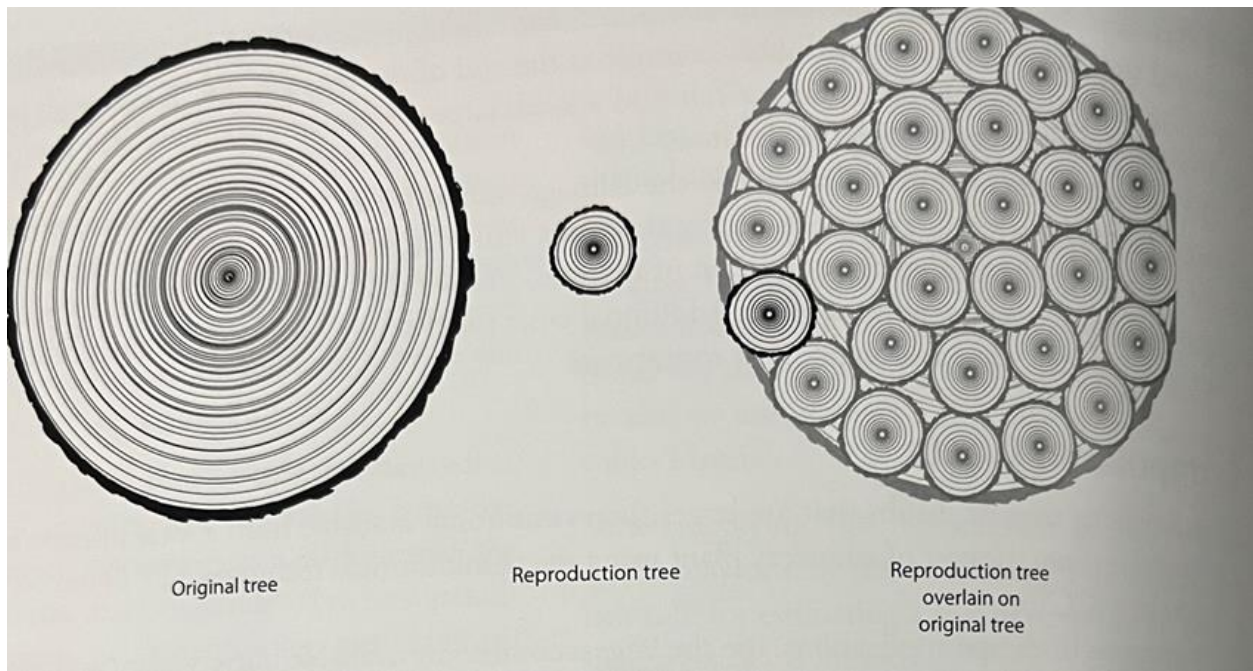


Figure 1: This visual shows the tree to be removed adjacent to a specific size tree from a nursery that is then overlaid over the original tree to illustrate the requirement to reproduce it (ISA, 2019: Guide for Plan Appraisal 10<sup>th</sup> edition).

The Corporation of the City of Burlington

City of Burlington By-law XX-2025

A by-law to amend By-law 105-2015, being a by-law to establish a reserve fund and guidelines for the utilization of the Forestry Reserve Fund.

(PWS-22-25)

Whereas the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, authorizes municipal councils to establish reserve funds for any purpose for which it has the authorize to spend money; and

Whereas the Council for The Corporation of the City of Burlington has provided for the establishment of reserve funds; and

Whereas the Council for the Corporation of the City of Burlington deems it appropriate from time to time to amend By-law 105-2015.

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

1. That Section 2 of Forestry Reserve Fund By-law 105-2015 is deleted and replaced with the following
  2. That the Forestry Reserve Fund be funded from an annual contribution from the operating budget and from monies from public tree securities that have been collected and deposited to the Forestry Reserve Fund in accordance with the City of Burlington Public Tree By-law (XX-2025), as amended.
2. That Section 3 of the Forestry Reserve Fund By-law 105-2015 is deleted and replaced with the following:
  3. That the Forestry Reserve Fund be utilized as follows:
    - (a) for expenditures related to the preservation of City of Burlington's tree canopy from invasive species and diseases, such as Emerald Ash Borer, Gypsy Moth and Dutch Elm. This includes treatment programs, removal and replacement of impacted trees, and related coordination and communication costs; and,
    - (b) to perform maintenance activities and/or advanced assessments on publicly owned trees for the purpose of identifying, correcting, mitigating,

or improving tree health issues from construction or other works.

3. Subject to the amendments made in this By-law, in all other respects, By-law 105-2015 be and is hereby confirmed.
4. This By-law shall come into force on the date of its passing.

Enacted and passed this XX day, of XXXX, 2025.

Mayor Marianne Meed Ward \_\_\_\_\_

Deputy Clerk \_\_\_\_\_

The Corporation of the City of Burlington

City of Burlington By-Law XX-2025

A By-law to amend By-law 40-2022, the Private Tree By-law  
(XXX)

**Whereas** the Council of the Corporation of the City of Burlington wishes to amend the Private Tree By-law to correct the numbering of Sections in Part 8: Enforcement, Remedial Actions and Recovery of Expenses;

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

1. The numbering of the Sections in Part 8 of By-law 40-2022 is amended by renumbering them consecutively from 8.1 to 8.10.
2. The renumbered Section 8.5 of By-law 40-2022 is amended by deleting "Section 8.3" and replacing it with "Section 8.4".
3. The renumbered Section 8.7 of By-law 40-2022 is amended by deleting "Section 8.5" and replacing it with "Section 8.6".

PASSED XXXX XX, 20XX.

Mayor Marianne Meed Ward \_\_\_\_\_

Deputy Clerk \_\_\_\_\_

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SUBJECT: Housing Accelerator Fund update  
TO: Committee of the Whole  
FROM: Development and Growth Management  
Community Planning

Report Number: DGM-91-25

Wards Affected: ALL

Date to Committee: December 1, 2025

Date to Council: December 9, 2025

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### **Recommendation**

Endorse the use of city-owned land, as identified in Confidential Appendix B to development and growth management report DGM-91-25, for non-profit affordable rental housing to meet the Housing Accelerator Fund (HAF) target deadline of December 31, 2026; and

Approve a non-Community Improvement Plan (CIP) Affordable Housing Pre-Development Grant with an upset limit of \$100,000 to advance the land for investment readiness as outlined in Confidential Appendix B to development and growth management report DGM-91-25 and report back to Council in Q2 2026 with updates; and

Request support from Halton Region for the project identified in Confidential Appendix B to development and growth management report DGM-91-25; and

Authorize the Director of Community Planning to approve, execute and administer, on behalf of the Corporation of the City of Burlington, forgivable loan agreements in connection with the Additional Residential Unit (ARU) incentive program described in development and growth management report DGM-91-25, in a form satisfactory to the Commissioner of Legal and Legislative Services.

### **Executive Summary**

#### **Purpose of this report:**

- Update Council that all Housing Accelerator Fund (HAF) Action Plan initiatives (7) and milestones (18) complete pending ongoing implementation.
- Update Council on the 2026 HAF budget and strategic approach to use the funds to meet the remaining housing targets by December 31, 2026.
- Seek Council endorsement for use of city-owned lands identified in Confidential Appendix B for affordable rental housing units towards the HAF affordable housing target.
- Seek Council approval to provide a non-Community Improvement Plan (CIP) Affordable Housing Pre-Development Grant with an upset limit of \$100,000 to advance the lands in Confidential Appendix B to “investment readiness”.

## Key findings

- **Initiatives and Milestones:**
  - All the City's HAF Action Plan initiatives (7) and milestones (18) are now **COMPLETE**.
  - The initial completion and longer-term implementation costs to the end of 2027 for all HAF Action Plan initiatives and milestones are **\$1.9M**.
- **Housing Targets:**
  - **1,275 Multi-units** were created and is **99% complete** (19 units outstanding).
  - **55 Affordable** units were created in 2025 (173 units outstanding):
    - 28 units from Halton Region (new/acquired)
    - 27 units funded from the HAF ARU incentive programs.
  - **Housing Supply Growth** and **Missing Middle** progress has slowed since 2024, impacted by the current residential construction market (1,947 units outstanding).
- **Additional Residential Unit (ARU) Program Implementation:**
  - 58 ARU financial incentive applications were received:
    - 56 are forgivable loans towards the affordable and missing middle target
    - 2 are legalization grants towards the missing middle target
    - 27 have building permits as of October 29, 2025.
    - 64% are basement units.
  - \$4.8M funding has been allocated for the 58 ARUs.
  - The total ARU fee waiver for 2025 is anticipated to be \$315K, which includes \$240k actuals to date and an additional \$75,000 in estimated ARU waivers.
- **HAF Budget:**
  - The 2025 budget is \$7.4M with a projected actual spend of \$7M at year end.
  - The 2026 budget is \$8.8M and will be used to support partnerships to achieve the affordable housing target.
  - The 2027 budget will be updated in Q1 2027 upon receipt of final HAF.

## Implications:

- HAF is to fund Action Plan initiatives, milestones and to enable affordable housing within a limited period (2024-2026). All funds must be spent by 2027.

- The current federal funding environment (i.e., Build Canada Homes or the Affordable Housing Fund) supports the quick building of new affordable homes, prioritizing projects that are “shovel-ready for investment” with a focus on those that help fight homelessness and supportive housing.
- Endorsement of City-owned lands for affordable housing can leverage substantial 2026-2027 capital investment in Burlington by Halton Region and other senior levels of government. However, timing and speed are critical.
- Not meeting the HAF housing targets by December 2026 may result in the loss of \$5.2M funding for 2027.



# Recommendation Report

## Background

The City of Burlington was approved by the Canada Mortgage and Housing Corporation (CMHC) for \$21M in Housing Accelerator Fund (HAF) to implement the Council approved Action Plan. [PL-82-24](#) and [DGM-33-25](#) noted that a substantial amount of funding is required to meet the affordable housing target of 228 units. The HAF Agreement with CMHC funding requires the following:

- Complete all 7 initiatives and 18 milestones by the due dates; AND,
- Achieve all CMHC HAF housing targets by December 31, 2026.

Funding is advanced annually (Q1) based on CMHC assessment of the City's previous year's progress.

## Analysis

### Initiatives and Administration:

All costs to implement the initiatives and administer the HAF until 2027 are estimated at \$1.9M and have been included in the calculation of the funds available for 2026:

Housing Accelerator Funds	
Received 2024 - 2025	\$10,578,142
HAF Implementation Expenses	2025 Actuals/Committed
Initiatives / Administration (2024 - 2027)	\$1,903,530
ARU Municipal Fee Waivers (2024 - 2025)	\$315,449
ARU Incentives – All Programs and related expenses (2025)	\$4,818,090
<b>TOTAL Expenses</b>	<b>\$7,037,069</b>
Net 2025 HAF (received but not spent)	\$3,541,073
HAF Funds pending Q1 2026	\$5,289,071
<b>TOTAL NET HAF for 2026</b>	<b>\$8,830,144</b>

In June 2025, the new ARU incentive programs launched as a strategic approach to achieving both missing middle AND affordable housing targets. These programs resulted in 58 applications receiving conditional approval for incentive funding, and 27 of these ARUs have building permits that will count towards the HAF affordable housing target.

To promote HAF implementation of the ARU programs, several public meetings, one-on-ones, training, conferences, festivals, and surveys were completed. See Appendix A.

The initial review of the Affordable Rental Housing CIP ARU loan program (June 1 to October 1, 2025), suggests that:

- **Extensive staff resources are required** to implement and administer the Affordable Rental CIP ARU loan program likely to continue beyond the launch of the program.

- **Education Development Charges** (~\$11k/unit) and **hydro service hookup charges** (up to ~\$20k) **are not eligible** for municipal fee waivers and **pose a financial barrier**.

Commencing Q1 2026, staff anticipate providing final approval to qualified conditionally approved applicants and will begin advancing incentive funding under Additional Residential Unit incentive programs, subject to qualifying applicants entering into forgivable loan agreements prior to forgivable loan advance. Prior to forgivable loan advance as noted above, staff have included within DGM-91-25 a recommendation which confirms authority for the Director of Community Planning to approve, execute and administer forgivable loan agreements in a form satisfactory to the Commissioner of Legal and Legislative Services.

The pilot launch of the Affordable Rental Housing CIP ARU loan program requires further impact analysis and will be reassessed in 2026 for budget consideration if needed to meet targets.

### Housing Targets

The following is an overview of achievement towards the HAF housing unit targets for the period of January 11, 2024, (the start of the HAF reporting period) and October 29, 2025:



### 2026 HAF Budget

There is \$8.8M available to spend in 2026. The following programs **prioritize new affordable rental housing units** that count towards any of the other targets, provide for a longer affordability period (10 years +) compared to ARUs and have potential to achieve permits in 2026:

Programs	2026 Budget
ARU Legalization Grants December 2025 – December 2026 (up to \$15k/unit)	\$150,000
Affordable Rental CIP Municipal Fee Waivers: (up to \$40k/project)	\$240,000
Non-CIP Municipal Fee Waivers: Non-profit Affordable Housing (non-ARU)	\$507,602
Non-CIP Affordable Housing Pre-Development Grants: Non-profit / Faith-based	\$165,000
Public / Partnership Engagement and Communications	\$65,000
City-land and/or Land Acquisitions for Non-profit Affordable Rental Housing	\$7,250,000
Predevelopment Due Diligence to Ready City-owned Lands for Housing	\$300,000
Contingency for Cashflow into 2027	\$152,542
<b>TOTAL NET HAF for 2026</b>	<b>\$8,830,144</b>

Council directed staff to create “public-private partnerships, including buying lands or reimagining existing City owned lands to deliver new housing” through the Council approved HAF Action Plan, milestone 6.2. The 2022 approved Housing Strategy, Action #10 directed staff to “identify underused properties, including government owned and non-government owned sites that could be used for housing.”

The Burlington Lands Partnership February ([DGM-08-25](#)) and June (Confidential DGM-27-25) reports identified city-owned sites that have the potential for housing. DGM-91-25, Confidential Appendix B is a follow-up to these reports and provides a recommendation to use city-owned land best positioned to achieve affordable rental housing in 2026-2027.

The proposed partnership has the potential to leverage significant additional investment from Halton Region to create deeply affordable supportive housing. An initial partnership request was submitted to Halton Region in December 2024, and while staff have been collaborating with the Region over the last year, this report would request more formal support.

The 2026 HAF budget allocates **\$7.2 million to further explore these city-owned lands and/or acquire additional lands.**

While HAF is insufficient to meet all housing targets, the budget provides **\$913k in municipal fee waivers and housing design grants to support non-profit and private developers**, which is critical to leverage senior government funding and position lands as investment ready.

This budget strategy is subject to change to meet the housing targets by December 2026 but is based on known information and opportunities deemed best suited to meet the targets and HAF deadlines. The lands identified in Confidential Appendix B have the best-known opportunity to create deeply affordable rental housing towards the target and exploring further options may cause a delay and risk not receiving the \$5.2M HAF2027.

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### Key Dates & Milestones

- January 2026: Annual HAF report submitted to CMHC based on 2025 achievements
- Q1 2026: Third HAF \$5.2M payment
- Q2 2026: Council Update report
- Q4 2026: Council Update report
- December 2026: Deadline to achieve all HAF housing targets
- January 2027: Annual 2026 HAF report submitted to CMHC
- Q1 2027: Fourth (final) HAF \$5.2M - based on housing targets achievement
- Q1 2027: Council Update and 2027 HAF Spend Plan

- December 2027: Deadline to spend all HAF

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## References

[DGM-33-25](#): HAF Implementation and Update - May 2025  
[DGM-24-25](#): Affordable Rental Community Improvement Plan (CIP) - April 2025  
[DGM-19-25](#): HAF Implementation Update - February 2025  
[DGM-08-25](#): Burlington Lands Partnership Update – February 2025  
[PL-82-24](#): HAF Implementation Plan Budget and Update - November 2024

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## Strategic 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
- 

## Author:

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Manager of Housing Strategy  
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## Appendices:

- A. ARU Incentive Programs - Engagement and Communications in 2025
- B. City-owned Lands for Affordable Rental Housing - CONFIDENTIAL

Pursuant to Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; and Section 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board

## Notifications:

Regional Clerk, Halton Region

Alex Sarchuck  
Commissioner, Social & Community Services, Halton Region  
[Alex.Sarchuk@halton.ca](mailto:Alex.Sarchuk@halton.ca)

## Report Approval:

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

**A. Awareness & Public Education**

<b>Date / Period</b>	<b>Event / Activity</b>	<b>Audience / Partners</b>	<b>Purpose / Outcome</b>
Apr 10	Oakville, Milton and District Real Estate Board (OMDREB) Presentation	OMDREB Members	Introduced ARU Incentive Programs
April 30	Garage Conversion Info Session with staff and consultants	Public (72 attendees)	Walk through the newly launched ARU garage conversion kit
May 26	Mayor's Speaker Series	General Public (over 50 attended booth)	Pre-launch of ARU Incentive Program ARU Incentive Program booth
Jun 5	ARU Webpage Launch	Public	Online access to program details
Jul 16	Resimate Training Event	Public	Featured ARU Incentive Program
Jul 28	ARU Info Session (Council Chambers)	Public (150+ attendees)	Detailed ARU program overview
Summer 2025	City Talk Feature (Mailout)	Public	77,000 households received print: 5,390 online views
May–Oct 2025	Social Media Campaigns	Burlington Residents	~50,000 impressions; 1.85% click through rate
Sept 21	Appleby Street Festival Booth	General Public (~7,000 attendees)	Promoted ARU Program and Housing Strategy

**B. Industry & Vendor Engagement**

<b>Date / Period</b>	<b>Event / Activity</b>	<b>Audience / Partners</b>	<b>Purpose / Outcome</b>
Jun 9	Developer Training/Info Session	Vendors / Contractors	Discussed interior & detached ARUs
Jun 12	Pipeline to Permit Meeting	Developers / Public	Presented ARU Programs
Jun 12–13	Canada's Tiny Home Show	General Public (~5,000 attendees)	HAF promo booth, 2 presentations - Garage Conversion and CIP
Q2–Q3 2025	One-on-One Meetings	Contractors, Vendors, Agencies, Homeowners	Targeted engagement training & support
Jun 4 & 9	Vendor Training Feedback Survey	Detached ARU Vendors	Collected input on training

**C. Collaboration & Partnerships**

<b>Date / Period</b>	<b>Event / Activity</b>	<b>Audience / Partners</b>	<b>Purpose / Outcome</b>
Jun 13	Burlington Climate Action Team Presentation	Climate Advocates	Presented an update on the CIP and HAF incentive programs
Sept 23	Haven to Home Event	Non-profits / Public	Encouraged homeowners to offer ARU units to support agency clients
Mar & Sept 2025	Community of Practice Sessions	HAF staff from Ontario municipalities	Shared HAF best practices

**D. Surveys Conducted**

<b>Date</b>	<b>Survey Focus</b>	<b>Target Group</b>
Oct 2024	Four Units As-of-Right	General Public
Nov 2024	ARU Market Intelligence	ARU Contractors / Vendors
Dec 2024	Community Safety & Well-Being – Interest in build/own/operate new housing units	Non-profit Support Agencies
Jan 2025	Affordable Rental CIP	General Public
Mar 2025	ARU Contractors / Vendors	Vendors
Mar & Sept 2025	Community of Practice – HAF status and lessons learned	HAF staff from Ontario municipalities
Apr 30	Garage Conversion Post-Event Survey	Event Attendees
Jun 4 & 9	ARU Vendor Training Feedback	Detached ARU Vendors
Jul 28	ARU Info Session Feedback	Public Attendees

**E. Communications Channels**

<b>Channel Type</b>	<b>Communications Tactic(s)</b>	<b>Outcome / Metrics</b>
Web & Digital	ARU Incentive Program webpage; social media (Facebook, Instagram, LinkedIn, X, Google Ads)	~50,000 impressions; 1.85% click through rate
Print / online	City Talk full-page feature (mail-out)	~5,390 online views, 77,000 households received printed version
Events & Outreach	Booths, presentations, info sessions, training events	Direct public awareness on ARU & CIP programs
Direct Engagement	Vendor meetings, concierge support, follow-up training	Ongoing applicant support

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SUBJECT: Zoning By-law Amendment for 1881 Fairview Street

TO: Committee of the Whole

FROM: Development and Growth Management  
Community Planning

Report Number: DGM-93-25

Ward Affected: 2

Date to Committee: December 2, 2025

Date to Council: December 9, 2025

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### Recommendation

Approve the application for a Zoning By-law Amendment, submitted by A.J. Clarke and Associates Ltd. on behalf of Amalie Holdings Limited, proposing supermarket and grocery stores as permitted uses at 1881 Fairview Street; and

Approve Zoning By-law 2020.513, attached as Appendix D to development and growth management report DGM-93-25, to amend the special exception Mixed Use Corridor – Commercial Corridor zone (MXC-405); and

Deem that Zoning By-law 2020.513 conforms to the Halton Region Official Plan, the 1997 Official Plan of the City of Burlington and the 2020 Official Plan and that there are no applications to alter the Official Plans with respect to the subject lands.

### Executive Summary

Purpose of report:

- The purpose of this report is to provide Council with information on the proposed application in order to proceed with the Statutory Public Meeting and present a recommendation on the application. Staff are recommending approval of the zoning by-law amendment application required to provide for a supermarket and grocery store as permitted uses at 1881 Fairview Street.



Key findings:

- The applicants have applied for a Zoning By-law Amendment to add supermarket and grocery stores as permitted uses.  
Staff are recommending approval of the proposed Zoning By-law Amendment based on the following:
  - The proposed amendment is consistent with the Provincial Planning Statement (2024);
  - The proposed amendment conforms with the Regional Official Plan (2009, as amended), as well as the general intent of the Burlington Official Plan (1997) and Burlington Official Plan (2020);
  - The proposed development maintains the general intent of Zoning By-law 2020.
  - Staff are of the opinion that the proposed development represents good planning.

<b>RECOMMENDATION:</b>		Approval	<b>Ward:</b>	2
<b>Application Details</b>	<b>APPLICANT:</b> <b>OWNERS:</b>  <b>FILE NUMBERS:</b> <b>TYPE OF APPLICATION:</b> <b>APPLICANT'S PROPOSAL:</b>	A.J. Clarke and Associates Ltd. Amalie Holdings Limited  520-12/25 Zoning By-law Amendment To permit Supermarket and Grocery Stores		
<b>Property Details</b>	<b>PROPERTY LOCATION:</b>  <b>MUNICIPAL ADDRESS:</b> <b>PROPERTY AREA:</b>  <b>EXISTING USE:</b>	North side of Fairview Street, to the west of Brant Street, south of Plains Road East 1881 Fairview Street 2.05 ha (total)  Commercial Plaza		
<b>Documents</b>	<b>1997 OFFICIAL PLAN:</b> <b>2020 OFFICIAL PLAN:</b> <b>ZONING Existing:</b>  <b>ZONING Proposed:</b>	Mixed Use Corridor – Commercial Corridor Urban Corridor Mixed Use Corridor – Commercial Corridor with special exception (MXC-405) Mixed Use Corridor – Commercial Corridor with special exception (MXC-405)		
<b>Processing Details</b>	<b>APPLICATION SUBMITTED:</b>	September 11, 2025		
	<b>APPLICATION DEEMED COMPLETE:</b>	September 17, 2025		

	<b>STATUTORY DEADLINE:</b>	December 10, 2025
	<b>PUBLIC NOTICE FLYER:</b>	August 27, 2025
	<b>STATUTORY PUBLIC MEETING:</b>	December 2, 2025
	<b>PUBLIC COMMENTS:</b>	At the time of writing this report, no written public comments were received out of 82 notices.

# Recommendation Report

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## Background

On September 17, 2025, the City acknowledged that a complete application had been received for a Zoning By-law Amendment for 1881 Fairview Street. The purpose of the application is to amend the Zoning By-law to permit supermarkets and grocery stores where they are currently prohibited uses. The site is currently occupied by other retail uses and is an established retail plaza located on two arterial roadways, serviced by public transit. No additional buildings or redevelopment of the site is proposed and will utilize the existing infrastructure.

## Description of Subject Property and Surrounding Land Uses

The subject lands are municipally known as 1881 Fairview Street, located on the north side of Fairview Street, west of Brant Street, south of Plains Road East. The subject lands are irregular in shape and have an area of 2.05 hectares. The subject lands have a frontage of approximately 221 metres along Fairview Street and 14 metres along Gray's Lane.

The lands are currently used as a retail/commercial shopping plaza known as "Brantview Plaza", and occupied by Mandarin Restaurant, Compassion Society of Halton, Spirit Halloween (temporary seasonal tenant), and Staples.

Surrounding uses are as follows:

- North: To the immediate north of the subject lands is a plaza with service commercial and employment uses.
- East: To east of the subject lands is a one and two storey retail and medical building.
- South: To the immediate south of the subject lands is Fairview Street and further south are service, commercial and automotive sales uses.
- West: To the west of the subject lands is the CN rail line and further west is an industrial use.

There are four transit stops within 300 metres of the subject lands with access to transit Route 1 (Plains – Farview), Route 2 (Brant/Guelph) and Route 10 (New – Maple). Routes 1 and 10 provide access to / from the Burlington and Appleby GO stations and Route 2 connects to the Highway 407 carpool lot. The subject lands are also located within 800 metres of the Burlington GO Station which provides Regional access via the GO Transit Lakeshore West Line and various GO bus connections.

## **Description of Applications**

A.J. Clarke and Associates Ltd. has submitted an application to amend the Zoning By-law for the property located at 1881 Fairview Street. The application proposes a Zoning By-law Amendment for the subject lands to permit supermarkets and grocery stores where they are currently prohibited.

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## **Analysis**

### **Policy Framework**

The proposed Zoning By-law Amendment application is subject to review in accordance with the Provincial Planning Statement (2024); Region of Halton Official Plan (2009, as amended); City of Burlington Official Plan (1997, as amended); City of Burlington Official Plan (2020, as amended); and City of Burlington Zoning By-law 2020.

Planning Staff are of the opinion that the proposed development application is consistent with the Provincial Planning Statement (2024), conforms with the Region of Halton Official Plan (2009, as amended), and the City of Burlington Official Plans (1997 as amended & 2020 as amended) as summarized below and in greater detail within Appendix C.

### **Commercial Uses**

The Halton Region Official Plan (ROP) identifies the subject lands to be within as a Strategic Growth Area as they are found within a Protected Major Transit Station Area (PMTSA) and are located along Fairview Street which is designated as a Regional Intensification Corridor. Sections 81 and 82.3, describes that some the objectives of the Major Transit Station Areas (MTSAs) and the Regional Intensification Corridors are to provide a range and mix of transit-supportive uses, such as higher-density mixed uses such as residential, retail, office and public uses, as well as public service facilities and parks and open spaces that support the area in a pedestrian-oriented urban environment.

Staff are satisfied that the additional uses contribute to the overall function of the existing commercial area and are consistent with the vision set out in the ROP for this area.

The City of Burlington Official Plan 1997 encourages comprehensively planned mixed use employment, shopping and residential areas that provide for the integration of uses such as retail stores, offices, hotels, institutional and entertainment uses with residential uses, community facilities, cultural facilities, institutions and open space in a compact urban form, while retaining compatibility with nearby land uses.

The City's Official Plan designates the subject lands as Mixed Use Corridor – Commercial Corridor which are intended to provide for the retail needs of residents and businesses within the City and adjacent areas. Permitted uses include retail, service commercial which includes supermarkets and grocery stores, personal service, financial institution, office, entertainment, recreation, community facility, and medium- or high-density residential uses.

In accordance with Official Plan (2020, as amended) section 2.2.1 identifies that Urban Areas are to be the focus of growth and development. The site is located within the Urban Area of the Regional Official Plan; the Downtown Burlington Urban Growth Centre/Burlington GO MTSA and is designated Urban Corridor. Section 8.1.3(7) outlines that a range of retail and service commercial uses amongst other uses such as office, residential, recreation and entertainment uses are permitted.

Staff are satisfied that the proposed Zoning By-law Amendment to permit supermarket and grocery store uses conforms to the Official Plan policies and is considered an appropriate use of the existing development.

### **Zoning By-law**

The subject property is currently zoned 'Mixed Use Corridor – Commercial Corridor' with special exception 405. Special exception 405 prohibits supermarkets and grocery stores. Staff Report PL-17/85 (see Appendix E) rezoned the property from 'D' (Development) to 'MA1-427'. Zoning Exception No. 427 was placed on the zone to restrict uses such as Supermarket/Grocery Store; Standard Restaurant; Fast Food Restaurant; Convenience Restaurant; Outdoor Patio; Caterer; and Auctioneer. The prohibition of the uses was due to land use compatibility concerns between commercial and hospitality uses with the industrial uses and access issues with Gray's Lane.

Staff Report PB-64-09 (see Appendix F) further rezoned the property to permit additional commercial and hospitality uses. The application continued to prohibit a supermarket/grocery store on the subject lands as the applicant did not submit a market study in support of the food store use.

As part of these applications, the applicant submitted a scoped Market Analysis, prepared by A.J. Clarke and Associates Ltd., dated September 11, 2025. It was noted within the report that permitting a supermarket and grocery store will contribute to consumer choice, provide access to a specific ethnic market that is currently under serviced in the area and assist with accommodating the city's population growth, therefore demonstrating the appropriateness of the uses.

The application proposes to amend the existing site specific 'Mixed Use Corridor – Commercial Corridor' Zone (MXC-405). The proposed supermarket and grocery store uses are currently prohibited within the special exception 405. The proposed amendment to the zoning by-law is

discussed in further detail in Appendix C to this report. Planning Staff are of the opinion that the proposed development conforms to the Official Plan and are supportive of the proposed amendment.

### **Technical Review**

The application was circulated to internal departments and external agencies on September 22, 2025 for review. The following are summaries of the comments received:

**Canada Post** – No comments.

**Conservation Halton** – A portion of the property is regulated by Conservation Halton, however, CH does not have any objections to the proposed Zoning By-law Amendment as there is no construction or site alteration proposed.

**Development Engineering** – No objection.

**Enbridge Gas** – No objection.

**Halton Catholic District School Board** – No objection.

**Halton District School Board** – No objection.

**Halton Police** – No concerns provided as the proposed development doesn't interfere with Halton Police line-of-sight radio system.

**Halton Region** – No objections.

**Imperial Infrastructure** – No Imperial Infrastructure in the vicinity of this location.

**Parks** – Cash in lieu of parkland at the rate in effect at the time of building permit issuance is required.

**Rogers Communications** – No comments.

**Trans-Northern Pipeline** – No infrastructure in the area.

**Transportation Planning** – No objections.

**Urban Forestry and Landscaping** – No objections.

**Zoning** – Deficiencies in the Zoning By-law have been identified based on the current proposal. Zoning comments are subject to change if a revised proposal is received by Planning Staff.

### **Option 1: Approval as submitted (recommended)**

Benefits: The approval of the subject application would allow for the inclusion of supermarkets and grocery stores as permitted uses.

Considerations: Planning Staff have considered the applicant's proposal as well as comments received. Approving the applications would have no impact on the current site and therefore staff are supportive of the application.

Additional Information: The applicants have the ability to appeal Council's decision to the Ontario Land Tribunal (OLT).

Community Engagement and Communications: A notice of decision will be sent to properties within 120 metres of the subject property. At this time, the Zoning By-law Amendment has provided opportunities for engagement to the public. Notice of complete application was sent on September 17, 2025, a notice sign was placed on the property and a project website was set up at [www.burlington.ca/1881fairview](http://www.burlington.ca/1881fairview). Notices for the Committee of the Whole meeting were sent October 31, 2025.

### **Option 2: Refusal (not recommended)**

Benefits: Council would be able to render a decision before the December 10, 2025, statutory timeline and the applicant could not appeal for non-decision.

Considerations: Planning Staff are of the opinion that the recommended approval reflects compliance with the intent and purpose of the Official Plan and Zoning by-law. As such, Planning Staff are not recommending refusal of the subject applications.

Additional Information: The applicant could appeal that decision to the OLT.

Community Engagement and Communications: Notice of refusal would be sent to the public within 120 metres of the subject lands.

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### **Recommendation Details**

- The proposed amendment is consistent with the Provincial Planning Statement (2024);
- The proposed amendment conforms to the Halton Region Official Plan (2009, as amended) and Burlington Official Plans (1997 as amended & 2020 as amended); and
- The proposed development maintains the general intent of Zoning By-law 2020.

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### **Key Dates & Milestones**

- Application submitted: September 11, 2025
- Application deemed complete: September 17, 2025
- Public notice flyer: August 27, 2025
- Statutory public meeting: December 2, 2025

- Council decision date: December 9, 2025
  - Statutory deadline: December 10, 2025
- 

## **Implications**

All application fees have been received in accordance with the Development Application Fee Schedule.

## **Climate Implications**

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

As part of the Zoning By-law Amendment application, the applicant was required to provide consideration to the Sustainable Building and Development Guidelines (2018) which provide an overview of the required and encouraged sustainable design measures for new development across the City.

Staff is of the opinion the proposed development proposal complies with the required Sustainable Building and Development Guidelines and therefore the development considers the City of Burlington Climate Action Plan to support the City's climate considerations.

## **Engagement Matters**

In lieu of a pre-application meeting, the applicant delivered a public notice flyer to every business within a 120-metre of the subject lands on August 27, 2025. The flyer included a description of the proposed development and proposed amendment to remove the prohibition of the supermarket and grocery store use. The flyer also included the applicant's contact information in order to allow for public comments to be delivered, along with information on the future City Statutory Public Meeting where members of the public can provide oral or written comments. To date, no public comments have been received by the applicant with respect to the proposed application.



Notice signs were posted on the subject lands on October 1, 2025. A public notice of the Zoning By-law Amendment application was mailed to 82 addresses, which includes all property owners within 120 metres of the subject land.

A webpage was created on the City of Burlington website, accessible at <https://burlington.ca/1881fairview>. This webpage provides information about the subject application including dates of public meetings, links to supporting studies, and contact information for the applicant's representative and Community Planning Department. At the time of writing this report, no written comments have been received by the City.

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## References

The applicant submitted the following materials in support of the subject application:

1. [Pre-Consultation Form, dated September 10, 2025](#)
2. [Environmental Site Screening Checklist, prepared by Amalie Holdings Limited, dated September 10, 2025](#)
3. [Planning Justification Report and Draft Zoning By-law Amendment, prepared by A.J. Clarke and Associates Ltd, dated September 11, 2025](#)
4. [Servicing Memo and Site Servicing Plan, prepared by MTE, dated August 8, 2025](#)
5. [Site Plan, prepared by Amalie Holdings Limited, dated September 2025](#)
6. [Traffic Brief, prepared by Trans-Plan, dated September 2025](#)
7. [Zoning By-law Amendment Application, dated September 10, 2025](#)
8. [Sustainable Building Guidelines Checklist, prepared by Amalie Holdings Limited, dated September 25, 2025](#)

Application materials are posted on the project website, [www.burlington.ca/1881fairview](http://www.burlington.ca/1881fairview)

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## Strategic 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
- 

## Author:

Elyse Meneray, MCIP RPP  
Planner, Community Planning Department  
[elyse.meneray@burlington.ca](mailto:elyse.meneray@burlington.ca)

**Appendices:**

- A. Location Plan
- B. Concept Plan
- C. Planning Analysis
- D. Draft Zoning By-law
- E. Staff Recommendation Report PL-17/85
- F. Staff Recommendation Report PB-64-09

**Draft By-laws for Approval at Council:**

- December 9, 2025

**Notifications:**

Mack Farrant, Planner  
A.J. Clarke and Associated Ltd.  
[mack.farrant@ajclarke.com](mailto:mack.farrant@ajclarke.com)

Michael Tylman, President  
Amalie Holdings Limited  
[mtylman@rathcliffe.com](mailto:mtylman@rathcliffe.com)

**Report Approval:**

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

## Location Plan

Sketch No. 2  
LOCATION PLAN

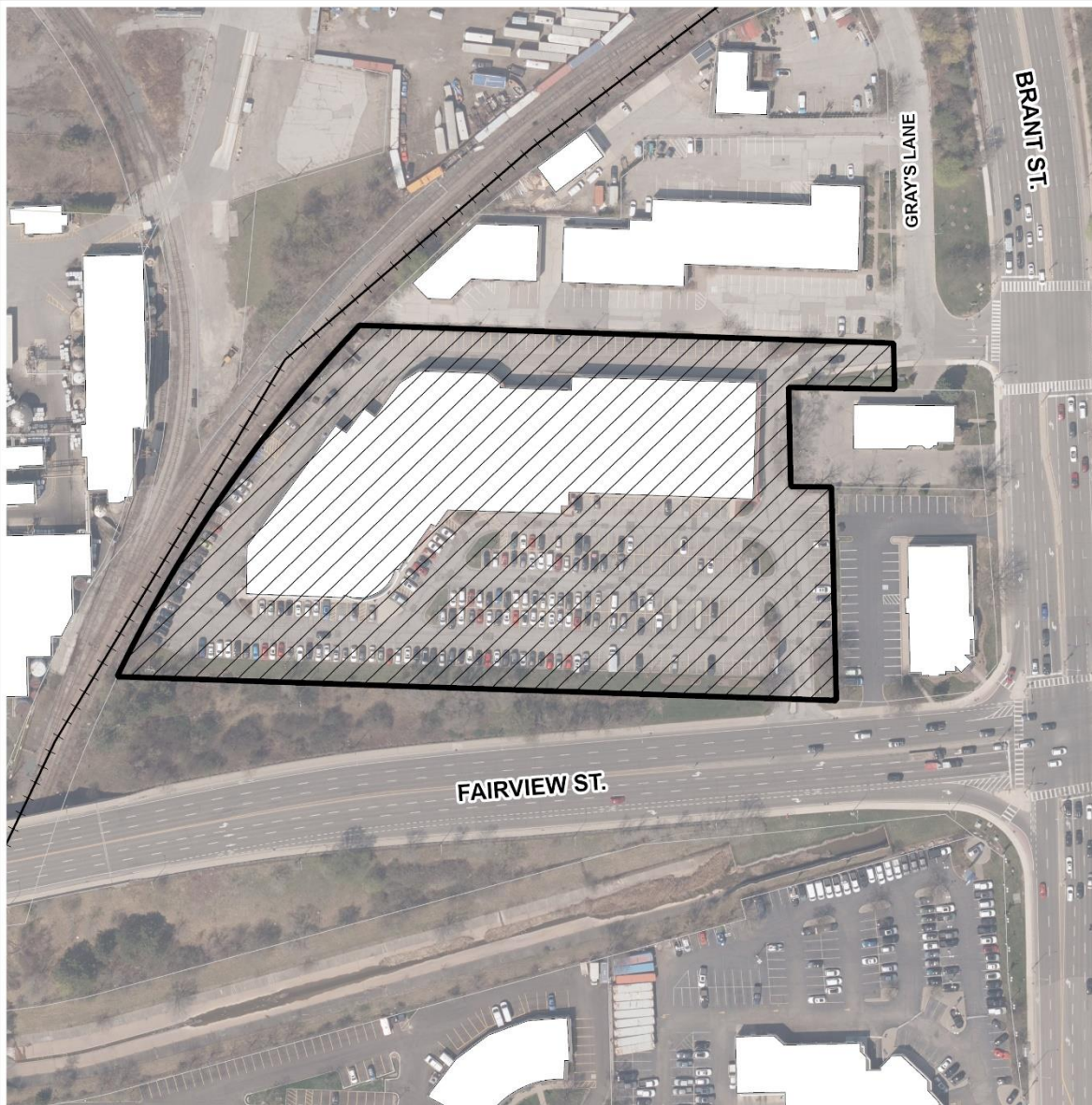


This application will permit supermarket and grocery store uses on the subject lands where they are currently prohibited by the Zoning By-law. No new construction is proposed as the future supermarket/grocery store will utilize two vacant units in the shopping plaza.



SUBJECT PROPERTY

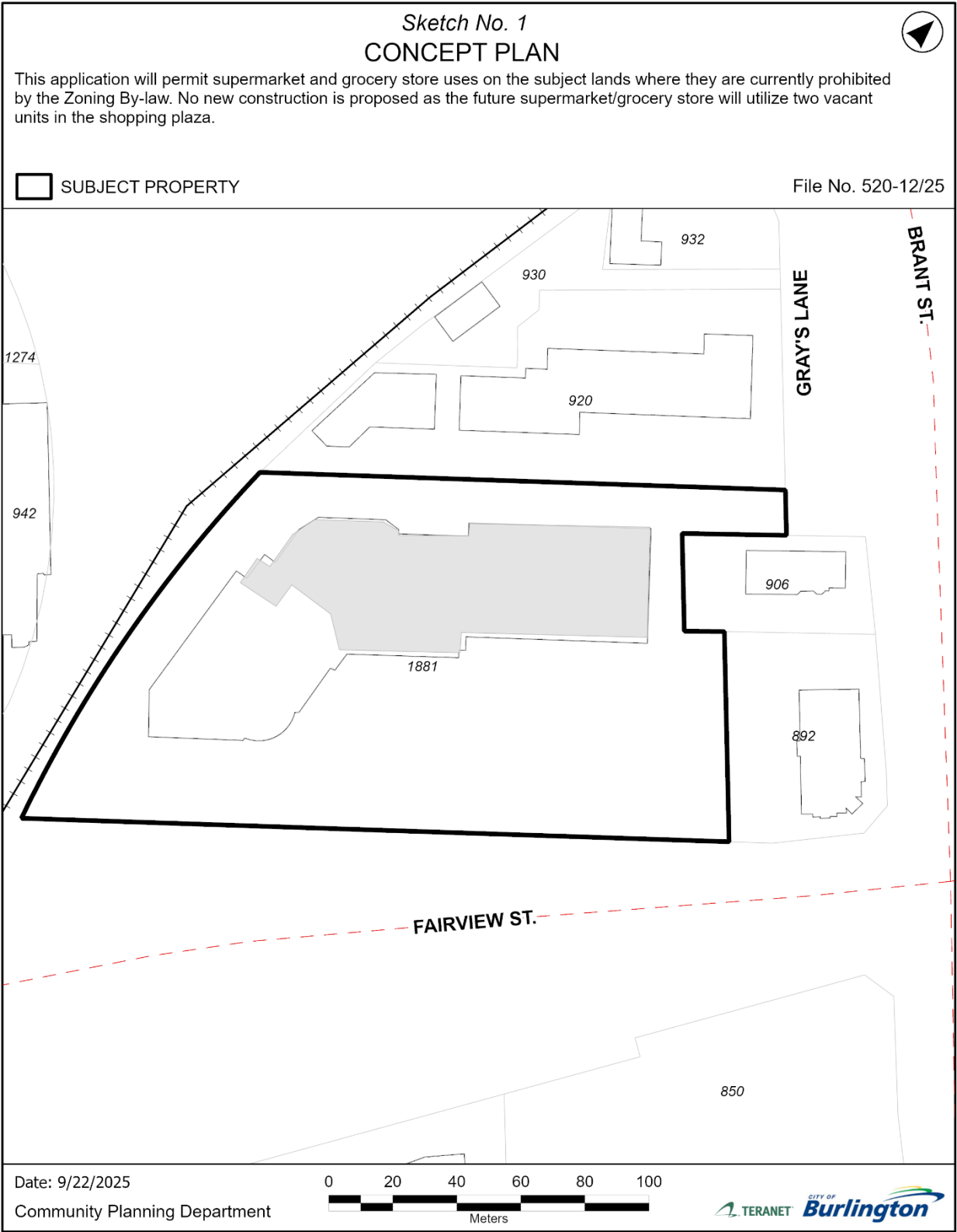
File No. 520-12/25



Date: September 22, 2025  
Community Planning Department



Concept Plan



## **Detailed Planning Analysis**

### **1.0 Provincial Planning Statement, 2024 (PPS)**

The PPS came into force and effect on October 20, 2024, and applies to decisions concerning planning matters occurring after this date. This replaces the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (The Growth Plan) (2019). The PPS provides broad policy direction on matters of provincial interest related to land use planning and development and supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

In accordance with Section 2.1.6., Planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated childcare facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

The PPS directs that growth and development be focused in 'Settlement Areas' which include built-up urban areas where development is concentrated, and which have a mix of land uses and lands which have been designated in an Official Plan for development over the long term. The subject lands are therefore considered to be located within a Settlement Area.

In accordance with policy 2.3.1.2 settlement areas shall be the focus of growth and development and shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) optimize existing and planned infrastructure and public service facilities;
- c) support active transportation;
- f) are transit-supportive, as appropriate; and
- g) are freight-supportive.

The PPS requires municipalities to provide a range and mix of housing options, provide focal areas for education, commercial, recreational and cultural uses through intensification and redevelopment of existing building stock or areas in policy 2.4.1, where appropriate. The proposal seeks to remove grocery/department store from the list of prohibited uses to increase appropriate options to utilize a recently vacated commercial unit and provide more range of commercial uses within a commercially built area.

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

The proposal will achieve consistency with the PPS and ensure compliance with the City's vision for the area. Therefore, it is staff's opinion that the development proposal is consistent with the policies of the PPS.

### **Halton Region Official Plan (ROP)**

Section 44 of the Regional Official Plan (ROP) provides "broad policy directions on strategic matters such as management of land and natural resources, growth strategies, housing, economic development, water and wastewater services, solid waste management, transportation, and health and social services". The Planning Act requires that Burlington's Official Plan and Zoning By-law be amended to conform with the ROP.

In accordance with Map 1H – Regional Urban Structure of the ROP, as amended, the subject lands are designated 'Urban Area'. In accordance with Section 72, the Urban Area policies of the ROP identify that the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability, and economic prosperity.

Section 79.2 highlights the urban growth structure, and the subject lands are identified as being within an Urban Growth Centre Major Transit Station Area on a Commuter Rail Corridor. The intent is to direct development of complete communities and intensification to areas identified for growth. The Regional Official Plan directs development with high densities and mixed uses to the MTSA's. Further section 82.1 requires municipalities to promote mixed uses intensification in context with surrounding uses. Staff are of the opinion that the additional uses allow for appropriate use of land within the surrounding commercial context.

Planning Staff are of the opinion that that the development application conforms with the Regional Official Plan policies.

### **City of Burlington Official Plan (1997, as amended)**

The City's Official Plan (1997, as amended) outlines a long-term vision of the community and quality of life for Burlington residents and provides policy direction to the public and private sectors on land use, development and resource management matters to guide the future planning and development of the City towards the desired community vision.

The subject lands are designated as 'Mixed Use Corridor – Commercial Corridor' on Schedule B, Comprehensive Land Use Plan – Urban Planning Area, of the City's Official Plan (1997, as amended). The Mixed Use Corridor – Commercial Corridor designation is intended to provide for the retail needs of residents and businesses within the City and adjacent areas. Permitted uses include retail, service commercial, personal service, financial institution, office, entertainment, recreation, community facility, and medium- or high-density residential uses. Development must be designed to be close to the street and support transit and active transportation. Street-level retail and service commercial uses are encouraged.

The applicant submitted as part of the complete submission a scoped Market Analysis, prepared by A.J. Clarke and Associates Ltd., dated September 11, 2025. The report focuses on the existing commercial supermarkets and grocery stores within the study area as well as population growth. The report concludes that there will be no significant impact on the adjacent commercial uses but rather provides for consumer choice that meet the growing demands.

The site is currently occupied by other retail uses and is an established retail plaza located on two arterial roadways, serviced by public transit. No additional buildings or redevelopment of the site is proposed and will utilize the existing infrastructure. There will be no impact on the existing infrastructure as no upgrades are required with the inclusion of a supermarket or grocery store.

Staff are satisfied that the application conforms with the general intent of the 1997 Official Plan.

### **City of Burlington Official Plan (2020, as amended)**

On November 30, 2020, the Region of Halton issued a Notice of Decision approving Official Plan (2020, as amended). The Official Plan (2020, as amended) has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. The new OP is subject to appeals. Appeals are currently before the Ontario Land Tribunal (OLT).

Section 17(27) of the Planning Act (R.S.O. 1990, as amended) sets out that all parts of an approved official plan that are not the subject of an appeal will come into effect on the day after the last date for filing a notice of appeal - that date being December 22, 2020, for the new Burlington Official Plan. At this time, no determination has been made as to the appeal status of the relevant sections of Official Plan (2020, as amended).

The site is within a Mixed-Use Nodes and Intensification Corridors (Schedule B), Primary Growth Area and the Burlington GO MTSA (Schedule B1), and is designated as Urban Corridor (Schedule C).

The Urban Corridor designation is intended to provide opportunities for a range of small and medium-scale retail and service commercial uses, and public service facilities in locations that meet residents' day-to-day and weekly goods and service needs. It is also intended that these areas protect the planned commercial function within Urban Corridors. Permitted uses include all types of retail and service commercial uses, including supermarkets and grocery stores, automotive commercial uses, office uses, residential uses, with the expectation of single detached and semi-detached dwellings, entertainment and recreation uses.

The proposal includes the removal of supermarkets and grocery stores as prohibited uses from the Zoning By-law. Commercial uses are currently contained on site and the proponents are seeking to fill a vacancy of the previous 'Staples' and 'Spirit Halloween' tenants in the commercial plaza. No additional buildings, infrastructure or site alterations are proposed. The additional uses will help achieve an area that aims to serve all of the City of Burlington.

It is in staff's opinion that the proposal conforms with the general intent of the Official Plan (2020, as amended).

### **Burlington GO MTSA, Official Plan Amendment 2 and Community Planning Permit By-law**

On June 18, 2024, City Council adopted Official Plan Amendment No. 2 (OPA 2) to the City of Burlington Official Plan, 2020 (BOP 2020) and approved, in principle, the May 2024 Community Planning By-law (CPPBL). On October 10, 2025 the Minister of Municipal Affairs and Housing issued the Notice of Decision to approve OPA 2 with modifications and a 20 day appeal period. If no appeals are received by October 31, 2025, OPA 2 will be in force and effect.

The subject lands are located within the Downtown Burlington Urban Growth Centre/Burlington GO MTSA (also known as the Burlington Junction MTSA) and within the Burlington GO Central Precinct. This precinct is envisioned to be the preeminent destination for major office, regional public service facilities as well as commercial, recreation, cultural and entertainment uses. OPA 2 permits retail and service commercial uses, and the CPPBL permits "Retail, mixed use building" in the Burlington GO Central precinct, subject to footnote (a) ("Limited to the bottom two (2) floors only").

The definition of Development in the CPPBL includes the following activities:



- the construction, erection or placing of one or more buildings or structures on land
- the making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability
- the laying out and establishment of: a parking lot; sites for the location of three or more mobile homes, land lease community homes or trailers
- site alteration
- the removal of vegetation

In staff's opinion, the proposed use of Units 1 and 2 for a supermarket/grocery store does not constitute "Development" nor a change of use as the applicant is not proposing new buildings or structures, or alterations that would expand the existing building, or change the layout of a parking lot or undertake site alteration. Additionally, the current use of the vacant units is considered "Retail, mixed use building" under the Community Planning Permit By-law, and the proposed supermarket/grocery store would also be considered "Retail, mixed use building".

As the proposed activities are not considered "development" (as defined in the May 2024 CPPBL) or a change of use, a Community Planning Permit would not be required.

#### **City of Burlington Zoning By-law 2020**

The subject property is currently zoned "Mixed Use Corridor – Commercial Corridor (MXC-405)". This MXC zone permits a wide range of retail and service commercial uses, while the special exception 405 prohibits supermarket and grocery store uses.

The applications propose to modify the existing site specific zone (MXC-405) to remove grocery/supermarket from the list of prohibited uses. All other regulations will remain unchanged.

As mentioned previously the applicant submitted a Scoped Market Analysis as part of the Planning Justification Report, which outlines that there is no negative impact on commercial uses within the area and will provide additional options for all residences. Staff are of the opinion that the additional uses will be consistent with the intent of the Mixed Use Corridor – Commercial zone since the area is an existing commercial node and no modifications to the site plan are required.

**BY-LAW NUMBER 2020.513 AND EXPLANATORY NOTE****THE CORPORATION OF THE CITY OF BURLINGTON****BY-LAW NUMBER 2020.513**

A By-law to amend By-law 2020, as amended; 1881 Fairview Street  
File No.: 520-12/25

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 9, 2025, to amend the City's existing Zoning By-law 2020, as amended, to remove Supermarket / Grocery Store from the Prohibited Uses list.

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

1. PART 14 of By-law 2020, as amended, Exception 405 to Zone Designations is amended by repealing and replacing Exception MXC-405 with the following:

<b>Exception 405</b>	<b>Zone MXC</b>	<b>Map 10-E</b>	<b>Amendment 2020.271 2020.513</b>	<b>Enacted Sept 28/09 Dec 09/25</b>
<ol style="list-style-type: none"> <li>1. Outside Storage:               <ol style="list-style-type: none"> <li>a) Notwithstanding Part 5, Section 4.7 (a), outside storage related to the existing building is permitted subject to the following:                   <ol style="list-style-type: none"> <li>i. Maximum outside storage containers: 6 fully enclosed containers each with dimensions of 12.2 m x 2.4 m x 2.6 m</li> <li>ii. Only permitted to be located between the commercial building and the west property line adjacent to the railway right-of-way</li> <li>iii. Front Yard Setback: 45 m</li> <li>iv. Only permitted to serve retail uses within the building</li> </ol> </li> </ol> </li> <li>2. Notwithstanding the provisions of the MXC zone, an existing building which legally existed as of the date of the passage of Zoning By-law 2020.271 (September 28, 2009) is deemed to conform to provisions of the MXC regulations of By-law 2020 for the life of the building.</li> </ol> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

**ENACTED AND PASSED** this 9<sup>th</sup> day of December 2025

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MAYOR

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CITY CLERK

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.513

By-law 2020.513 rezones lands on 1881 Fairview Street, to remove Supermarket / Grocery Store from the Prohibited Uses list.

For further information regarding By-law 2020.513, please contact Elyse Meneray of the Burlington Community Planning Department at (905) 335-7600, extension 7462.

P. & D. ITEM NO. PL-17-85

PL-17/85

PLANNING DEPARTMENT

JANUARY 10, 1985

Chairman and Members of the  
Planning and Development Committee

Re: GRAY'S LANE AREA  
File Nos.: 93-515; 93-628  
93-638; 93-647

RECOMMENDATION 1: TO APPROVE THE REZONING OF THE GRAY'S LANE AREA  
TO A MODIFIED MAL INDUSTRIAL ZONING: JOHN  
WEEMHOFF

THAT the application by John Weemhoff Electric Limited, 932 Brant Street, Burlington, Ontario, File No. 93-515, to rezone .057 ha at 930 Brant Street from 'D' to a modified MAL Industrial zone, be approved; and that the owner shall:

- 1) Sign the City's Development Control Agreement and any other agreement(s), within one year of Council approval, failing which, approval will lapse;
- 2) Agree to acquire the adjacent property to the east owned by the City, the value of which shall be determined the Director of Public Works;
- 3) Submit for approval by the Staff Site Plan Review Committee prior to the preparation of the amending zoning by-law, the following:
  - site plans
  - survey
  - floor plans
  - landscaping plans;
- 4) Complete the following to the satisfaction of the Director of Public Works:
  - i) install a catch basin and storm connection to the main storm sewer on the station access road;

and that the City Solicitor be authorized to prepare the necessary agreement(s) and the Mayor and Clerk be authorized to sign it (them);

and that the owner be directed to approach the Regional Municipality of Halton to ensure that sanitary sewers, watermains and service leads are adequate for development. File Nos. 93-515, 93-628, 93-638, 93-647.

RECOMMENDATION 2:

TO APPROVE THE REZONING OF THE GRAY'S LANE AREA  
TO A MODIFIED MAL INDUSTRIAL ZONING: CITY OF  
BURLINGTON

THAT the application by the Corporation of the City of Burlington to rezone .13 ha and 1.1 ha parcels on the west side of Brant Street north of Fairview Street (Gray's Lane area) from 'D' to a modified MAL Industrial zone, File No. 93-628, be approved.  
File Nos. 93-515, 93-628, 93-638, 93-647.

RECOMMENDATION 3:

TO APPROVE THE REZONING OF THE GRAY'S LANE AREA  
TO A MODIFIED MAL INDUSTRIAL ZONING: TERRAIN  
DEVELOPMENTS

THAT the application by Terrain Developments Limited, c/o Ralfe, Green, Germann, Barristers and Solicitors, 524 Brant Street,, P. O. Box 400, Burlington, Ontario, to rezone a 2 ha parcel on the north side of Fairview Street, west of Brant Street (Gray's Lane area), from 'D' to a modified MAL Industrial zone, File No. 93-638, be approved, and that the owner shall:

- 1) Sign the City's Development Control Agreement and any other agreement(s), within one year of Council approval, failing which, approval will lapse;
- 2) Consider the acquisition of adjacent property to the south, owned by the City, the configuration and value of which shall be determined by the Director of Public Works;

and that the City Solicitor be authorized to prepare the necessary agreement(s) and the Mayor and Clerk be authorized to sign it (them);

and that the owner be directed to approach the Regional Municipality of Halton to ensure that sanitary sewers, watermains and service leads are adequate for development;

RECOMMENDATION 4: THE APPROVE THE REZONING OF THE GRAY'S LANE AREA  
TO A MODIFIED MA1 INDUSTRIAL ZONING: BURLINGTON  
TREE SURGEONS

THAT the application by Burlington Tree Surgeons, c/o Thomas R. Sutherland, Q.C., 730 Brant Street, Burlington, Ontario, to rezone .17 ha at 930 Brant Street (Gray's Lane area) from 'D' to a Light Industrial zone, File No. 93-647, be approved, and that the owner shall:

- 1) Sign the City's Development Control Agreement and any other agreement(s), within one year of Council approval, failing which, approval will lapse;
- 2) Agree to acquire adjacent land from the City for the purpose of extending Gray's Lane to Brant Street, the value of which shall be determined by the Director of Public Works;
- 3) Complete the following to the satisfaction of the Director of Public Works:
  - i) connect to the existing services on the station access road,
  - ii) correct existing drainage problems,
  - iii) submit for approval of the Staff Site Plan Review Committee, prior to the preparation of the amending zoning by-law, the following:
    - site plans
    - survey
    - floor plans
    - landscaping plans

and that the City Solicitor be authorized to prepare the necessary agreement(s) and the Mayor and Clerk be authorized to sign it (them);

and that the owner be directed to approach the Regional Municipality of Halton to ensure that sanitary sewers, watermains and service leads are adequate for development;

and that, following assembly of City owned land by John Weemhoff Electric Limited, Terrain Developments Limited and Burlington Tree Surgeons, the City Solicitor be instructed to prepare the amending zoning by-law rezoning the subject properties from 'D' to MA1 with an exception number incorporating the following:

- 1) Notwithstanding the uses permitted in the MA1 zone, the following uses are also permitted:

- "Metal Fabricating Industries"
- sale, service and rental of machinery and equipment including heavy equipment

2) Notwithstanding the uses permitted in the MAL zone, the following uses are prohibited:

- Auctioneer
- Banks and financial institutions
- Standard Restaurant
- Fast food Restaurant
- Convenience Restaurant
- Patio - Outdoor
- Food catering
- Dairy
- Union Halls
- "Recreation" Uses

3) Notwithstanding the minimum lot width in the MAL zone, the minimum lot width shall be  
.....25 m

4) Notwithstanding the MAL zone regulations, as amended, the permitted uses are allowed in the existing building(s) provided that any additions or new building(s) comply with the MAL zone regulations, as amended.

5) Except as amended herein, all other provisions and regulations of By-Law 4000-3, as amended, apply.

File Nos. 93-515, 93-628, 93-638, 93-647.

#### REPORT:

#### PURPOSE

To recommend an industrial zoning for the Gray's Lane area.

#### SITE AND BACKGROUND

The Gray's Lane Area is 4.6 ha in size and bounded by Brant Street, Fairview Street and the C.N.R. (see Sketch No. 1). The area is comprised of six land holdings, including City owned land, of various sized parcels. Sketch No. 2 indicates land ownership.



In 1978, the owner of 0.57 ha at the northerly limit of the Area, John Weemhoff Electric Limited, 932 Brant Street, submitted an application for rezoning. However, pending the finalization of Official Plan Amendment No. 97, which established an industrial designation for the Gray's Lane Area, progress on the application was minimal. Following approval of Amendment No. 97 in 1980, processing of the application commenced. Staff also began processing a rezoning application for City owned lands (1.23 ha: File No. 93-628) in the Gray's Lane Area. Subsequently, applications for rezoning were received from Burlington Tree Surgeons at 930 Brant Street (.17 ha: File No. 93-647) and from Terrain Developments Limited (2.0 ha: File No. 93-638) adjacent to Fairview Street. The two remaining property owners in the Gray's Lane Area, Petro Canada Limited and Mr. R. Freeman, have not submitted rezoning applications. Petro Canada has recently redeveloped its site at the corner of Fairview and Brant Streets for a service station under the existing CAL zoning. Mr. Freeman resides on his property at 906 Brant Street and in the past, has expressed his desire to continue living in the single family dwelling on this lot.

In its consideration of industrial zoning for the Gray's Lane Area, Planning staff were of the view that development of this area would be best accommodated by way of an industrial plan of subdivision. A preliminary subdivision design was prepared by staff (see Sketch No. 3) which would generate nine lots requiring land assembly of City land with Terrain Developments to complete a public road access to Brant Street and an assembly with the Burlington Tree Surgeons property giving it frontage on the proposed cul-de-sac and eliminating the private Gray's Lane.

In 1982, Planning and Public Works staff met with a representative of Terrain Developments to discuss the preliminary subdivision design and whether Terrain Developments preferred to proceed with a subdivision by way of a joint venture with the City or if they would like to acquire the necessary City land and then submit a subdivision application on their own. Subsequent to the meeting, Public Works staff completed a cost estimate for constructing and servicing the cul-de-sac which would service the nine lots in the plan of subdivision comprised of City land and Terrain Developments lands. The estimated costs raised the question of economic viability of the nine lot plan. In the opinion of Public Works staff, a cost/benefit analysis may well result in a decision by Terrain Developments not to pursue the plan of subdivision but rather to construct a short cul-de-sac providing frontage to only two large industrial lots.

In August, 1983, having not received a response from Terrain Developments regarding their position on the subdivision issue, Planning staff advised Terrain Developments that staff intended to proceed with the zoning applications and to recommend that Council dispose of its lands in the Gray's Lane Area rather than continue to pursue a joint arrangement with Terrain Developments for the subdivision of these lands. To date, no further correspondence has been received from Terrain Developments.

APPLICATIONS1. John Weemhoff Electric Limited, File No. 93-515Site and Background

This property (932 Brant Street) is .057 ha in area situated on the north side of Gray's Lane and abutting the C.N.R. Between this property and Brant Street is a .13 ha parcel owned by the City of Burlington. Gray's Lane is under private ownership by Burlington Tree Surgeons at 930 Brant Street. A title search did not find any evidence of a registered right-of-way over Gray's Lane in favour of John Weemhoff Electric Limited; consequently, the parcel appears to be landlocked. Access to the property has been over the adjacent City owned parcel. John Weemhoff Electric Limited acquired the property in 1978/1979 and established an electrical contracting business in contravention of the zoning by-law. The then and current "D" zoning does not permit such use. Application for rezoning was submitted prior to acquisition. In view of the rezoning application the City's Building Services Department did not initiate action to have the illegal use discontinued.

Details of Application

John Weemhoff Electric Limited has requested a rezoning of this property to recognize the existing electrical contracting business and to permit a caretaker's apartment unit in the building.

2. City of Burlington, File No. 93-628Site and Background

The City acquired its 1.23 ha land holding on the west side of Brant Street about 1968-1969 in connection with the widening and improvements to Brant Street and the construction of the underpass for the C.N.R. Following Provincial approval of Official Plan Amendment No 97 in 1980, staff initiated a rezoning application to rezone the City owned lands to industrial.

Details of Application

The application is to permit a modified MAL zoning for the Corporation lands which will delete certain high traffic generating uses and recreational uses but will expand the permitted industrial uses moderately.

17.6

3. Terrain Developments Limited, File No. 93-638Site and Background

Terrain Developments owns 2 ha of land on the north side of Fairview Street. Access to the property is limited to a single entrance from Fairview Street at the east end of the overpass as provided for in an agreement between the City and Terrain Developments in conjunction with the land acquisition for the construction of Fairview Street.

Details of Application

At the suggestion of Planning staff, Terrain Developments submitted a rezoning application in 1982 for a modified M1 zoning identical to that proposed for the City's lands.

4. Burlington Tree Surgeons, File No. 93-647Site and Background

The property of Burlington Tree Surgeons is a very irregular shaped parcel being .17 ha in area (see Sketch No. 4). This parcel includes the private Gray's Lane, however, a title search by staff in 1982 indicated that the City owns the first 11 m of Gray's Lane west of the station access road. Consequently, the site is landlocked.

In October, 1981 Planning staff invited Burlington Tree Surgeons to apply for a rezoning of their land to the modified M1 zoning which would recognize their tree service business. The owners declined. Subsequently, Burlington Tree Surgeons requested staff to consider recommending the sale of a 456 m<sup>2</sup> parcel of City land for assembly with their property thereby improving vehicle manoeuvrability (shown as Parcel A on Sketch 4). Staff advised the owners that only after the zoning of the area had been determined would we be in a position to consider the sale of City land. This issue of land assembly is discussed in greater detail later in this report.

Details of Application

In October 1982, Burlington Tree Surgeons submitted a rezoning application for its property to permit the tree service business and other light industrial uses (not specified).

PLANNING CONSIDERATION

The issues in the rezoning of the Gray's Lane Area involve access, traffic, land uses, subdivision, land assembly and disposition of City owned land:

1. Access, Traffic, Uses

Because of existing locational factors including the area's proximity to the Brant Street subway, the Fairview Street incline and the abutting C.N.R. line, access to the Gray's Lane Area is severely limited and must remain restricted to the existing station access road with the Brant Street road allowance, with the exception of one access being permitted to Fairview Street from the Terrain Developments property.

In view of the concern for accessibility, staff have recommended that high traffic generating uses not be permitted in the Gray's Lane Area (see recommendation) in order to reduce traffic volume and turning movements into and out of the Gray's Lane Area. It was also considered that due to the proximity of the area to Hercules Chemical and the C.N.R. shunting yard, food related uses are inappropriate for this area. Conversely, the nearness of heavy industry and the rail line supports additional industrial uses within the subject area. Staff are recommending the inclusion of metal fabricating uses and machinery rental in the proposed zoning.

The existing tree service business of Burlington Tree Surgeons and the electrical contracting business of Weemhoff Electric Ltd. will become permitted uses in the recommended zoning, thereby removing their current non-conforming status.

2. Subdivision

As mentioned in the Background section above, staff were previously of the opinion that a plan of subdivision involving primarily the lands of Terrain Developments and the City of Burlington in a joint venture arrangement would be appropriate. A preliminary subdivision design for 9 lots (see Sketch No. 3) was prepared by staff for consideration. This design required assembly of City land by Terrain and Burlington Tree Surgeons. However, a subsequent cost/benefit analysis carried out by Public Works staff indicated that the subdivision might not be economically viable based on lot yield and development costs.

Since Terrain Developments Limited was the principal land holder, staff advised Terrain of its findings and suggested that should they wish to pursue the subdivision of their lands into small lots, staff were prepared to negotiate the sale of City lands to Terrain to facilitate a plan of subdivision. Terrain Developments did not respond to staff's offer; consequently, Terrain was subsequently informed that staff intended to proceed with the rezoning of lands in the Gray's Lane area and that it was our intention to recommend that City land be disposed of, as discussed below under "Land Assembly", rather than continue to pursue the possibility of some form of joint arrangement with Terrain Developments. However, staff would also recommend to Council that it retain lands for assembly to accommodate public road access to the Terrain lands. This would allow Terrain the option of selling its holding to a single user or subdividing it in some fashion which would be economically acceptable.

To date, Terrain Developments Limited has not confirmed with staff its intention to proceed with a plan of subdivision.

### 3. Land Assembly

The property of John Weemhoff Electric Limited is at present a landlocked parcel being separated from the station access road (i.e. Brant Street road allowance) by a parcel of land owned by the City. Although the Weemhoff property abuts Gray's Lane, this laneway is owned by Burlington Tree Surgeons, with the exception of the first 11 m west of the station access road which is owned by the City (see Sketch No. 4). A search of title indicates that there is not a right-of-way over Gray's Lane in favour of the Weemhoff property. Mr. Weemhoff currently accesses his property over City land. To resolve the problems of access and frontage on a public road, staff are recommending that as a condition of rezoning, Mr. Weemhoff assemble the adjacent City owned land (i.e. .13 ha), north of Gray's Lane (as shown on Sketch No. 5).

In September, 1982 Council, at the request of Burlington Tree Surgeons, directed staff to prepare a status report for consideration by the Planning and Development Committee on the disposition of City owned lands in the Gray's Lane area. Burlington Tree Surgeons had indicated a desire to acquire some of the City land to improve the functioning of their site. Staff's Report (PL-202/82) addressed the proposal by Burlington Tree Surgeons to acquire 456 m<sup>2</sup> of abutting City land shown on attached Sketch No 4, identified as Parcel 'A'.

The Tree Surgeons proposal was addressed in light of the preliminary subdivision design which staff were considering for the area at that time. Because staff felt that the acquisition of Parcel 'A' by the Tree Surgeons would seriously affect the development potential of the subdivision, staff could not support the sale of Parcel 'A'. Burlington Tree Surgeons then revised its request for 90 m<sup>2</sup> of City land (i.e. Parcel 'B' on Sketch No. 4). Staff remained of the opinion that the loss of the 90 m<sup>2</sup> parcel would also affect the development potential of the subdivision. However, it was recommended by staff that an exchange of the 90 m<sup>2</sup> Parcel 'B' for a 90 m<sup>2</sup> Parcel 'C' from the Tree Surgeons property (see Sketch No. 4) would satisfy staff's concerns. The exchange would enhance the development capability of the subdivision by improving the configuration of the proposed lot in the subdivision. Staff's recommendation was adopted by Planning and Development Committee and approved by Council December 20, 1982.

Burlington Tree Surgeons subsequently advised the City's property agent that they were not interested in the land exchange.

Since the City owns that portion of Gray's Lane to a point 11 m west of the station access road, the Tree Surgeons property is landlocked since it has no frontage on a public road. It is recommended as a condition of approval that Burlington Tree Surgeons acquire the 11 m of Gray's Lane owned by the City.

Regarding Terrain Developments this property has frontage along Fairview Street and technically would qualify for severances based on that frontage. However, because the road is elevated, access to the Terrain lands is possible at one point only which is immediately west of the service station. By agreement with the

City in conjunction with the construction of Fairview Street a single access is permitted to Fairview Street, west of the service station. Because of a median, turning movements into and out of the site are restricted. To accommodate a possible public road access and to generally improve accessibility, it is recommended that Terrain Developments consider assembly of a portion of City land to provide direct access to the station access road.

NOTE:

The City's agreement with Terrain Developments provides that the City will not require Terrain Developments to assemble further lands. However, since the only logical way of developing the Terrain Developments holding is by means of an access to Brant Street, staff are recommending that Terrain Developments be requested to consider the above assembly.

Sketch No. 5 illustrates how an assembly of City land can accommodate a public road into the Terrain Developments lands. While this illustration indicates four lots on a cul-de-sac, cost effectiveness will ultimately determine the final design. It may be found that a shorter cul-de-sac and two or three lots is preferable. On the other hand, Terrain Developments may want to assemble additional City land (i.e. Part A) to maximize lot yield on a longer cul-de-sac.

4. Disposition of City Land

As already discussed, the redevelopment of the Gray's Lane Area by way of a plan of subdivision does not appear to be a viable alternative due to the costs associated with the construction of a public road and services versus the lot yield. For this reason, and because of a lack of any concrete response from Terrain Developments, staff have abandoned the joint venture concept with Terrain Developments. It now remains for the City to dispose of its holding in the Gray's Lane area in a reasonable and efficient manner. Attached Sketch No. 5 indicates the City lands which must be assembled by John Weemhoff Electric, Burlington Tree Surgeons and, optionally, by Terrain Developments. The remaining City lands, identified as Part 'A' and Part 'B' on Sketch No. 5, would be available for sale as two industrial lots. All or a portion of Part 'B' could be offered to Burlington Tree Surgeons on a first refusal basis to enable them the opportunity to purchase at least the 456 m<sup>2</sup> portion they originally requested. Since the Tree Surgeons property will have a frontage of only 6 m (i.e. Gray's Lane), the applicant may wish to consider purchasing all of Part 'B' in order to satisfy the minimum lot width requirement (i.e. 25 m) of the recommended zoning thus avoiding a legal non-conforming situation and allowing for building expansion, improved outside storage and parking. Part 'A' could be offered to Terrain Developments for a future plan of subdivision..

5. Other Issues

(a) Lot Width

For the Gray's Lane area, staff are recommending a reduced lot width of 25 m rather than the 30.4 m standard normally required in the M1 zone. This reduction is recommended in part because of the irregular configuration of properties in the area, the uncertainty of a possible plan of subdivision and to provide some flexibility in the assembly of City land

10-35

with abutting properties. It is also considered that the standard 30.4 m lot width was designed to control access to arterial and collector roads in the industrial areas east of Guelph Line. In the Gray's Lane Area, access is limited to the station access road thereby controlling access to Brant Street. In view of this limited Brant Street access, the width of interior lots is not as critical.

#### CONCLUSION

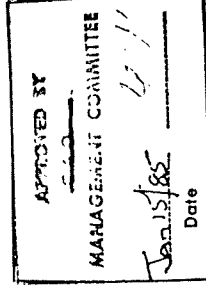
The Gray's Lane area is suited to light industrial uses because of its proximity to existing industrial uses, the C.N.R. and the arterial roads of Brant Street and Fairview Street. Limited access to the area necessitates that permitted uses be limited to low traffic generators. Due to the fragmented ownership and the limited size of holdings, it is unlikely that a plan of subdivision will occur. However, Terrain Developments Limited being the major land holder may wish to proceed with a plan of subdivision and to facilitate this, it is recommended that Terrain assemble a portion of City land to accommodate public road access to Brant Street. It is also recommended that portions of City land be assembled by J. Weemhoff Electric and by Burlington Tree Surgeons to provide public road frontage and access. The remaining City owned land can be sold in the market place as either one or two industrial building lots.

Respectfully submitted,

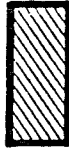
GP/wk/dc/  
Attach.  
0836r

  
ASSISTANT DIRECTOR OF PLANNING  
- DEVELOPMENT

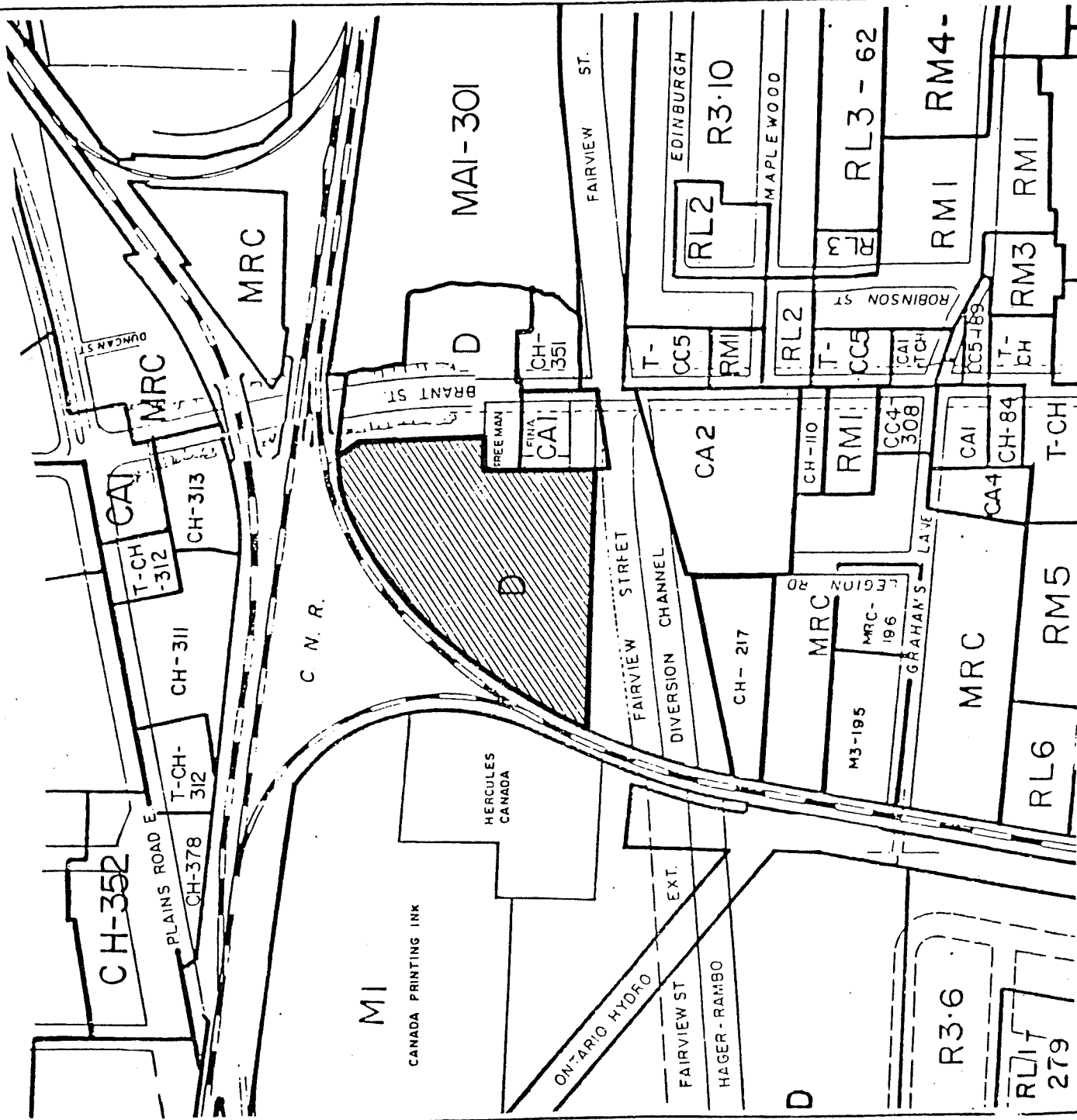
  
DIRECTOR OF PLANNING



LOCATION / ZONING SKETCH

 GRAY'S LANE AREA

Files: 93-515 93-628  
93-638 93-647



GENERAL ZONING LEGEND

Note: ZONES MAY BE FOLLOWED BY EXCEPTION NUMBERS WHICH DENOTE SPECIFIC PROPERTY REGULATIONS IN THE BY-LAW

Note: See By-law 4000-3, Map Nos. 9,10,17,18

RESIDENTIAL			COMMERCIAL	INDUSTRIAL	OTHER
Single Family	Semi-detached	Multiple			
R3-1 R3-6 R3-10	RL1	RL2 RM4 RL3 RM5 RL4 RL6 RM1 RM3	CA1 CA2 CA4 CH T-CH CC5 CH-352 CH-378	M1 M3 MRC MAI-301	D

Date: JANUARY 7, 1985 Scale: 1:5000

BURLINGTON PLANNING DEPARTMENT



Sketch No.2

# PROPERTY OWNERSHIP

GRAY'S LANE AREA



Files: 93-515 93-628  
93-638 93-647

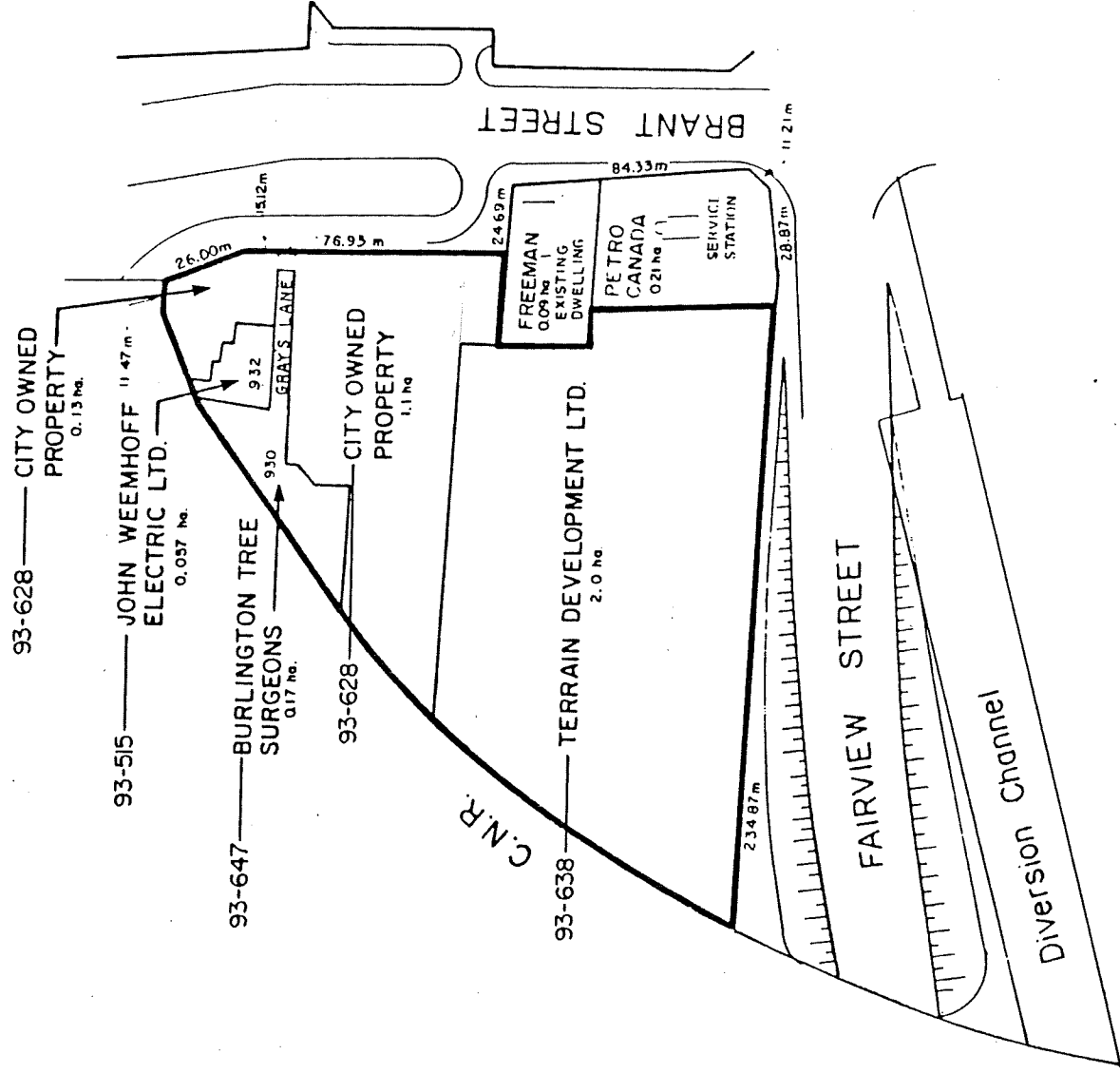


Fig. 13

Date: JANUARY 7, 1985

Scale: 1:2500

BURLINGTON PLANNING DEPARTMENT

Sketch No.3

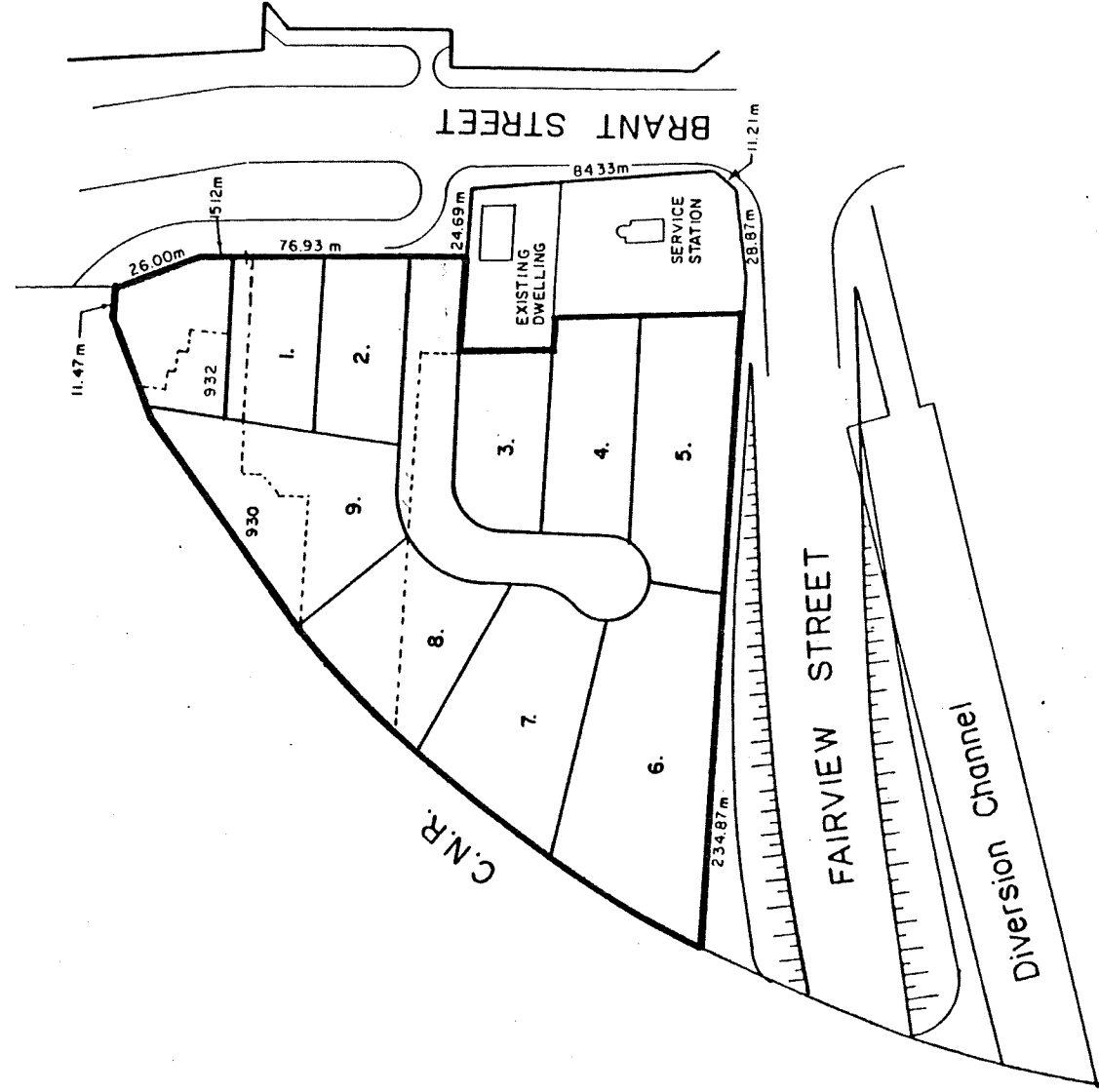
# PLANNING DEPARTMENT'S PRELIMINARY SUBDIVISION DESIGN



GRAY'S LANE AREA



File No's. 93-515  
93-628  
93-638  
93-647



13.14

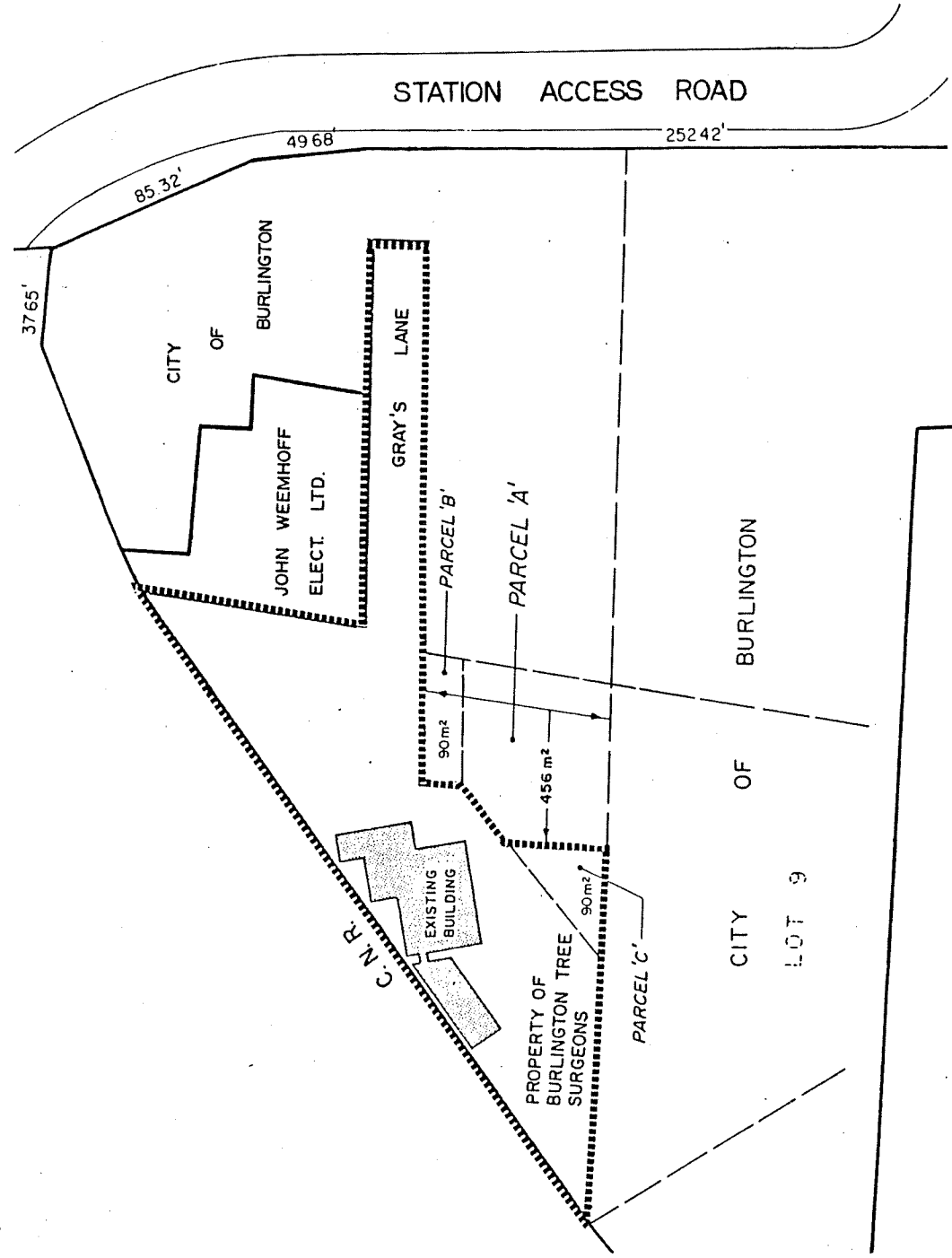
Date: JANUARY 7, 1985

Scale: 1" = 2500

BURLINGTON PLANNING DEPARTMENT

Sketch No. 4

# PLOT PLAN BURLINGTON TREE SURGEONS



P. 15

Date: JANUARY 11, 1985

Scale: 1:750

Burlington Planning Department

Sketch No. 5

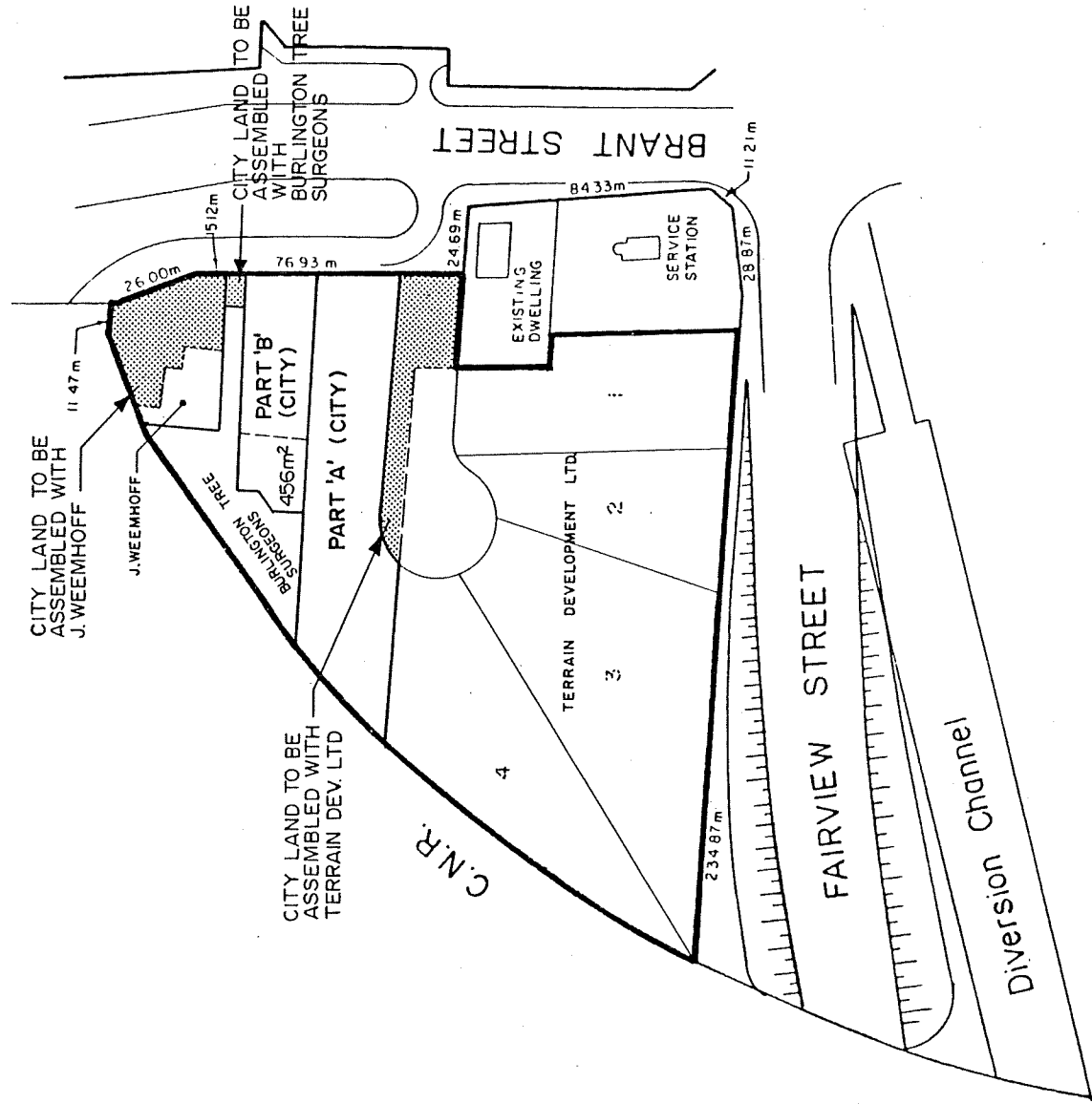
DISPOSITION OF CITY LAND



GRAY'S LANE AREA



File No's. 93-515  
93-628  
93-638  
93-647



Date: JANUARY 7, 1985

Scale: 1" = 2500

BURLINGTON PLANNING DEPARTMENT

APPENDIX I - OFFICIAL PLAN & ZONING

The Gray's Lane Area is designated "Industrial" under Official Plan Amendment No. 49 and is currently zoned 'D' Development.

APPENDIX II - COMMENTS FROM OTHER DEPARTMENTS

Union Gas

No objection.

Burlington Hydro

No objection.

Halton Region Conservation Authority

No objection.

Building Services Department

No comment.

Region of Halton

Does not raise any issues of concern subject to conditions (see recommendation).

10-5

APPENDIX III - BRIEFS AND COMMENTS  
RECEIVED

One letter was received in response to the public notice from Hercules Canada Limited (copy attached). The writer was concerned that all commercial and recreational uses and the residential use not be allowed. Reasons for the prohibition were not given although, in response to previous development proposals in the area, the company has expressed concerns about potential conflicts between the processes taking place in the Hercules plant and adjacent uses which attract high volumes of people.

Staff Reply

The modified MAL zoning being recommended excludes all recreational uses and deletes from the limited range of commercial uses all high traffic generators. The only residential use permitted in the MAL zoning is a caretaker's unit which is limited to 75 m<sup>2</sup> in floor area. Since this use requires the tenant to be an employee and because of the floor area limitation, the residential use is not conducive to a family unit. Staff do not agree with the deletion of this residential use from the recommended zoning.

Mr. V. Barbera  
Plant Manager  
Hercules Canada Ltd.  
942 Brant Street  
Burlington, Ontario  
L7R 2J7

September 24, 1984

Dear Sir:

Terrain Developments Limited

Many thanks for your notice of September 16, 1982 and for your subsequent co-operation regarding the property mentioned above. As you are aware, both the land owned by Terrain and that by the City are immediately across the rail right-of-way from our plant and a fully active process building. We have a large interest in how it is eventually used.

We are in agreement in principle on the restricted MAL zoning, but disagree on the magnitude of the restrictions. It is our opinion that all Commercial and Recreational uses listed in the MAL should be deleted. The sole residential use should also be deleted.

Please keep me advised of progress made in the rezoning of this property.

\*

\*

\*



## DEVELOPMENT AND INFRASTRUCTURE DIVISION

## Planning and Building Department

**TO:** Chair and Members of the Community Development Committee

**SUBJECT:** Brantview Plaza (Amalie Holdings Limited)  
Zoning By-law 2020 Amendment Application  
1881 Fairview Street

**Report Number:** PB-64/09

**Report Date:** August 17, 2009

**Author:** Andrea Smith

**Date to Committee:** September 14, 2009

**Telephone:** 905-335-7600 Ext. 7385

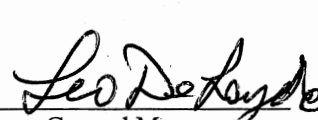
**Date to Council:** September 28, 2009

**Ward Affected:** 1 ☒ 2 3 4 5 6 All

**File Number:** 520-03/09

**APPROVALS:**

  
Department Head

  
General Manager

  
City Manager

To be completed by the Clerks Department

Committee  
Disposition &  
Comments


01- Approved 02- Not Approved 03- As Amended 04- Referred 05- Deferred 06- Received & Filed 07- Withdrawn

Council  
Disposition &  
Comments


01- Approved 02- Not Approved 03- As Amended 04- Referred 05- Deferred 06- Received & Filed 07- Withdrawn



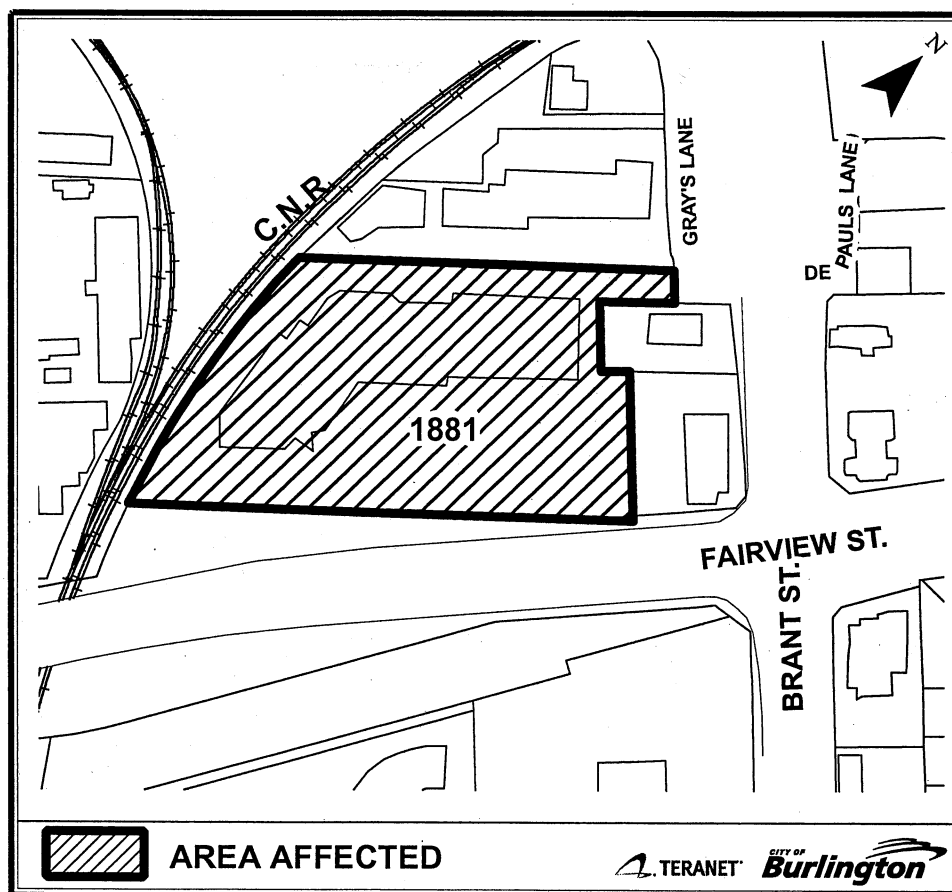
PLANNING AND BUILDING DEPARTMENT STAFF REPORT

**SUBJECT:** Brantview Plaza (AMALIE Holdings Limited)

Zoning By-law Amendment Application

1881 Fairview Street

File: 520-03/09





<b>RECOMMENDATIONS:</b>		<i>Approval</i>	<b>Ward No.:</b>	<i>2</i>
<b>Application Details</b>	<b>APPLICANT/OWNER:</b> <b>FILE NUMBER:</b> <b>TYPE OF APPLICATION:</b> <b>PROPOSED USE:</b>	<i>Amalie Holdings Limited</i> <i>520-03/09</i> <i>Zoning By-law 2020 Amendment</i> <i>Commercial and Hospitality Uses</i>		
<b>Property Details</b>	<b>PROPERTY LOCATION:</b> <b>MUNICIPAL ADDRESSES:</b> <b>PROPERTY DIMENSIONS:</b> <b>EXISTING USE:</b>	<i>North-west corner of Fairview Street and Brant Street.</i> <i>1881 Fairview Street.</i> <b>Width:</b> <i>Approx. 221m</i> <b>Area:</b> <i>2.05 ha</i> <i>Brantview Plaza</i>		
<b>Documents</b>	<b>OFFICIAL PLAN Existing:</b> <b>OFFICIAL PLAN Proposed:</b> <b>ZONING Existing:</b> <b>ZONING Proposed:</b>	<i>Mixed Use Corridor – Commercial</i> <i>N/A</i> <i>MXC-7</i> <i>Modified MXC-7</i>		
<b>Processing Details</b>	<b>KEY ISSUES:</b> <b>NEIGHBOURHOOD MEETINGS:</b> <b>PUBLIC COMMENTS:</b> <b>PROCESSING TIME:</b>	<i>Land Use Compatibility</i> <i>N/A</i> <i>N/A</i> <i>5 months</i>		

## 1.0 RECOMMENDATION:

### **APPROVAL OF AN APPLICATION TO AMEND ZONING BY-LAW 2020 AS AMENDED FROM MXC-7 TO A MODIFIED MXC-7 FOR PROPERTY AT 1881 FAIRVIEW STREET.**

THAT the application for a Zoning By-law Amendment by AMALIE Holdings Limited, c/o Michael Tylman Amalie Holdings Limited / Rathcliffe Properties, #300-1020 Lawrence Avenue West, Toronto, ON, M6A 1C8, to permit additional commercial and hospitality uses, BE APPROVED;

THAT following the payment of rezoning site area fees, on a per square metre basis in accordance with By-law 127-2006, as amended, staff be instructed to prepare the by-law to amend By-law 2020, rezoning lands at 1881 Fairview Street from “MXC-7” to a modified “MXC-7” by deleting the existing MXC-7 and substituting with the following:

#### Exception No. 7

##### 1. The following use is prohibited:

Supermarket/Grocery Store

##### 2. Outside Storage:

Notwithstanding Part 5, Section 4.7 (a), outside storage related to the existing building is permitted subject to the following:

- Maximum outside storage containers: 6 fully enclosed containers each with dimensions of 12.2 m x 2.4 m x 2.6 m.
- Only permitted to be located between the commercial building and the west property line adjacent to the railway right-of-way.
- Front Yard Setback: 45 m
- Only permitted to serve retail uses within the building.

##### 3. Notwithstanding the provisions of the MXC zone, an existing building which legally existed as of the date of the passage of Zoning By-law 2020.XXX (Date of Approval) is deemed to conform to provisions of the MXC regulations of By-law 2020 for the life of the building.

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

THAT the applicant provides an updated Environmental Site Assessment Report to the satisfaction of the Region of Halton prior to By-law Enactment;

THAT the owner, its successors and assigns, is hereby notified that City development charges may be payable in accordance with By-law No. 49-2009, as may be amended, upon issuance of a building permit at the rate in effect on the date issued;

AND THAT Council certifies that the amending Zoning By-law conforms with the Official Plan of the City of Burlington.

File No. 520-03/09

## **2.0 PURPOSE:**

The purpose of this report is to recommend approval of the application to amend the Zoning By-law 2020 (Zoning By-law) by Amalie Holdings Limited to permit additional commercial and hospitality uses and to recognize additional outdoor storage.

## **3.0 SITE DETAILS AND BACKGROUND:**

### **3.1 Description of the Site and Adjacent Land Use**

The property is known as 1881 Fairview Street, as illustrated on Sketch No. 1. The 2.05 ha site is located on the north side of Fairview Street, west of Brant Street. The subject property is currently occupied by a one-storey 5,775 m<sup>2</sup> commercial plaza referred to as Brantview Plaza. The plaza, which was constructed in 1993, includes the following retail uses: Staples, Michaels, and Beddingtons. One retail space (1,781 m<sup>2</sup>) formerly occupied by Fred's Warehouse is currently vacant.

Below is a summary of adjacent land uses:

- North: Commercial uses
- South: Fairview Street. South of that street is an auto dealership.
- East: Commercial uses. East of the commercial uses is Brant Street.
- West: CN Railway. West of the railway are industrial uses (e.g. Hercules Canada Inc. and Sun Chemical)

Below is a summary of the site layout and function:

- **Site Access**  
The site is serviced by two accesses: one full-in/right-out access from Fairview Street and one full-movement access to Brant Street via Gray's Lane.
- **Parking**  
The site has 320 parking spaces including five disabled parking spaces. Under current zoning regulations, 285 spaces are required including 8 disabled spaces. There are no significant issues related to on-site parking requirements. The provision of additional disabled parking spaces will be addressed at the site plan stage.
- **Setbacks to Rail and Industrial Lands**  
A Canadian National (CN) railway right-of way (ROW) is located west of the subject property. A portion of the commercial building is setback approximately 14 m from the CN ROW.
- **Adjacency to Industrial Lands**  
Located west of the subject property are industrial uses (e.g. Hercules Canada Inc. and Sun Chemical). The CN ROW separates the industrial lands from mixed use corridor lands.
- **Landscape Buffers**  
A 6.0 m landscape buffer is located along Fairview Street. There is a grade elevation change along the Fairview Street frontage which partially limits visibility of the commercial plaza from Fairview Street.
- **Garbage Storage**  
Refuse and waste containers on the property are located west and north of the commercial building. There are approximately five containers located on the site. A screening enclosure is located on the property; however, the garbage containers are not currently located within the enclosure.
- **Outside storage**  
Six outside storage containers on the property are located west and north of the commercial building. The containers are used for retail storage.

### **3.2 Application Description and Background Documents**

On April 28, 2009, a rezoning application was submitted by Amalie Holdings Ltd. to amend Zoning By-law 2020 on a site-specific basis. The purpose of the rezoning is to permit additional commercial and hospitality uses at 1881 Fairview Street. The applicant is proposing building renovations only to accommodate a restaurant; no new development or redevelopment is proposed.

The property is currently zoned MXC-7 which permits a variety of uses including retail and service commercial, office, automotive, entertainment and recreational and residential uses but specifically prohibits the following uses:

- Supermarket/Grocery Store
- Standard Restaurant
- Fast Food Restaurant
- Convenience Restaurant
- Outdoor Patio
- Caterer
- Auctioneer

The proposed amendment permits the uses listed above with the exception of Supermarket/Grocery Store. These uses are permitted in the base MXC zone. Essentially, the amendment reinstates uses typically permitted in the MXC zone. The applicant is not seeking an amendment to permit a food store which would have been required to be substantiated by a market study.

### **3.2.1 Technical Reports**

The following background documents were submitted with the application supporting the development application:

- Planning Justification Report
- Property Survey
- Environmental Site Screening Questionnaire

Staff has reviewed the documents and finds that they support the rezoning application.

### **3.2.2 Previous Planning Applications**

A previous Zoning By-law amendment application rezoned the property from 'D' (Development) to 'MA1-427' (File: 93-638). That zone permitted primarily industrial uses. Zoning Exception No. 427 was placed on the zone to restrict uses such as Supermarket/Grocery Store; Standard Restaurant; Fast Food Restaurant; Convenience Restaurant; Outdoor Patio; Caterer; and Auctioneer. The prohibition of the uses was related to land use compatibility concerns between commercial and hospitality uses with the industrial uses, and was also related to traffic issues.

When the zoning by-law was comprehensively updated from Zoning By-law 4000-3 to Zoning By-law 2020, the zone changed from industrial to mixed use corridor. The zoning exception prohibiting the uses transferred with the property. The subject site is currently zoned MXC-7.

## **4.0 DISCUSSION:**

### **4.1 Provincial Policy Statement and Places to Grow Provincial Growth Plan**

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development. All municipal land use planning decisions are required to be consistent with the PPS. In staff's opinion, the proposed development is consistent with the PPS, specifically objectives applying to managing and directing land use to achieve efficient development and land use patterns, and to long term prosperity.

Staff finds the proposed zoning by-law amendment in accordance with the objectives of the PPS because the additional commercial and hospitality uses are complementary to the existing commercial uses permitted on the property. This diversifies the commercial mix and can enhance the vitality of an existing commercial plaza located within a mixed use corridor in the city's urban area.

The 2006 Places to Grow Growth Plan (Growth Plan) encourages cities and towns to develop as complete communities with a diverse mix of land uses. The final Growth Plan came into effect on June 16, 2006 and was prepared under the Places To Grow Act, 2005. It is staff's opinion that the proposed development is also consistent with the Growth Plan as the proposed additional uses further diversifies uses within a mixed use land use designation.

### **4.2 Regional Official Plan**

The subject lands are designated "Urban Area" in the Regional Official Plan (ROP). The ROP states the range of permitted uses in the Urban Areas will be in accordance with Local Official Plans and Zoning By-laws, however all development is subject to the policies of the ROP. Regional staff has no objections to the proposed development.

### **4.3 City of Burlington Official Plan**

#### **4.3.1 Land Use Designation**

The subject lands are designated Mixed Use Corridor – Commercial in the Official Plan. The objective of this designation is to recognize certain sections of the Mixed Use Corridors which have been developed for space-extensive, automobile-oriented large retail uses. This designation recognizes pre-existing uses and addresses that redevelopment in the short-term is not likely.

The objective of this designation is also to encourage the eventual long-term redevelopment of the site in a more intensive, pedestrian and transit-oriented manner that is more consistent with the objectives of Mixed Use Activity Areas.

Staff finds that the proposed zoning by-law amendment is consistent with the policies of the Official Plan as the additional uses are complementary to the retail uses in the existing building and would enhance the viability of the lands without precluding future redevelopment of the site.

### 4.3.2 Site Plan Considerations

The proposed zoning by-law amendment permits additional uses within the existing plaza. The applicant has indicated that subject to Council approval of the additional uses, new tenancy agreements will be executed. Some renovations to the building to accommodate the new use are probable. As such, prior to building permit issuance for the renovations, the applicant is required to obtain site plan approval (e.g. minor development application).

At that stage, staff will review the proposed development in accordance with Part VI, Section 2.5 (d) (Site Plan Control) of the Official Plan to address considerations such as: urban design standards; function and efficiency; safety and access; adequacy of servicing; grading and drainage; and, landscaping and lighting. For example, site plan considerations including site lighting, garbage storage, parking and landscaping will be examined as part of a subsequent application submitted under site plan control.

### 4.4 Zoning By-law 2020

The subject site is zoned MXC-7. This is a mixed use corridor commercial zone with an exception to prohibit certain uses. Below in Chart No. 1 are comparisons between the existing MXC-7 regulations with the proposed regulations:

**Chart No. 1: Existing and Proposed Zoning Comparison**

<b>Zoning Regulation</b>	<b>Existing Zoning</b>	<b>Proposed Zoning</b>	<b>Staff Comment</b>
Prohibited Uses	<p>Permits all uses in the base MXC zone with an exception to prohibit the following:</p> <ul style="list-style-type: none"> <li>• Supermarket/Grocery Store</li> <li>• Standard Restaurant</li> <li>• Fast Food Restaurant</li> <li>• Convenience Restaurant</li> <li>• Outdoor Patio</li> <li>• Caterer</li> <li>• Auctioneer</li> </ul>	<p>Permits all uses in the base MXC zone and reinstates the following uses:</p> <ul style="list-style-type: none"> <li>• Standard Restaurant</li> <li>• Fast Food Restaurant</li> <li>• Convenience Restaurant</li> <li>• Outdoor Patio</li> <li>• Caterer</li> <li>• Auctioneer</li> </ul> <p>Zoning exception will maintain a prohibition on:</p> <ul style="list-style-type: none"> <li>• Supermarket/ Grocery Store</li> </ul>	<p>Staff supports removing the prohibitions on uses contained in the existing zoning with the exception of Supermarket/ Grocery Store use. This is because food stores are required to be substantiated by a market study and in this case, the applicant elected not to prepare that study.</p> <p>Also, staff finds that because the Official Plan vision for the lands has changed from industrial to mixed use, land use compatibility and traffic issues of the proposed uses are no longer a concern.</p> <p>Staff notes that the proposed amendments include outdoor patio and that this use is a land use sensitive to railway rights-of-way, as defined in Zoning By-law 2020 (Part 16 – Definitions,</p>

			<p>“Land Uses Sensitive to Railway Rights-of-Way”). A proposed patio would be required to be setback 30 m from the railway right-of-way.</p> <p>Although CN did not formally comment on the subject application, CN did advise that the abutting railway is used for freight and passenger trains. Wheel squealing may occur in this area due to track curves. A future site plan application proposing a patio would require a noise and vibration study to identify mitigation measures and warning clauses if appropriate.</p>
Building Height	2 storey minimum	Recognize 1 existing one storey building.	As part of the Official Plan and Zoning By-law Review, a commercial building located in the MXC zone is required to be a minimum of 2 storeys. Staff finds the proposed zoning regulation recognizes the one storey height of the existing building while maintaining the intent that the long-term vision of the lands is to intensify.
Proximity to the Street	Building located in close proximity to the street (e.g. yard setback 3 m minimum; 4.5 m maximum)	Recognize existing yard setback to Fairview St. (e.g. approximately 57 m).	Staff finds the proposed zoning regulation recognizes the setback of the existing building while maintaining the intent that the long-term vision of the lands is to establish an urban built form along the mixed use corridor.
Outside Storage	Outside storage not permitted.	Permit six outside storage containers, set back from the road and at the side of the building.	There are six outside storage containers currently located on the property providing additional storage area for an existing retailer. These containers are legally non-conforming to the Zoning By-law. Staff is of the opinion that the containers will assist in the viability of the existing retail uses and will not adversely impact site aesthetics.



## **5.0 FINANCIAL MATTERS:**

The application was processed under the standard development application fees. At the site plan approval stage, the City will require securities to ensure that the work associated with the proposed development will be done to the City's satisfaction.

## **6.0 ENVIRONMENTAL MATTERS:**

The proposed rezoning application is related to use additions rather than redevelopment of the site. As such, environmental features will be addressed at a future site plan stage. For example, landscape and grading plans will be required as part of a subsequent site plan application to update the site to current City standards.

Also, in accordance with Part II, Sec. 2.8 (Contaminated and Potentially Contaminated Sites), the applicant provided environmental site assessment data. However, the Region of Halton has requested additional information requiring the applicant to submit additional data to the satisfaction of the Region prior to enactment of the zoning by-law.

## **7.0 COMMUNICATION MATTERS:**

### **7.1 Technical Agency Comments**

All internal departments and external agencies responding to the circulation indicated no objection to the application.

### **7.2 Public Comments**

Staff did not receive any comments from members of the public.

## **8.0 CONCLUSION:**

The application to amend Zoning By-law 2020 by Amalie Holdings has been reviewed in accordance with Provincial, Regional and Municipal planning policies. Staff is of the opinion that the proposed amendments meet the intent of the policies and objectives of the Mixed Use Corridor – Commercial Corridor of the Official Plan. Staff recommends that the Zoning By-law 2020 be amended to permit additional commercial and hospitality uses, and outside storage on the subject property.

Respectfully submitted,



Andrea Smith, MCIP, RPP  
Development Planner

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**Appendices:**

N/A
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**Staff / Others Consulted:**

Name	Telephone
Fred Gottschling	x. 7679
Mike Ireland	x.7746

**Notifications:**

Name	Mailing or E-mail Address
See File	

**Special Instructions:**

Statutory Public Meeting
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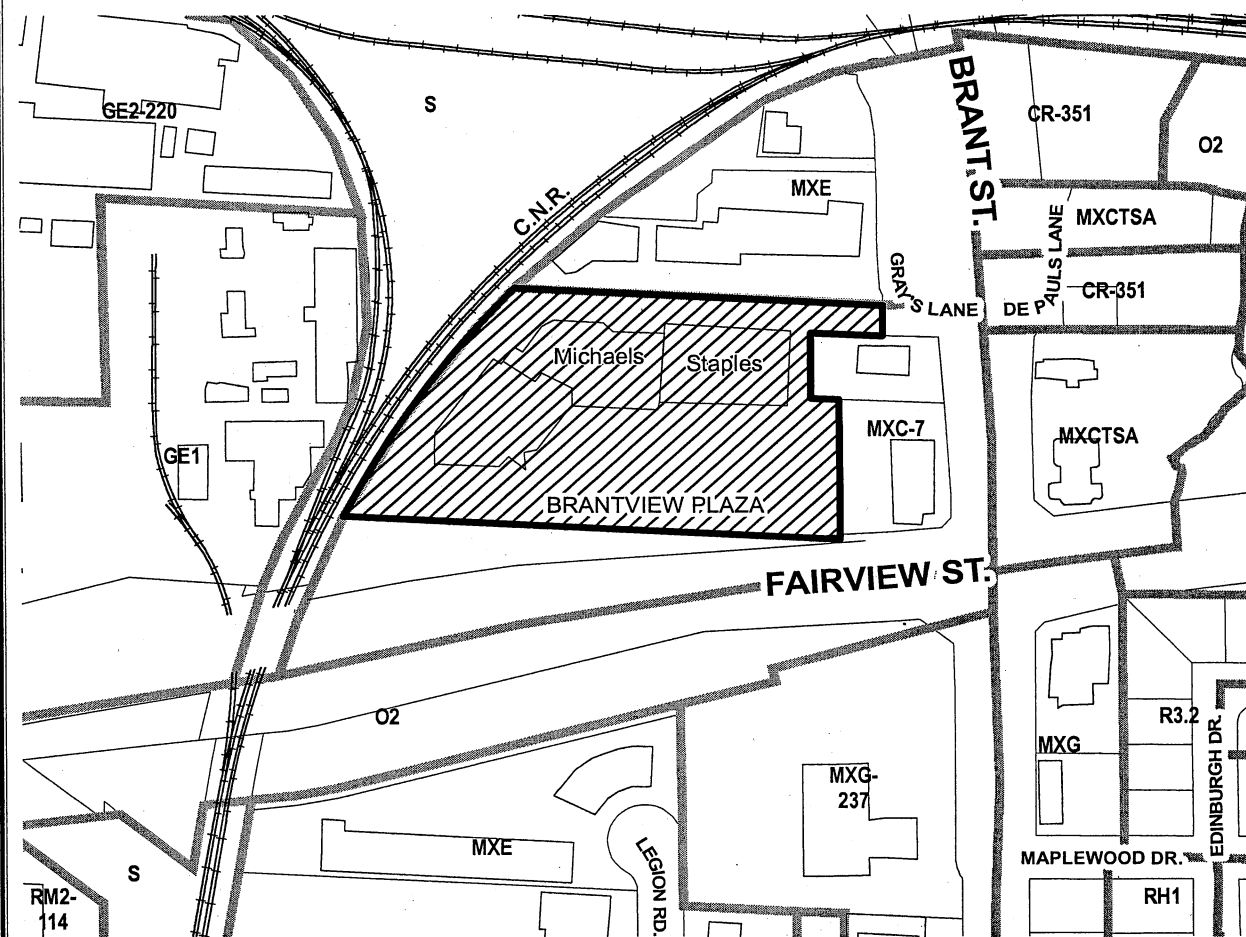
Sketch No. 1  
LOCATION/ZONING SKETCH

Application for Zoning By-Law Amendment by AMALIE Holdings Limited to permit additional commercial and hospitality uses located 1881 Fairview Street.



SUBJECT PROPERTY

FILE No. 520-03/09



GENERAL ZONING LEGEND

Low Density	Medium Density	High Density	Mixed Use	Commercial	Employment	Other
	RM1 RM2		MXE MXG MXC MXCTSA	CR	GE1 GE2	S O2

DATE: AUGUST 25, 2009

A. TERANET CITY OF Burlington

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SUBJECT: Burlington Avenue - Ontario Street Heritage Conservation District Plan and Guidelines

TO: Committee of the Whole

FROM: Development and Growth Management  
Community Planning

Report Number: DGM-68-25

Wards Affected: 2

Date to Committee: December 2, 2025

Date to Council: December 9, 2025

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### **Recommendation**

Receive for information the draft Burlington Avenue - Ontario Street Heritage Conservation District Plan attached to development and growth management report DGM-68-25 as Appendix B; and

Direct the Director of Community Planning to consider the comments provided by the public and Council on the draft Heritage Conservation District Plan as part of a subsequent recommendation to Council.

### **Executive Summary**

Purpose of report:

This report presents Council with the draft Burlington Avenue - Ontario Street Heritage Conservation District (HCD) Plan (attached as Appendix B). Staff are releasing the draft plan for information purposes and seeking feedback on the plan to inform a subsequent recommendation to Committee and Council in Q1 2026.

Key findings:

- The planning process to study the potential Burlington Avenue - Ontario Street Heritage Conservation District was started in June 2024 and consists of two major components – the District Study and the District Plan and Guidelines.

- In March 2025, Council approved the District Study component that describes and evaluates the cultural heritage value of the of the Burlington Avenue - Ontario Street HCD.
- 26 of the 33 properties (79 per cent) in the proposed district meet two or more criteria under Section 41(1) of the *Ontario Heritage Act*.
- The Heritage Burlington Advisory Committee was consulted on the draft HCD Plan at its meetings on June 11, 2025, and Sept. 10, 2025. Feedback received at public meetings, the Heritage Burlington Advisory Committee and provided by stakeholders has been considered for the final draft of the HCD Plan (attached as Appendix B).
- The report also identifies the requirements for this planning process under the *Ontario Heritage Act* as well as the update process undertaken by the City featuring an extensive and responsive public engagement program.
- Highlights of the draft HCD Plan are presented in this report along with next steps in this planning process.
- The purpose of this public meeting is to present the draft District Plan and Guidelines and to receive feedback from Council and the public on this matter.
- A recommendation for a new Heritage Conservation District By-law and adopting the Burlington Avenue and Ontario Street Conservation District Plan and Guidelines will come before Council by Q1, 2026.

#### Implications:

- **Financial**
  - There are no financial considerations associated with the statutory public meeting stage. If the HCD is subsequently designated under Part V of the *Ontario Heritage Act*, property owners may then apply for the City's financial incentive programs for designated heritage properties (the Heritage Property Tax Rebate Program and the Heritage Grant Program). Alternatively, if the by-law designating the HCD is appealed, there would be associated legal cost resulting from the Ontario Land Tribunal process.
- **Legal**
  - There are no legal considerations associated with this item.
- **Engagement**
  - The public and stakeholders for the Burlington Avenue and Ontario Street Heritage Conservation District have been notified of the statutory public meeting following City policies and the statutory requirements of the *Ontario Heritage Act*.

# Recommendation Report

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## Background

Staff was directed to undertake additional cultural heritage analysis stemming from the new Burlington Official Plan, adopted in April 2018. In March 2019, Council identified Downtown as a focus of reexamination. Terms of Reference for the Downtown Re-examination project identified heritage conservation and the protection of cultural heritage resources as priorities.

The City retained Archaeological Services Inc. (ASI) to prepare a Cultural Heritage Study for the Downtown, which included suggestions on what should be included in the Official Plan to best protect existing cultural heritage resources. As part of Report [PL-49-22](#), staff prepared a workplan for a Downtown Cultural Heritage Landscape Study with associated funding. This study, also known as the Downtown Burlington Heritage Study and Engagement Program, was initiated in the fall of 2022 and conducted through 2023 (see report [PL-69-23](#)). Completion of the Burlington Avenue and Ontario Street Heritage Conservation District (HCD) study was a recommendation of the Downtown Burlington Heritage Study and Engagement Program. [PL-69-23](#) also included the recommendation of a project budget for the Burlington Avenue and Ontario Street Heritage Conservation District Study and future work (e.g., the HCD Plan), funded from the Tax Stabilization Reserve Fund.

The HCD study area, shown in Appendix A, comprises 33 properties located in downtown Burlington. The properties within the study area contain predominantly residential, older single-detached heritage homes, in a variety of architectural styles, as well as some modern buildings. The Burlington Avenue and Ontario Street HCD study area was evaluated by the consultant team of TRACE Architectures and B+H Architects, who were retained by the City of Burlington to complete the HCD Study and the subject draft HCD Plan.

As part of this process, Part V, Section 41 of the *Ontario Heritage Act* requires that two components be completed prior to passing a by-law to designate a heritage conservation district.

The first component is a study, as defined under Part V, Section 40 of the *Act*. The Burlington Avenue and Ontario Street Heritage Conservation District Study was completed in accordance with this provision and approved by Council at their meeting of March 18, 2025. At the meeting, Council directed staff to create a District Plan and Guidelines. This second component would further satisfy the stated requirements of the *Act*.

Section 2. Ontario Heritage Toolkit 2025 Compliance Checklist of the Appendix to the draft District Plan and Guidelines identifies the statutory requirements for the District Plan and

Guidelines as well as the process undertaken by the City, including extensive public engagement. Part A. Study Phase (s. 40.1 OHA) has been completed and report DGM-68-25 and the associated statutory public meeting fulfills the step Public Consultation – at least one public meeting on the draft plan; feedback documented and incorporated where appropriate.

The next step is Council Adoption – By-law passed designating HCD and adopting Plan, which staff will be advancing to Council for decision in Q1 2026.

### **Contents of the Draft District Plan and Guidelines**

The draft District Plan and Guidelines satisfy the requirements of the *Act* as stated:

- *Reader's Guide* provides a background and introduction to the document and information on how to use the Plan and Guidelines.
- *Part 1 – Plan Framework* includes the statement of cultural heritage value or interest and the description of heritage attributes and the objectives to be achieved in the heritage conservation district.
- *Part 2 – Policy Framework* provides the policy framework, including the national framework, provincial legislation and municipal policies that direct and assist change within the area.
- *Part 3 – Plan and Guidelines* is the guidelines for contributing and non-contributing properties and is the section of the Plan that will be most important for users of the document.
- *Part 4 – Implementation* includes the description of alterations that are exempt from heritage permits.
- *Appendix* includes the glossary of terms, the Ontario Heritage Toolkit 2025 Compliance Checklist and the Schedule of Properties.

### **Highlights of the Draft District Plan and Guidelines**

*Part 3 – Plan and Guidelines* will be the most utilized part of the document. The formulation of this section has benefitted from a high degree of engagement, review and recommendations by key stakeholders and staff. This part provides direction for managing change based on a classification of properties within the district as contributing or non-contributing. Within the District, twenty-four properties (71% of all properties) have been identified as contributing properties.

Contributing properties directly reflect the cultural heritage value and integrity of the district and are subject to a higher standard of conservation.

Non-contributing properties, typically newer buildings or those that have been significantly altered, do not individually express the district's heritage character but are still subject to design guidelines to ensure compatibility with the surrounding context.

Part 3 continues with guidelines regarding property level changes as well as use of specific materials and additions to buildings and properties and landscape guidelines.

### ***Use of Specific Materials***

The preferred conservation goal is to repair, where possible, instead of replacing materials. Where replacement of material is required, the guidelines call for compatible materials and forms to be used.

### ***Additions to Buildings and Properties***

Guidelines for additions to buildings within the district provide directions on the most suitable location, massing and form. Compatible and complementary materials are required, but to avoid a sense of false history, replication of historic features that never existed is not permitted.

The draft District Plan and Guidelines also provide directions on new construction within the district, including the construction of buildings on vacant lots or the replacement of existing structures with new ones, Additional Residential Units, garages and sheds. Infill development should respect the established character of the district by considering factors such as scale, massing, setbacks, materials, and architectural details. To that end, applicable provisions of the City's Zoning By-law would still apply.

The draft District Plan and Guidelines states that the demolition or relocation of contributing properties will not be supported, except in cases of extraordinary circumstances. Demolition of non-contributing properties shall be considered; however, demolition activity shall not begin until plans for the replacement building(s) or structure(s) have been approved, and a heritage permit issued by the City.

## **Community Engagement and Communications**

### ***Consultation with Property Owners and Burlington Residents***

Staff and the consultant team implemented a diverse array of consultation and engagement strategies to maximize opportunities for inclusive and diverse community participation. Overall, the feedback received from property owners, and the broader Burlington community was positive. The strategies implemented include:

- Creation of a [Get Involved Burlington project webpage](#);
- Inviting property owners to participate in stakeholder interviews with staff and the consultant team on the proposed HCD. Print notices were dropped off at properties within the study area by staff. Three formal property owner interviews occurred on July 17 and 18, 2024;
- Attendance at Burlington Heritage Week's annual Heritage Fair in August 2024 and August 2025;



- Burlington Avenue “Fall Harvest” Pop-Up on Sept. 10, 2024 (invitations were shared with owners in advance of the pop-up event);
- Public meeting on the HCD Plan on June 11, 2025; and,
- Annual Food for Feedback Event in September 2024 and September 2025.
- Statutory meeting under the *Ontario Heritage Act* on December 2, 2025.

### ***Consultation with the Heritage Burlington Advisory Committee***

On Oct.11, 2023, the Heritage Burlington Advisory Committee (HBAC) considered recommendations as part of the Downtown Burlington Heritage Study and Engagement Program, including the recommendation that a district study be prepared, and passed the following motion:

*Heritage Burlington Advisory Committee recommends that Council direct staff to implement the consultant's recommendations in the draft final report on the Downtown Heritage Study and Engagement Program, dated September 2023.*

On Sept. 11, 2024, the HBAC were consulted regarding the findings of the HCD Study, including the study area boundaries, community engagement, architectural styles found in the proposed district, and key periods of development in the district. The members indicated they were pleased with the progress of the district study.

On Nov. 13, 2024, the HBAC passed the following motion regarding the HCD Study:

*Heritage Burlington Advisory Committee recommends that Council list the following properties on the Municipal Heritage Register as non-designated properties, as they meet one or more Ontario Regulation 9/06 heritage evaluation criteria, as per the Study findings:*

- o 425 Burlington Avenue;
- o 454 Burlington Avenue;
- o 455 Burlington Avenue;
- o 457 Burlington Avenue;
- o 461 Burlington Avenue;
- o 465 Burlington Avenue;
- o 471 Burlington Avenue;
- o 475 Burlington Avenue;
- o 476 Burlington Avenue;
- o 478 Burlington Avenue;
- o 1401 Elgin Street;
- o 1410 Ontario Street;
- o 1414 Ontario Street;
- o 1418 Ontario Street;
- o 1422 Ontario Street;
- o 1426 Ontario Street; and

*Heritage Burlington Advisory Committee recommends proceeding with the Part V designation of the study area identified in the Burlington Ave. and Ontario St. Heritage Conservation District Study report.*

On June 11, 2025, the HBAC were consulted regarding the preliminary draft of the HCD Plan. Staff and the heritage consultants provided an overview of the draft HCD Plan and explained next steps.

On Sept. 10, 2025, HBAC passed the following motion regarding the final draft HCD Plan:  
*Heritage Burlington Advisory Committee recommends that Council pass a by-law to adopt the Part V designation of the study area identified in the Burlington Avenue – Ontario Street Heritage Conservation District Plan report and to adopt the HCD Plan.*

### **Next steps in the Burlington Ave. and Ontario St. Heritage Conservation District Plan**

The next steps in the District Plan include:

- Receiving and reviewing public submissions
- Undertaking revisions to the draft Plan and Guidelines as appropriate

Staff will present the final District Plan and Guidelines along with an adopting by-law to Council in the coming months. Prior to that, further refinements to the draft Plan and Guidelines may be necessary following the statutory public meeting.

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### **Conclusion**

The draft District Plan and Guidelines presented to Council in this report are the result of considerable effort and input from the community, the consultant team, the City's Heritage Burlington Advisory Committee, and City staff. Feedback received at this statutory public meeting will be considered for revisions to a final draft that will be shared with Council in the coming months, with a recommendation for the new District Plan and Guidelines along with a Burlington Avenue and Ontario Street Heritage Conservation District By-law.

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### **Key Dates & Milestones**

- March 2019: Council identifies Downtown as a focus of re-examination. Terms of Reference for the Downtown Re-examination project identifies heritage conservation and protection of cultural heritage resources as priorities.
- May 2019: ASI completed a Cultural Heritage Study for the Downtown, which included suggestions on what should be included in the Burlington Official Plan to best protect existing heritage resources.
- Fall of 2022: Launch of the Downtown Burlington Heritage Study and Engagement Program (the "Study").

- Oct. 11, 2023: Heritage Burlington Advisory Committee (“HBAC”) meeting, at which the recommendations of the Study were presented by City staff and ASI, and the HBAC voted to recommend that the consultant's recommendations in the draft final report on the Downtown Heritage Study and Engagement Program, dated September 2023, be implemented (including carrying out the Burlington Avenue and Ontario Street Heritage Conservation District Study).
  - Dec. 5, 2023: Report [PL-69-23](#) presented the full findings and recommendations of the Study to Council. [Appendix E](#) of Report [PL-69-23](#) included the Heritage Conservation District Study Area By-law.
  - Jan. 16, 2024: City of Burlington By-law 02-2024 (the Heritage Conservation District Study Area By-law) is enacted and passed.
  - June 2024: The Burlington Ave. and Ontario St. Heritage Conservation District Study commenced.
  - July 2024 to September 2024: Public consultation occurred.
  - Sept. 11, 2024: HBAC were consulted regarding the findings of the HCD Study.
  - Nov. 13, 2024: HBAC passed a motion recommending Council proceed with the Part V designation of the study area.
  - Jan. 16, 2025: City of Burlington By-law 02-2024 (the Heritage Conservation District Study Area By-law) expired.
  - June 11, 2025: HBAC and the public were consulted regarding the preliminary HCD Plan.
  - Sept. 10, 2025: HBAC were consulted regarding the final HCD Plan.
  - Nov. 4, 2025: Statutory public meeting required under Part V of the *Ontario Heritage Act* occurs.
- 

## Implications

- **Total Financial Impact**
    - Not applicable.
  - **Source of Funding**
    - The Tax Stabilization Reserve Fund.
  - **Legal**
    - Not applicable.
- 

## References

- City of Burlington. (2023). *Downtown Heritage Study and Engagement Program- final report and recommendations* ([PL-69-23](#)).
- City of Burlington. (2024). [Burlington Official Plan, 2020](#).

- City of Burlington. (2025). *Burlington Ave. and Ontario St. Heritage Conservation District Study* ([DGM-12-25](#)). .
  - Province of Ontario. (2024). [Provincial Planning Statement, 2024](#).
  - TRACE architectures and B+H Architects. (2024). *Burlington Ave. Heritage Conservation District Phase 1: Study report*.
  - TRACE architectures and B+H Architects. (2025). *Burlington Ave. Heritage Conservation District Phase 2: Plan report*.
- 

## Strategic 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
- 

## Author:

Chloe Richer, MCIP, RPP, CAHP  
 Senior Planner, Heritage  
 (905) 335-7600 Ext. 7427

## Appendices:

- A. Location Map of Proposed Burlington Ave. and Ontario St. Heritage Conservation District
- B. Burlington Ave. Heritage Conservation District Phase 2: Plan Reader's Guide
- C. Burlington Ave. Heritage Conservation District Phase 2: Plan Report
- D. Burlington Ave. Heritage Conservation District Phase 2: Plan Appendix

## Draft By-laws for Approval at Council:

- Not applicable.

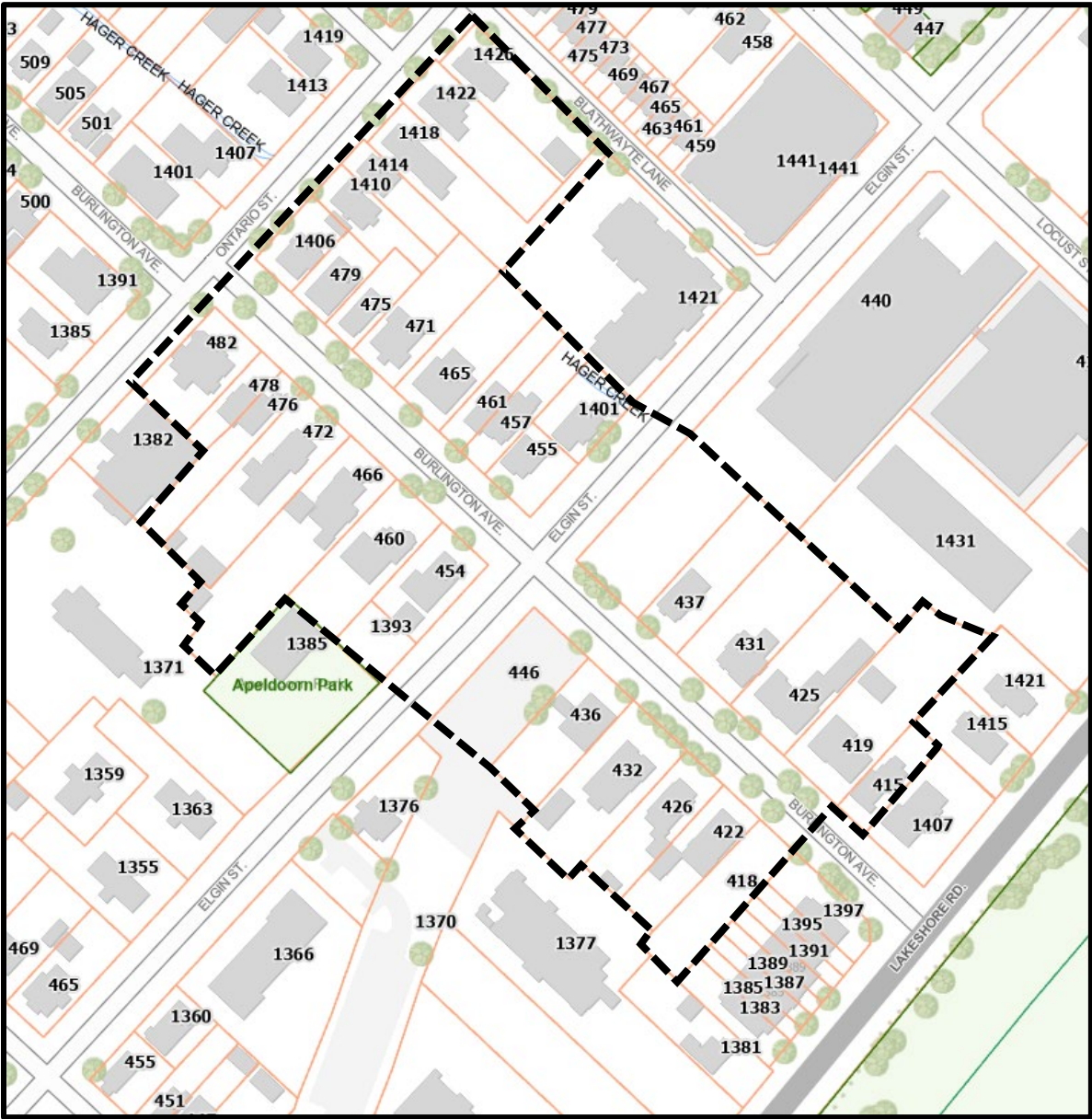
## Notifications:

Planner will provide addresses.

## Report Approval:

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

Burlington Avenue and Ontario Street Heritage Conservation District Study Area



## Burlington Avenue–Ontario Street HCD

# Reader's Guide

### Purpose of the Plan

The purpose of the Burlington Avenue–Ontario Street Heritage Conservation District Plan is to conserve the District's cultural heritage value through the protection, conservation, and management of its heritage attributes, in accordance with the Plan's objectives. The objectives, policies, and guidelines contained in this Plan will guide the review of development applications and heritage permits within the District, while informing the decisions of property owners, City staff, and Council.

This Plan applies to all privately and municipally owned properties within the District. It is a regulatory tool under Part V of the Ontario Heritage Act and complements the City of Burlington's Official Plan and related by-laws. Background research and analysis for the District are documented in the Burlington Downtown Heritage Study and Engagement Program (2023), which forms the foundation for this Plan and is available through the City's website.

### Introduction

The Burlington Avenue–Ontario Street Heritage Conservation District (HCD) is one of Burlington's earliest and best-preserved historic neighbourhoods. Defined by late 19th- and early 20th-century homes, mature tree canopies, landscaped gardens, and landmark views to Lake Ontario, the District has maintained its character despite ongoing urban growth pressures. It is a significant cultural landscape at the heart of the city.

This HCD Plan provides a clear framework to conserve and manage change within the District. Its purpose is to ensure that new development is compatible with the area's heritage character while maintaining its vibrancy, livability, and long-term resilience.

The Plan is organized into four parts:

- **Part 1 – Plan Framework**
- **Part 2 – Policy Framework**
- **Part 3 – Policies and Guidelines**
- **Part 4 – Implementation**

Each part focuses on a distinct aspect of heritage conservation, together providing the City, property owners, and the community with the tools needed to understand, protect, and enhance the District.



## Part 1 – Plan Framework

The HCD Plan builds on the Downtown Heritage Study (2023–2025), which confirmed that Burlington Avenue–Ontario Street meets provincial heritage criteria. The City retained consultants to prepare a formal HCD Plan and Guidelines under Part V of the Ontario Heritage Act (OHA). The District, extending along Burlington Avenue from Lakeshore Road to Ontario Street, contains 33 properties, more than 79% of which meet multiple criteria under O. Reg. 9/06. Its cultural heritage value lies in its cohesive streetscapes, diverse architecture, mature landscapes, and close ties to Burlington’s early growth.

From the beginning of the Study Phase in 2024, and throughout the plan Phase that has run from March 2025, engagement took place through property owner interviews, heritage week activities, neighbourhood pop-ups, and open houses. Residents expressed strong support for designation, highlighting the need for a balance between conservation, flexibility, and transparent permitting processes. The Plan sets out objectives to conserve heritage value, manage change with clear policies, promote compatible development, and reinforce community identity.

## Part 2 – Policy Framework

The Policy Framework situates the HCD within national, provincial, and municipal legislation and guidance. It is:

- Guided by the Ontario Heritage Act (1975, amended 2023), O. Reg. 9/06 heritage criteria, and the updated Ontario Heritage Toolkit (2025).
- Anchored in Parks Canada’s Standards and Guidelines for the Conservation of Historic Places in Canada (2011), which establish best practices for preservation, rehabilitation, and restoration.
- Integrated with the Provincial Planning Statement (PPS, 2024), which emphasizes housing supply, intensification, climate resilience, and Indigenous engagement.
- Aligned with Burlington’s Official Plan, zoning initiatives, and heritage bylaws to ensure consistency with municipal planning and property standards.

## Part 3 – Plan and Guidelines

The Plan sets out objectives to preserve and enhance the District’s heritage character while supporting sustainable, community-driven growth. Emphasis is placed on walkability, canopy trees, landmark views, and architectural variety.

### Key Policies and Guidelines include:

- Landscape & Public Realm: Maintain trees, gardens, and pedestrian pathways; limit front yard parking.
- Demolition & Relocation: Demolition of contributing properties is strongly discouraged and only considered under extraordinary structural circumstances.
- New Construction & Infill: Permitted where compatible with heritage character; requires Cultural Heritage Impact Assessments and adherence to lot patterns, setbacks, massing, and materials.

- Alterations & Repairs: Prioritize repair over replacement; ensure roofs, windows, porches, and additions are sympathetic in design and scale.
- Views & Vistas: Protect sightlines to Lake Ontario and through the tree canopy as defining elements of the District.

All properties are designated under Part V of the OHA. Contributing properties face higher conservation requirements, while clear permit processes and alignment with public works ensure consistent stewardship.

## **Part 4 – Implementation**

The Implementation section provides the tools for ongoing management of the District. It integrates the HCD into Burlington's Official Plan and zoning by-laws, establishes clear permitting procedures, and reinforces the City's role in monitoring and enforcement.



# How to Use this Plan

## Owners of Contributing Properties

Owners of contributing properties are encouraged to first consult the property classifications provided in the Appendix to understand how their property contributes to the cultural heritage value of the District. They should then review Section 3.2.1 – Contributing vs. Non-Contributing Properties and the related subsections.

Policies and guidelines for conservation, maintenance, and repair are found in Section 3.3.7 – Repairs and Alterations and related sections on roofs, walls, windows, doors, porches, and verandas. Even if no immediate work is planned, owners are encouraged to review these sections, as they outline both mandatory requirements and best practices that will help ensure the long-term conservation of their property and the District’s cultural heritage value.

Where additions or alterations are proposed, owners should consult Section 3.3.12 – Additions and Section 3.3.13 – New Construction, which provide policies and guidelines for design, siting, and compatibility. Demolition and relocation are addressed in Section 3.3.2 – Demolition and Relocation.

Policies for the landscape and public realm, including tree conservation, views, gardens, fencing, lighting, and driveways, are found in Section 3.3.1 – Landscape and Public Realm, and apply to contributing properties in order to maintain the District’s cohesive streetscape and setting.

## Owners of Non-Contributing Properties

Owners of non-contributing properties should refer to Section 3.2.1 – Contributing vs. Non-Contributing Properties to confirm the details around classification. While non-contributing properties do not individually express the heritage character of the District, all properties within the boundary are designated under Part V of the Ontario Heritage Act and are therefore subject to the Plan.

Policies and guidelines for alterations, additions, and new development are outlined in Section 3.3.12 – Additions and Section 3.3.13 – New Construction, which ensure that change is compatible with the surrounding heritage context. Section 3.3.2 – Demolition and Relocation provides requirements for demolition of non-contributing properties. While there is greater flexibility around non-contributing properties, work of this nature is subject to approval and with plans for replacement construction.

Landscape and public realm policies in Section 3.3.1 also apply to non-contributing properties, with particular emphasis on preserving tree canopy, gardens, pedestrian walkways, and the overall character of the streetscape.

## Heritage Permits

Owners of both contributing and non-contributing properties should refer to Section 4.0 – Implementation, which provides direction on the heritage permit process. This section clarifies what types of work require a heritage permit, outlines application requirements, and explains

how proposed changes will be evaluated against the Plan's policies and guidelines. Applications for major alterations or new construction may also require a Cultural Heritage Impact Assessment (CHIA).

## **Distinction Between Policies and Guidelines**

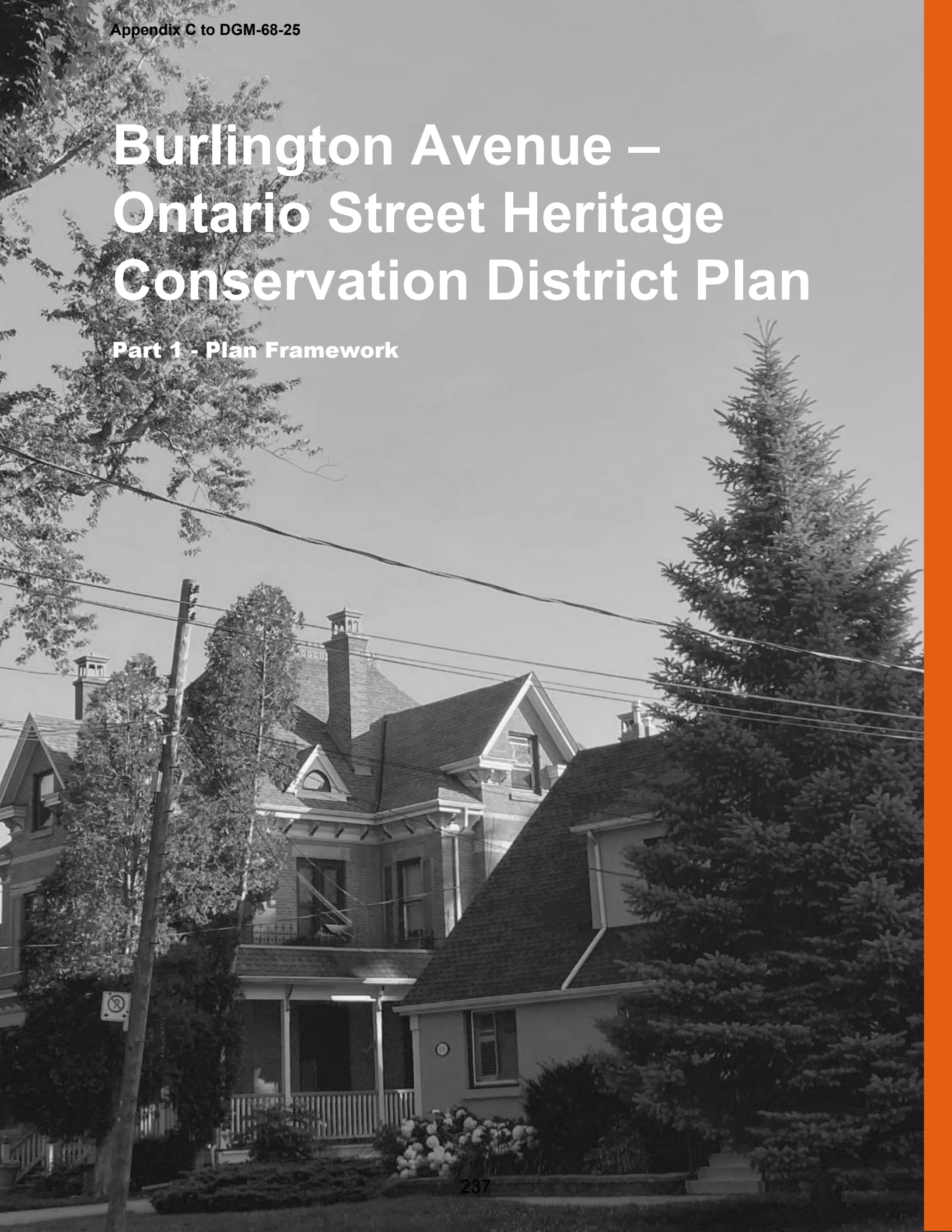
Within this Plan, policies (shown in bold and using “shall” language) establish mandatory requirements under the Ontario Heritage Act. Guidelines (shown in italic and using “should” language) are not mandatory but provide practical advice and recommended approaches for achieving compliance with the policies. Together, policies and guidelines help owners, City staff, and Council evaluate proposals in a consistent and transparent way.

## **Conclusion**

The Burlington Avenue–Ontario Street HCD Plan provides a balanced framework to protect one of the city's most historic neighbourhoods. By aligning national, provincial, and municipal policies with strong community input, the Plan ensures that growth enhances, rather than erodes, the District's cultural heritage. It equips the City, property owners, and residents with practical tools for conservation, compatible development, and sustainable urban design.

# Burlington Avenue – Ontario Street Heritage Conservation District Plan

## Part 1 - Plan Framework



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# 1. Plan Framework

## 1.1. Project Background & Introduction

Urban sprawl and intensification have been advancing at increasing rates across Canada, particularly in Ontario. Urbanization, along with unchecked development, present a challenge that frequently poses a threat to the integrity of the heritage character of cities, towns, and villages, and often overlooks the delicate balance between growth and conservation. Architectural landmarks, historic streetscapes, and rich landscapes are vulnerable to expansion and are at risk of erasure of both built and natural heritage. The conservation of these areas is not rooted in the desire to “halt” progress or development; rather, it is about establishing a framework to guide development in a way that integrates well with existing heritage resources as well as with historic context. Formally recognizing and protecting these heritage assets is an important and powerful tool for maintaining and safeguarding the unique essence of our collective past, while also ensuring future enrichment of our communities.

The City of Burlington retained the TRACE Architectures and B+H Team to undertake a Heritage Conservation District (HCD) Study and Plan for a two-block section of Burlington Avenue, from Lakeshore Road to Ontario Street. This work builds upon the foundational research and community consultation undertaken through the Downtown Heritage Study and Engagement Program, which assessed Burlington Avenue along with five other areas in the city’s core to determine their eligibility as Cultural Heritage Landscapes (CHLs) under the Burlington Official Plan (1997) and the Provincial Planning Statement (2024). Initiated in 2023, the Downtown Heritage Study combined detailed heritage analysis with extensive public engagement to identify places of historical, architectural, and cultural significance, ultimately providing the basis for informed heritage planning and protection strategies. The findings from that study have directly informed the current HCD process, offering critical insights into the area’s heritage character and reinforcing the City’s ability to manage change through designation tools outlined in Section 8.3.4 of the Official Plan and enabled by the Ontario Heritage Act.

The Burlington Avenue-Ontario Street HCD Study was presented to the Committee of the Whole in March 2025 and was unanimously approved at Council. The consultant team proceeded with the second phase of the project in April 2025. This document is the Heritage Conservation District Plan and Guidelines.

## 1.2. Heritage Conservation District Process

The Plan and Guidelines document is designed to assist residents of Burlington, property owners, tenants, and the City of Burlington in preserving and enhancing the unique characteristics and qualities of the Burlington Avenue-Ontario Street District. The Plan uses the legislation outlined in Part V of the *Ontario Heritage Act* (OHA) to manage



change in ways that highlight and preserve character defining elements, while encouraging compatible development.

The *Ontario Heritage Act* (Subsection 41. (1)) enables municipalities to designate HCDs. An HCD is an area which contains a concentration of heritage resources, with special character and/or historical association that distinguishes the area from its surroundings. The designation of an HCD affords the municipality the ability to enforce the protection of the character of an area by designating character-defining elements, as well as the public realm, under Part V of the OHA. The municipality can then guide future changes and development within a carefully designed framework document called the HCD Plan & Guidelines. This protection is not meant to hinder nor prevent change, but rather to manage change in ways that are positive for the District and for the wider community. Many people now consider an HCD to be one of the most effective tools, not only for historic conservation, but also for effective and sound urban design, planning, and development.

### Phase 1: HCD Study

An HCD Study marks the initial step in determining the cultural and historical significance within a community, neighbourhood, or District in Ontario. This phase focuses on the comprehensive assessment of what is important to a community in terms of heritage value. It involves detailed gathering and analysis of geographical features, historical data, and current cultural elements, aiming to understand the intrinsic heritage character that defines the area. This information is then analyzed holistically to gain an overall sense of the uniqueness the community possesses. By collecting this information, the study seeks to understand not only what exists, but also why it matters to the community.

This process is guided by a Study Area, which is sometimes determined at the onset of the HCD Study. However, in this case, the Study Area was pre-determined by the City of Burlington, to allow for sufficient time to focus on the properties included within the pre-defined area. The HCD Study involved the development of a database to store a detailed property inventory, policy, and historical research (including archival documents), preparation of maps, as well as photos (historic, satellite, and from site visits), plans, and other documentation.

Once the information was gathered, and public consultation took place, the Consultant Team proceeded with the analysis to determine whether the given area warranted consideration for Heritage Designation under the OHA. This includes assessing the eligibility of the proposed area, based on the new requirements of *O. Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest* (updated as of 1 January 2023 via Bill 23).



Figure 1: Burlington Avenue Ontario Street District Study Boundary

### 1.3. Heritage Conservation District Boundary

The rationale for the recommended designation of the Burlington Avenue-Ontario Street HCD is grounded in a combination of heritage significance, community values, and policy. The area demonstrates a strong heritage character, reflected in its built form, landscape features, and historical associations with important individuals and events in Burlington's development. While much of Burlington has experienced substantial intensification and redevelopment, this District stands out as a rare enclave that retains a high degree of historical integrity. A comprehensive inventory and evaluation of properties within the study area confirmed that the heritage resources merit conservation, with over 79% of properties meet more than two of the nine criteria set out in *O. Reg. 9/06* under Part V of the OHA.



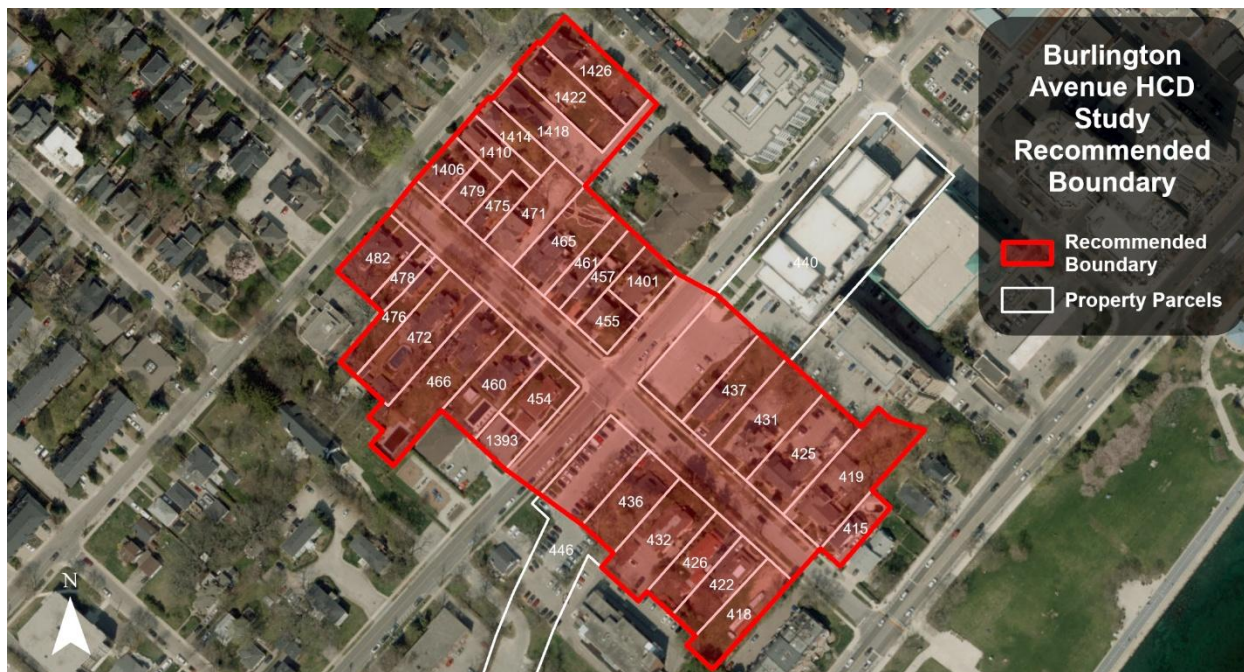


Figure 2: Burlington Avenue Ontario Street District Boundary

## 1.4. Statement of Significance & Heritage Attributes

The Statement of Cultural Heritage Value or Interest (CHVI) summarizes the heritage value/interest and attributes of the recommended HCD Area, and is the basis for the evaluation of the level of contribution of individual properties found within the study area.

### Statement of Cultural Heritage Value or Interest Under OHA Part V

#### Description of the Burlington Ontario Context

The area now known as Burlington, Ontario, has been home to Indigenous peoples for thousands of years. The land is rich in the history and traditions of the Anishinaabeg, Haudenosaunee, and Métis peoples, and is part of the Treaty Lands and Territory of the Mississaugas of the Credit. It is also covered by the Dish with One Spoon Wampum Belt Covenant, a historic agreement to share and protect the resources of the Great Lakes region.

Located in the heart of Burlington, Ontario, the Burlington Avenue-Ontario Street District area has long been valued for its architectural heritage and historical value. Stretching north-south near the city's waterfront and the downtown area, the area was once part of Burlington's earliest settlements, Wellington Square. In 1873 the area merged with Port Nelson to form the Village of Burlington, after Burlington Bay (named after Bridlington, England which was called Burlington until the 19th century). This section of Burlington



was developed under the subdivision Plan of William Bunton, registered in 1881, and stretched from Lakeshore Road to Ontario Street, west of Brant Street. Bunton subdivided and sold off plots of his land for residential development, and the neighbourhood began to develop rapidly. The District is known for its late 19<sup>th</sup> century and early 20<sup>th</sup>-century homes, mature tree canopy, and cohesive residential streetscape. Most of the buildings in the District are single, detached homes. The street is characterized by consistent setbacks, large lots, and a variety of architectural styles that showcase Burlington's growth over the past century.

### **Cultural Heritage Value**

The Burlington Avenue-Ontario Street District is a street born from its views to the waterfront and proximity to the historic downtown. The area has largely retained its character for the past one hundred years, which is very challenging in areas with significant urban development. The District incorporates one of the most historic residential areas in downtown Burlington, and most of the properties have retained their original residential use.

The District's origins are directly linked to the prosperity and appeal of Burlington, which brought the commercial, residential, and institutional buildings to the City as a whole. The area was developed at the same time Burlington emerged as a central hub along Lake Ontario, and the proximity to the lake and to downtown made the area a desirable residential neighborhood for prominent families. The role of the waterfront in Burlington has evolved over time, and continues to change in response to human activity, related to the settlement, growth, industry, and social life in Burlington. It remains, however, a key landscape feature of the District and the downtown area.

The District's architectural value lies in its diverse, yet harmonious, blend of architectural styles, intricate woodwork, decorative brickwork, landscaped gardens, and a welcoming and cohesive streetscape. The streets are lined with wide walkable sidewalks, and a mature, diverse, tree canopy. There is a direct view to Lake Ontario from Burlington Avenue, and as a result, the street becomes an informal pedestrian route to the lakefront. Combined, these elements and their associated features, such as the walkability, views, and aesthetic charm, make it a vibrant and appealing space for residents and visitors alike.

### **Description of Heritage Attributes**

- Consistent building setbacks and large lots, contributing to a spacious, orderly streetscape;
- Generous front lawns with similar setbacks amongst dwellings, even from different building periods, providing a measure of consistency in scale and sense of place within the area;

- The variety of architectural styles, with representative examples of Arts and Crafts, Vernacular, Georgian, Edwardian, and Victorian homes;
- Original materials and craftsmanship, including brick façades, woodwork, and decorative features in windows, doors, and verandas. Where brick is used, shades of reds are predominate;
- A mature, diverse, and high tree canopy lining the streets in the *District*, enhancing the neighborhood's historic ambiance and walkable appeal;
- Views between buildings of gardens, trees and/or Hager Creek;
- The key views and vistas towards Lake Ontario, particularly from Burlington Avenue, creating a gateway to the waterfront.

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## 1.5. Engagement Process

Successful implementation of a district will ultimately depend on wide-spread public support for district designation based on a clear understanding of the objectives for designation and appreciation of the proposed HCD plan, policies and guidelines.

Decisions about policies and guidelines should be made in an open forum, where the benefits of designation and the responsibilities that come with it can be clearly communicated. There should be a clear agenda and timetable for proceeding with the district study and well-publicized public meetings at important stages, to allow for

From June 2024 to September 2025, the Burlington Avenue–Ontario Street HCD Study and Plan engaged the community through a series of targeted events, presentations, and public activities. The goal was to gather feedback, answer questions, and build understanding and support for the potential HCD designation. Efforts included property owner interviews, participation in Burlington Heritage Week, pop-up events, city-wide engagement activities, committee presentations, and an open house to review the draft plan.

### Community Involvement and Feedback

Engagement began with one-on-one property owner interviews in July 2024, which allowed early communication, discussion of heritage objectives, and sharing of local history and photographs. These conversations underscored the importance of preserving not only buildings, but also landscapes, trees, gardens, and street character. Broader community participation followed during Burlington Heritage Week in August 2024, and in 2025 where residents learned about the study and the plan. A September Harvest Pop-Up brought the discussion directly into the neighbourhood, drawing about 40 attendees who shared strong support for conservation, as well as concerns about potential restrictions, costs, and political will to protect heritage assets.

### City-Wide Engagement Events

The September 2024 and 2025 “Food for Feedback” events expanded outreach to a wider audience, gathering comments on the importance of heritage to Burlington’s identity and tourism appeal. Residents expressed interest in extending the study area boundaries, identifying heritage areas with signage, and sharing family histories tied to Burlington’s development. During the 2025 event, productive conversations were had, and feedback at this stage consistently emphasized the need to protect the District’s unique character from unsympathetic development pressures.

### Draft Plan Open House and Key Themes

In June 2025, an open house presented the draft HCD Plan, generating discussion around policies vs. guidelines, incentives such as the Heritage Property Tax Rebate Program, heritage-inspired infrastructure improvements, and flexibility in design regulations. Concerns about restrictions on windows, additions, and parking were balanced by the plan’s emphasis on compatibility and case-by-case review. Frustrations over past demolitions and the massing of infill projects reinforced the need for a robust HCD framework to manage change. Questions about District boundaries were addressed with the explanation that the current limits were based on heritage integrity and manageability, with opportunities for review and expansion in the future.

### Overall Outcomes

Across all engagement activities, there was broad consensus that the study area is a culturally and historically significant place worth protecting. While residents sought clarity on processes, costs, and flexibility, the majority supported the designation as a means to maintain Burlington’s unique character. The input gathered has directly shaped the HCD Plan’s policies, guidelines, and recommendations, ensuring they reflect community values while providing a balanced, practical framework for heritage conservation.

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## 1.6. Goals and Objectives

HCDs provide guidance for the conservation of cultural heritage resources policies and guidelines that will assist in the protection and enhancement of the cultural heritage value of a district. District designation enables City Council to manage and guide future change in the area. HCDs take many different forms and variations, depending on the location and its history. However, they form an integral part of Ontario’s cultural heritage and contribute to an understanding and appreciation of the cultural identity of the place, and as a collection, the province.

In accordance with *Subsection 40 (2)* of the OHA, the HCD Study considers the objectives around the recommended designation and the content of the future HCD Plan, should Council move forward with the adoption of an HCD. Therefore, the following objectives should be re-confirmed for continued relevance throughout the Plan Phase. This includes additional consultation with the public, completion of the

landscape analysis and heritage evaluation, a formal statement of significance, and an updated boundary property inventory.

Based on the results of this HCD Study, the prospective HCD Plan for Burlington should consider addressing the following objectives:

- Conserve and enhance the cultural heritage value and character-defining elements of the HCD, including built forms, street and landscape elements, and landmarks that contribute to the District's sense of place;
- Encourage the conservation, rehabilitation, adaptive reuse, and maintenance of contributing existing buildings that express the heritage character of the HCD, while providing guidelines on appropriate change to the buildings;
- Encourage the retention of the landscape and streetscape elements such as the existing mature tree canopy, property setbacks, and views to Lake Ontario;
- Develop alteration, infill, and new development guidelines, with the primary goal of promoting compatible development on fallow or non-contributing properties, that appropriately manage and preserve the cultural heritage value of the area's history;
- Ensure that new construction and development on vacant, underdeveloped lots and on large parcels responds to the character of contributing properties through their retention and the compatible design of new structures;
- Reinforce and conserve the District's significant built forms, streetscapes, materiality, and character that reflect its cultural heritage values;
- Develop appropriate setbacks and step backs for new development;
- Maintain and establish architectural details and consistent street walls where appropriate and which maintain and support accessible, vibrant, and walkable pedestrian environments;
- Maintain, conserve, and enhance the historic residential character of the streets, using harmonious materials, height limits, architectural details or other design measures, enhanced and protected tree canopy, and views to the lake;
- Incorporate the policies and guidelines of the HCD Plan into the regulatory framework, as well as other studies and programs, to encourage the conservation and enhancement of the HCD;
- Establish a Heritage Permitting process to assist property owners with conservation, maintenance, and alteration efforts, as well as provide guidance for

appropriate restoration, repair, and on-going maintenance of all buildings within the District; and

- Encourage active participation from residents, property owners, and businesses, in the promotion and implementation of the HCD, including development of a streamlined and proactive heritage permitting process with the City, to ensure that requirements of property owners are understood early in the process and revisions to project plans are mitigated and reduced.

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## 1.7. How to Use this Plan

This Plan is intended to better understand the cultural heritage value of the Burlington Avenue-Ontario Street District, as well as provide policies and guidelines for its protection and conservation. Parts 1, 2, and 4 include information of the District's cultural heritage value and significance while Part 3 include **Policies** and Guidelines.

**Part 1 – Plan Framework** (this document) includes an introduction and overview of the Plan's organization and five Part document. Part 1 introduces the Heritage Value of the District, including its reasons for designation, its statement of significance, and a list of its heritage attributes. The Plan Framework introduces the District's boundary. The introduction sets the tone of the document, identifying the goals and objectives of the District.

**Part 2 – Policy Framework** reviews the national, provincial, and municipal legislations that apply, including existing applicable studies and plans and guidelines that apply.

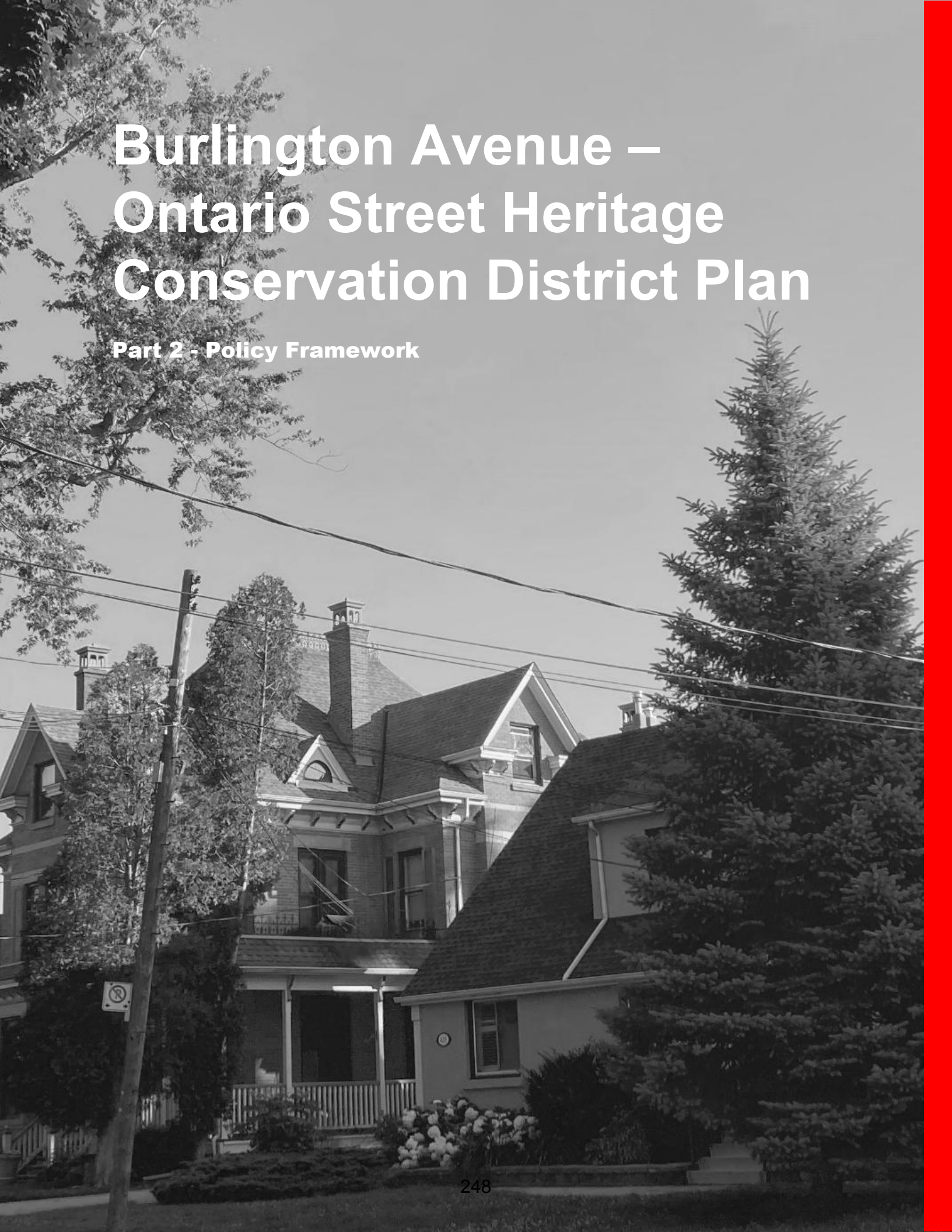
**Part 3 – Policy and Guidelines for All Properties** reviews the applicable policies for all properties within the District.

**Part 4 – Implementation** includes information and a step-by-step guide relevant to the heritage approval process for alterations and additions to properties within the District. It also reviews various available financial incentives that can assist owners in securing grants to assist with heritage conservation.



# Burlington Avenue – Ontario Street Heritage Conservation District Plan

## Part 2 - Policy Framework



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## 2. Policy Framework

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### 2.1. National Framework

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#### 2.1.1 Standards and Guidelines for the Conservation of Historic Places in Canada (2011)

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The Standards and Guidelines for the Conservation of Historic Places in Canada (the Standards and Guidelines) serve as the first Canadian benchmark for heritage conservation practices. They provide comprehensive guidance for making informed decisions regarding the planning, intervention, and utilization of historic places, aiming to establish a consistent set of principles and guidelines across Canada. This document is especially important for ensuring sound conservation practices and is widely adopted by various levels of government for assessing conservation interventions on historic places.

The document underwent revisions for its second edition, which was issued by Parks Canada in 2011. These revisions aimed to address feedback to clarify the relationship between the Standards and Guidelines and statements of significance, enhance the explanation of the conservation decision-making process, provide a clearer interpretation of the 14 Standards, add guidance for sustainability related interventions, and address new topics, such as cultural landscapes and the conservation of modern materials. The Guidelines also expanded to offer more comprehensive advice for archaeological sites and engineering works, among other areas.

The Standards and Guidelines emphasize a three-phase conservation decision-making process: understanding the historic place through research and investigation, planning for its conservation while considering all factors affecting its future and intervening in a manner that respects and protects the site's heritage value. The document outlines specific standards for general conservation practices, rehabilitation, and restoration, ensuring that any physical changes to character-defining elements are minimized and compatible with the historic places overall character.

#### 2.1.2 The Standards & HCDs

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The Standards and Guidelines significantly support and reinforce the establishment of heritage conservation districts by providing a detailed framework for the conservation of cultural landscapes, including heritage districts. This document helps in understanding, planning, and intervening in historic places to maintain their heritage value, which is imperative for the conservation of Heritage Conservation Districts (HCDs). The guidelines offer practical advice and a consistent set of principles that can be applied to the diverse character and requirements of each HCD, whether residential, commercial, institutional, or a mix of these, often incorporating natural heritage features such as green spaces and waterways.



Municipalities across Ontario use the Standards and Guidelines as a reference point when reviewing heritage permit applications for alterations, demolitions, or new construction within HCDs. The document ensures that any changes respect the heritage values and character-defining elements of the district, maintaining the district's overall heritage integrity. This approach is visible in the detailed processes and requirements set out for permit applications within HCDs, which include providing comprehensive plans, drawings, and specifications that clearly show how the proposed changes align with heritage character of the area.

The Standards and Guidelines provide a foundational framework that supports the establishment, management, and conservation of heritage conservation districts, ensuring that the heritage and character of these districts are preserved for future generations.

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## 2.2. Provincial Legislation

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### 2.2.1 Ontario Heritage Act

The *Ontario Heritage Act* (OHA) is a provincial statute that provides a framework for identifying, preserving, and protecting cultural heritage properties and archaeological sites. Enacted in 1975, the *Act* enables municipalities and the provincial government to designate properties of historical, architectural, archaeological, or cultural significance, to ensure their conservation for future generations.

Key components of the OHA include:

- **Designation of Heritage Properties (Part IV):** the Act allows for the designation of properties as being of cultural heritage value or interest. This can be done either individually or as part of a HCD. A designated property is subject to legal protections and restrictions to ensure its preservation;
- **Heritage Conservation Districts (Part V):** The Act enables the creation of HCDs within municipalities. These districts are areas with a concentration of heritage properties that are protected and managed through district plans to maintain their historical integrity;
- **Heritage Permits:** For individually designated heritage properties or properties within HCDs, owners must obtain consent from the local municipal heritage committee or the municipality before making significant alterations, demolitions, or new constructions that might affect their property's heritage attributes;
- **Municipal Heritage Committees:** The *Act* encourages the establishment of municipal heritage committees, which advise local councils on heritage matters, including property designations, alterations to designated properties, and HCD Plans;

- **Heritage Easements:** The *Act* allows for heritage easements, which are agreements between property owners and the Ontario Heritage Trust or municipalities to protect and preserve the heritage attributes of a property;
- **Ontario Heritage Trust:** The *Act* established the Ontario Heritage Trust, an agency of the provincial government with a mandate to identify, preserve, protect, and promote Ontario's built, cultural, and natural heritage; and
- **Archaeological Sites:** The *Act* provides a framework for the conservation and protection of archaeological sites, requiring reporting and assessment of sites where archaeological resources are discovered or expected.

The OHA represents an important tool for heritage conservation, empowering local communities and the provincial government to work together in preserving Ontario's rich historical and cultural legacy.

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### 2.2.2 Part V: Heritage Conservation Districts

A HCD is a specific area within a municipality that is recognized for its special character and heritage value and is protected and managed through policies and guidelines under the OHA. The *Act* allows municipalities to designate areas as HCDs to conserve and enhance the character of historic neighbourhoods, landscapes, or areas, including their built heritage, cultural heritage landscapes, and archaeological resources.

HCDs are geographically defined areas within a municipality, recognized for their distinct heritage character. They can vary greatly in size and character, from single properties to large neighborhoods, and are designated under local Bylaws to conserve their heritage attributes. These districts can include a mix of residential, commercial, institutional, and natural heritage features, each contributing to the overall heritage character of the area.

Under Part V of the OHA, municipalities have the authority to designate areas as HCDs in order to conserve and manage their collective cultural heritage value. The process for establishing an HCD is guided by specific legislative requirements that ensure thorough research, public consultation, and transparent decision-making. These steps move from the initial authorization of a study through to the adoption of an HCD Plan and its ongoing implementation. The table below outlines the key stages and statutory obligations involved in designating and managing an HCD in Ontario.

Step	Ontario Heritage Act Requirement	Description	Relevant Section of OHA
<b>1. Authorization to Undertake Study</b>	Municipal Council passes a by-law to study a defined area for potential HCD designation.	The by-law must identify study area boundaries and state that the area will be subject to interim heritage protection during the study.	s. 40.1(1)
<b>2. Interim Protection</b>	Once the study by-law is passed, alterations and demolitions in the study area require Council approval.	Protects heritage resources from loss or inappropriate changes before formal designation.	s. 40.1(4)–(6)
<b>3. Preparation of HCD Study</b>	Conduct research, evaluation, and mapping of the study area's heritage attributes.	The study must determine if the area meets criteria for designation as a district of cultural heritage value or interest.	s. 40.1(2)
<b>4. Public Consultation – Study Phase</b>	Provide opportunities for the public and stakeholders to comment on the study findings.	Engagement may include meetings, workshops, and notice of public input opportunities.	s. 40.1(3)
<b>5. Council Decision on Proceeding to Plan</b>	Council decides whether to proceed with an HCD Plan based on the study's recommendations.	If proceeding, a second by-law is passed authorizing the preparation of the Plan.	s. 41(1)
<b>6. Preparation of HCD Plan</b>	Develop a plan that includes objectives, policies, heritage attributes, guidelines for alterations/new construction, and implementation tools.	The plan becomes the regulatory framework for managing change within the district.	s. 41.1(5)

Step	Ontario Heritage Act Requirement	Description	Relevant Section of OHA
<b>7. Public Consultation – Plan Phase</b>	Engage the public, property owners, and other stakeholders on the draft HCD Plan.	The plan must reflect input while protecting the district's heritage character.	s. 41.1(6)
<b>8. Adoption of HCD Plan</b>	Council passes a by-law designating the area as an HCD and adopting the HCD Plan.	The by-law is registered on title for all properties within the district.	s. 41(2) & s. 41.1(1)
<b>9. Notice &amp; Appeals</b>	Notice of the designation by-law must be given; property owners and certain bodies may appeal.	Appeals are heard by the Ontario Land Tribunal.	s. 41(3)–(8)
<b>10. Implementation &amp; Ongoing Management</b>	All alterations, new construction, and demolitions within the HCD must comply with the HCD Plan and require heritage permits.	Ensures consistent conservation and compatible development.	s. 42

### 2.2.3 O. Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest

The Criteria for Determining Cultural Heritage Value or Interest (*O. Reg. 9/06*), amended by *O. Reg. 569/22*, part of the OHA, sets standardized criteria for assessing cultural heritage value, which municipalities must apply when designating properties. It was introduced to bring consistency to the designation process, ensuring that properties meet a comprehensive set of heritage value criteria before being designated. This regulation, along with *O. Reg. 10/06*, has significantly influenced heritage conservation practices in Ontario, guiding both municipal decisions and the Ontario Land Tribunal (OLT) evaluation of heritage properties.

For an HCD to be designated under the updated regulations, at least 25% of the properties within the District or defined area must satisfy two or more of a set criterion. These criteria assess various aspects of the properties, including their design or physical value, historical or associative value, and contextual value. This means that not

all properties within an HCD need to meet the heritage criteria individually. However, a significant portion (i.e. 25%) must meet these standards to collectively uphold the District's heritage value.

For a property to be considered as a contributor to heritage character of an area, it must meet two or more of the following criteria:

1. **Design Value or Physical Value:** Properties that are rare, unique, representative, or early examples of a style, type, expression, material, or construction method;
2. **Design Value or Physical Value for Craftsmanship:** Properties that display a high degree of craftsmanship or artistic merit;
3. **Design Value or Physical Value for Technical Achievement:** Properties that demonstrate a high degree of technical or scientific achievement;
4. **Historical Value or Associative Value for Direct Association:** Properties that have a direct association with a theme, event, belief, person, activity, organization, or institution that is significant to a community;
5. **Historical Value or Associative Value for Potential to Yield Information:** Properties that yield, or have the potential to yield, information that contributes to an understanding of a community or culture;
6. **Historical Value or Associative Value for Work or Ideas:** Properties that demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist, who is significant to a community;
7. **Contextual Value for Character:** Properties that define, maintain, or support the character of the District;
8. **Contextual Value for Linkage:** Properties that are physically, functionally, visually, or historically linked to each other; and
9. **Contextual Value for Landmark Status:** Properties that are defined by, planned around, or are themselves, a landmark.

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#### 2.2.4 Ontario Heritage Toolkit

The Ontario Heritage Toolkit is a collection of guides designed to assist municipalities, heritage professionals, and the public in understanding and implementing the provisions of the Ontario Heritage Act. The Toolkit provides practical advice and detailed procedures for identifying, preserving, and managing cultural heritage resources in Ontario. In May 2025, the Ontario Ministry of Citizenship and Multiculturalism (MCM) released a revised version of the Toolkit, replacing the earlier 2006 edition. The update

reflects recent amendments to the OHA, evolving heritage conservation practices, and current policy directions, with expanded guidance on topics such as Indigenous heritage, cultural heritage landscapes, and enhanced public engagement strategies.

The 2025 Toolkit is organized five main documents, each focusing on a different aspect of heritage conservation as outlined in the OHA. These documents include:

- Your community, your heritage, you committee;
- Heritage property evaluation;
- Designating heritage properties;
- Heritage conservation districts;
- Heritage places of worship.

The following chart specifically outlines the changes made in the updated 2025 version of the Ontario Heritage Toolkit:

Topic	2006 Toolkit	2025 Toolkit (Updated)
<b>Legislative Alignment</b>	Based on the Ontario Heritage Act as it stood pre-2019 amendments; some sections now outdated due to changes in terminology, process, and timelines.	Fully updated to reflect all legislative amendments up to 2023, including new procedural requirements for designation, timelines for notices/appeals, and Ontario Land Tribunal processes.
<b>Cultural Heritage Landscapes (CHLs)</b>	Limited discussion; CHLs mentioned but not comprehensively defined or integrated into designation processes.	Expanded and clarified CHL definition; integrated guidance on identifying, evaluating, and protecting CHLs in both Part IV and Part V contexts, aligned with PPS 2020 and OP conformity.
<b>Indigenous Heritage</b>	Very limited coverage; minimal reference to Indigenous perspectives or engagement.	New dedicated sections on engaging Indigenous communities, respecting Indigenous knowledge systems, and considering Indigenous cultural heritage values in evaluations and planning.

Topic	2006 Toolkit	2025 Toolkit (Updated)
<b>Public Engagement</b>	General recommendations for public meetings and consultation.	Enhanced step-by-step public engagement framework, including early engagement, accessible communication tools, and integration of feedback into decision-making.
<b>Heritage Conservation Districts (Part V)</b>	Overview of HCD studies and plans, but less emphasis on procedural details and content requirements for HCD Plans.	Expanded HCD guidance reflecting Ontario Heritage Act s. 40.1–42 requirements, with model by-laws, plan templates, and compliance checklists.
<b>Evaluation Tools</b>	Relied heavily on the 2005 Ontario Regulation 9/06 criteria; limited practical examples.	Updated with expanded case studies, flowcharts, and worksheets; integrates Ontario Regulation 10/06 for provincially owned properties.
<b>Legal Guidance</b>	Brief procedural advice; limited discussion on appeals.	More robust legal process section, including Ontario Land Tribunal appeal procedures, enforcement powers, and compliance monitoring.
<b>Best Practices &amp; Case Studies</b>	Basic examples focused mainly on municipal heritage registers and designations.	New, broader examples from across Ontario; emphasis on adaptive reuse, climate resilience, accessibility, and integration of heritage with planning for growth.

### 2.2.5 Document on Heritage Conservation Districts

The document dedicated to Heritage Conservation Districts under Part V of the OHA is an essential resource for understanding and implementing HCDs.

The volume covers:

- An overview of what HCDs are, their purpose, and their importance in preserving the character and heritage of broader areas beyond individual buildings or sites;



- Detailed explanation of the legal basis for HCDs under the OHA, including the roles and responsibilities of municipalities, property owners, and other stakeholders in the designation and management process;
- Step by step guidance on how to establish an HCD, from initial study and research, through public consultation and engagement, to the adoption of the Bylaw that formally designates the area as an HCD;
- Insights into creating an effective district plan, which is a critical component of an HCD. This includes guidelines for permitted alterations, new constructions, and other interventions within the district to ensure they maintain or enhance its heritage value;
- Best practices for the ongoing management, conservation, and enhancement of HCDs, including advice on maintenance, funding, and heritage impact assessments;
- Real world examples and case studies that illustrate the successful implementation of HCDs, providing practical insights and lessons learned;
- Additional resources, such as templates, checklists, and reference materials, to assist municipalities and stakeholders in effectively managing HCDs.

This volume provides a comprehensive framework for the protection and management of areas with significant heritage value. It emphasizes a collaborative approach, involving community stakeholders in the preservation of their heritage, and provides a road map for balancing heritage conservation with sustainable development and change.

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### 2.2.6 Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS) 2024, issued on August 20, 2024, has replaced the 2020 PPS as Ontario's primary land use planning document. The primary motivator behind the 2024 update is the government's effort to cut red tape and create a more streamlined path to increasing housing construction across the province. This overarching goal is reflected in how the policies have been presented, namely, to facilitate faster development processes, particularly in areas such as settlement expansions and infrastructure development. The PPS 2024 came into effect October 20, 2024.

In terms of heritage impacts, the 2024 PPS introduces significant changes, including a stronger focus on Indigenous engagement, proactive conservation strategies, and adapting to climate change. Overall while some elements from the 2020 PPS have been removed or de-emphasized, the 2024 PPS appears to balance heritage conservation with the need for accelerated growth and development by creating a more integrated



framework for managing Ontario's cultural heritage within the context of these broader goals. This framework is intended to ensure that heritage is not treated as a separate or isolated issue but instead incorporated into the overall planning process. This integration involves more proactive strategies for heritage conservation; to help ensure heritage resources are considered early in the planning process, particularly in areas that have been targeted for significant development.

The 2024 PPS focuses on several key areas that reflect the Ontario government's priorities for land use planning and development. These focus areas are designed to support growth, development, and sustainability across the province. Key principles and policy areas include:

- **Housing Supply and Affordability:** The 2024 PPS prioritizes increasing housing supply and affordability by streamlining development processes and encouraging higher density in urban areas;
- **Settlement Area Expansions and Intensification:** Supports expanding settlement areas and promotes intensification to accommodate growth efficiently and sustainably;
- **Infrastructure Development and Modernization:** Emphasizes developing and modernizing infrastructure, including transportation and utilities, to support economic growth and connectivity;
- **Economic Development and Job Creation:** Focuses on fostering economic development and job creation through the development of employment lands and strategic growth areas;
- **Climate Change Adaptation and Resilience:** Integrates climate change adaptation into planning decisions to enhance community resilience and manage natural hazards;
- **Heritage and Cultural Resource Management:** Includes provisions for conserving cultural heritage and archaeological resources, with a focus on Indigenous engagement and proactive strategies;
- **Sustainable Land Use and Resource Management:** Promotes sustainable land use practices to balance growth with the protection of agricultural, natural, and cultural resources.

The PPS provides a broad framework, requiring that all decisions related to land use planning “shall be consistent with” the Provincial Policy Statement. Municipalities and decision makers must interpret and apply these policies within their local context, considering other provincial interests and policies, as well as local circumstances and priorities. The PPS is intended to balance flexibility for local decision making with

provincial interests, ensuring that the growth and development across Ontario occur in ways that are sustainable, resilient, and aligned with provincial goals.

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### 2.2.7 Heritage Conservation Districts & the PPS

In addition to the focus areas noted above, the Provincial Planning Statement also provides policy guidance on the conservation of cultural heritage resources. When it comes to the designation of a HCD under the OHA, the PPS sets a broader policy framework that encourages the conservation of cultural heritage and built heritage resources as part of promoting sustainable and healthy communities.

The PPS supports the conservation of these heritage resources by:

- Encouraging the conservation, use, and management of resources in a manner that maintains their heritage, cultural, and archaeological value for present and future generations;
- Advising on integrated planning approaches that consider cultural heritage and archaeological resources as part of making decisions on land use planning; and
- Encouraging adaptive reuse of heritage buildings and structures to maintain their heritage value while accommodating new functions, which can contribute to reducing urban sprawl and promoting more efficient land use.

While the PPS provides the policy framework, the actual designation, protection, and management of HCDs are directly governed by the OHA, which empowers municipalities to enact Bylaws for the designation of these districts. The PPS reinforces the importance of these districts within the broader context of provincial land use planning objectives, ensuring that their conservation is considered, alongside other provincial interests such as economic development, environmental protection, and the efficient use of land and infrastructure

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## 2.3. Municipal Legislation

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### 2.3.1 City of Burlington Official Plan

The City of Burlington's land use planning framework is currently in a period of transition. On November 30, 2020, Halton Region approved the new Burlington Official Plan (2020). However, several parts of that plan remain under appeal and are not yet in effect pending resolution by the Ontario Land Tribunal (OLT). In the interim, parts of the earlier Burlington Official Plan (1997) remain active policy. Further complicating the planning landscape, as of July 1, 2024, the Province amended the Planning Act to remove Halton Region's role as an upper-tier planning authority. As a result, the Halton Regional Official Plan (1995) has been deemed an official plan of each lower-tier municipality, including Burlington, until such time as each municipality updates or

revokes it. Consequently, three Official Plans now inform planning decisions in Burlington: The Regional Plan (1995), the Burlington Official Plan (1997), and the Burlington Official Plan (2020). In response, the City has initiated a realignment process to streamline its policies, ensure consistency with provincial directions, and consolidate its planning vision moving forward.

The discussion below relies on BOP, 2020 as approved by the Region and subsequent amendments thereto, while acknowledging that the policies related to the Downtown Urban Centre remain under appeal. The BOP, 2020 establishes that the Downtown Urban Centre is envisioned as a vibrant, mixed-use core that accommodates residential growth, economic activity, cultural vitality, and civic life. Growth is a focal point for intensification, but that growth is intended to be context-sensitive, reflecting the area's historic character and urban fabric. Heritage properties and character-defining areas within the Downtown are integral to this vision. They contribute to the city's identity, provide a sense of continuity, and help define the unique precincts that structure development policies. The Official Plan emphasizes compatibility with the physical character of these precincts, ensuring that new development maintains transitions in height, scale, and massing, particularly adjacent to heritage sites and low-rise neighbourhoods. The policies are further supported by subsequent Regional Official Plan Amendments namely, 48 and 49 to the ROP (1995) which are in force and effect. ROPA 48, among other things adjusted the Urban Growth Centre boundary to be centred on Burlington GO Station and identified the Downtown Urban Centre, Burlington as a Secondary Regional Node.

Heritage conservation plays a critical role in supporting key objectives of the Downtown, preserving historic streetscapes and view corridors, reinforcing pedestrian-oriented environments, and enhancing cultural tourism and public space activation. While intensification is encouraged, the plan explicitly requires that growth be managed in a way that sustains and leverages the Downtown's cultural heritage assets. This includes protecting historic buildings and streetscapes, integrating heritage into new development through design excellence, and conserving the fine-grained grid street network that underpins the walkability and transit-supportive built form. As such, heritage policies are not barriers to growth but essential tools in shaping a distinct, complete, and resilient urban core that balances new development with enduring character.

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### **2.3.2 Low Rise Neighbourhood Precinct (Section 8.1.1 (3.13) of Official Plan)**

The Burlington Avenue-Ontario Street HCD is in St. Luke's Precinct, which is considered a low-rise neighbourhood. These are neighbourhoods characterized by their historic and low-rise built form and are areas that are recognized for their cultural heritage value and play an important role in defining the historic character of the broader Downtown Urban Centre.

The Official Plan supports the preservation of the historic and residential character of these neighbourhoods by allowing only limited, context-sensitive development. While a range of low-rise residential types and select non-residential uses are permitted, new development within the St. Luke's Precinct is strictly regulated. In St. Luke's, new buildings are limited to a maximum height of 2.5 storeys and a density of 25 units per net hectare, or the legally existing density as of the Plan's approval, whichever is greater. These restrictions ensure that any development or infill within the St. Luke's HCD is compatible with its heritage context, aligns with the physical character of the area, and maintains the precinct's unique identity within the Downtown.

## Zoning Maps

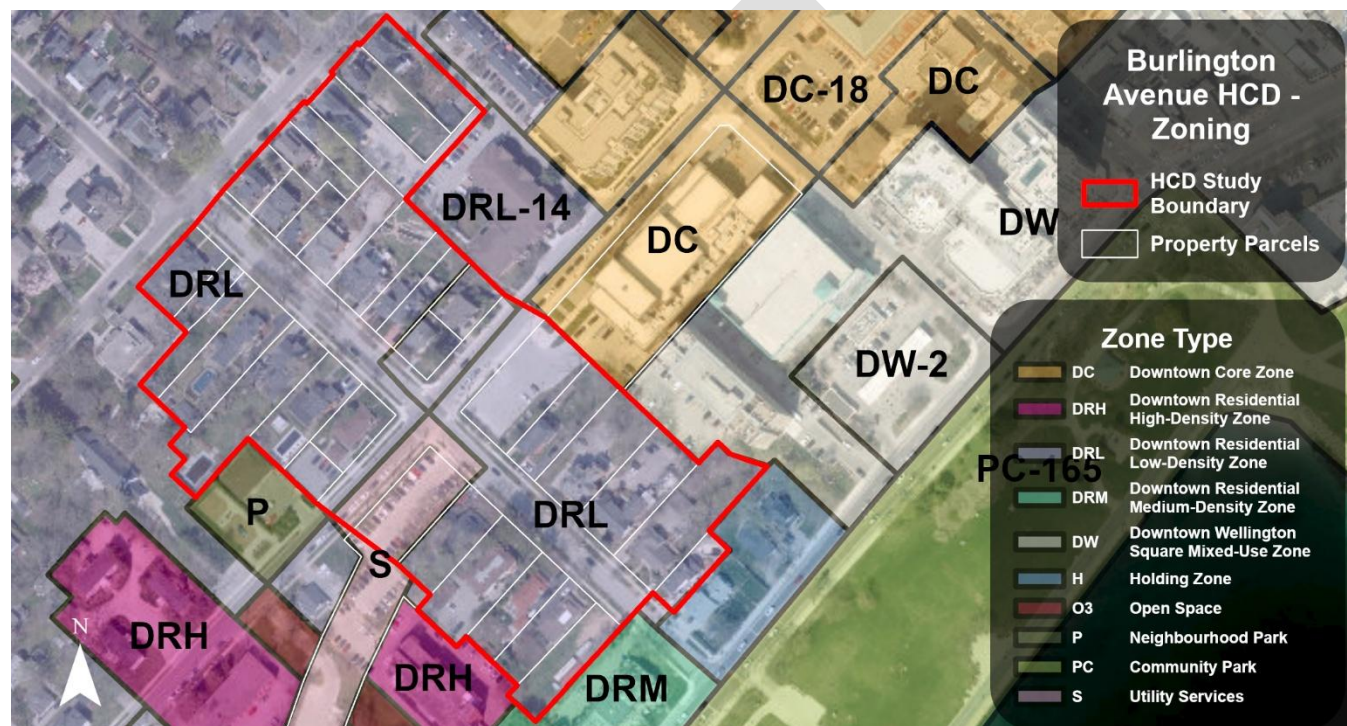


Figure 1 Burlington Zoning Type Map with District boundary outlined in red.

### 2.3.3 New Zoning Bylaw Project: Residential Zones

The City of Burlington is developing a new Zoning Bylaw to modernize and simplify land use regulations across the city. This multi-phase project aims to make zoning rules easier to navigate, align them with contemporary planning practices, streamline development approvals, and implement the objectives of Burlington's Official Plans. The first draft, now available for public review and comment, focuses on residential zones and reflects a shift toward supporting more housing options in local neighbourhoods. Phase 1, Residential Zones, builds on ongoing work to address Burlington's housing



needs. It integrates key City initiatives such as the Housing Strategy Actions, Council's direction to permit four residential units as-of-right, the Housing Accelerator Fund Action Plan, and Official Plan Amendment No. 3 to Increase Housing Options. This phase is intended to enable diverse, accessible, and sustainable housing forms while responding to community growth pressures and aligning with broader municipal planning goals.

As part of the new Zoning Bylaw, policies for Additional Residential Units (ARUs) and garden suites will align with Burlington's Official Plans and recent provincial legislation. On October 17, 2023 the Burlington City Council unanimously approved a motion to declare its intention to allow four residential units per lot as-of-right and directed Staff to engage with the community to implement four units as-of-right and the other actions of the Housing Strategy, including implementing opportunities to increase housing options.

Also OPA 3 modified the ARU policies to permit 3 in addition to the principal unit, for a total of four residential units. In all cases a maximum of one (1) additional residential unit may be located within a building or structure accessory to the principal unit. Where a parcel of urban residential land has an existing garden suite, a maximum of two additional residential units may be permitted, only within the principal building.

These units are exempt from maximum density limits but must meet health, safety, and zoning requirements, and are not permitted in hazardous areas or flood zones. Ontario's *More Homes Built Faster Act, 2022* (Bill 23) has shaped these provisions by requiring municipalities to allow up to three residential units per lot "as of right" in areas with full municipal water and sewer services, and by removing development charges for ARUs in both principal dwellings and ancillary structures. While these provincial changes limit certain municipal controls, Burlington continues to apply Official Plan policies to ensure ARUs and garden suites are compatible with neighbourhood character, with special attention to heritage districts such as the St. Luke's Neighbourhood and the Burlington Avenue-Ontario Street District. In these areas, design, scale, and siting will be managed to maintain historical integrity while supporting gentle residential intensification.

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### 2.3.4 City of Burlington HCD study area Bylaw No. 02-2024 (2024)

Bylaw 02-2024, enacted on January 16, 2024, designates a group of properties on Burlington Avenue and Ontario Street as a Heritage Conservation District (HCD) Study Area. This designation, valid for one year, aims to evaluate the area's cultural heritage significance and guide future changes. During this period, demolition or removal of buildings is restricted. The City will conduct a detailed study (this report) to determine the area's eligibility for HCD designation and based on the study's findings, may recommend updates to municipal Bylaws and the Official Plan.

### 2.3.5 City of Burlington Property Standards Bylaw No. 28-2009 (2009)

Bylaw Number 28-2009 of the City of Burlington establishes comprehensive standards for the maintenance and occupancy of properties to ensure safety, habitability, and preservation of the city's cultural heritage. This Bylaw applies to all properties within Burlington, excluding those owned by the City or the Regional Municipality of Halton. It sets minimum standards for structural integrity for foundations, walls, roofs, doors, windows, and balcony maintenance. Specific requirements are detailed for boarded buildings, chimneys, and graffiti removal to uphold safety and aesthetic standards.

Standards for building services cover elevating devices, heating and ventilation systems, electrical systems, drainage, and plumbing. Maintenance requirements for parking garages, toilet facilities, and security features are included, along with guidelines for snow removal and maintaining proper egress. The Bylaw also mandates the upkeep of land, accessory buildings, swimming pools, fences, and trees.

Burlington's Urban Design Guidelines (2006) form a key part of the City's planning framework. Developed to address increasing development pressures, particularly in the downtown core, the Guidelines provide clear direction on how new projects can contribute to Burlington's vitality while respecting its established character, including areas with notable heritage value. They serve as both a resource for developers to anticipate municipal expectations and a tool for City staff to evaluate proposals, encouraging high-quality, context-sensitive built form. While they do not directly pertain to the HCD, the Downtown Urban Design Guidelines also identify opportunities for public realm improvements and outline strategies for preserving neighbourhood identity, particularly within established residential areas such as St. Luke's and Emerald, where slower traffic, narrow blocks, and a walkable environment contribute to a strong sense of place.

Within this framework, the Downtown Streetscape Guidelines 2019 (DSG) set out detailed standards for streetscape elements that reinforce Burlington's identity and enhance pedestrian comfort. A consistent, simplified approach to furnishings, such as benches, bollards, bicycle infrastructure, lighting, and waste receptacles, is recommended to balance heritage character with contemporary downtown development. Specific provisions address the spacing, orientation, and materiality of benches; the protective and functional role of bollards; the placement of bus shelters, bike racks, and waste receptacles; and the selective use of tree grates and guards. Key strategies emphasize removing unnecessary elements, adhering to design standards, and incorporating multi-stream waste solutions. Together, these guidelines ensure that Burlington's downtown streetscapes remain functional, accessible, visually cohesive, and reflective of the city's character. The HCD Plan functions in line with these guidelines.

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### 2.3.6 Designated Heritage Properties

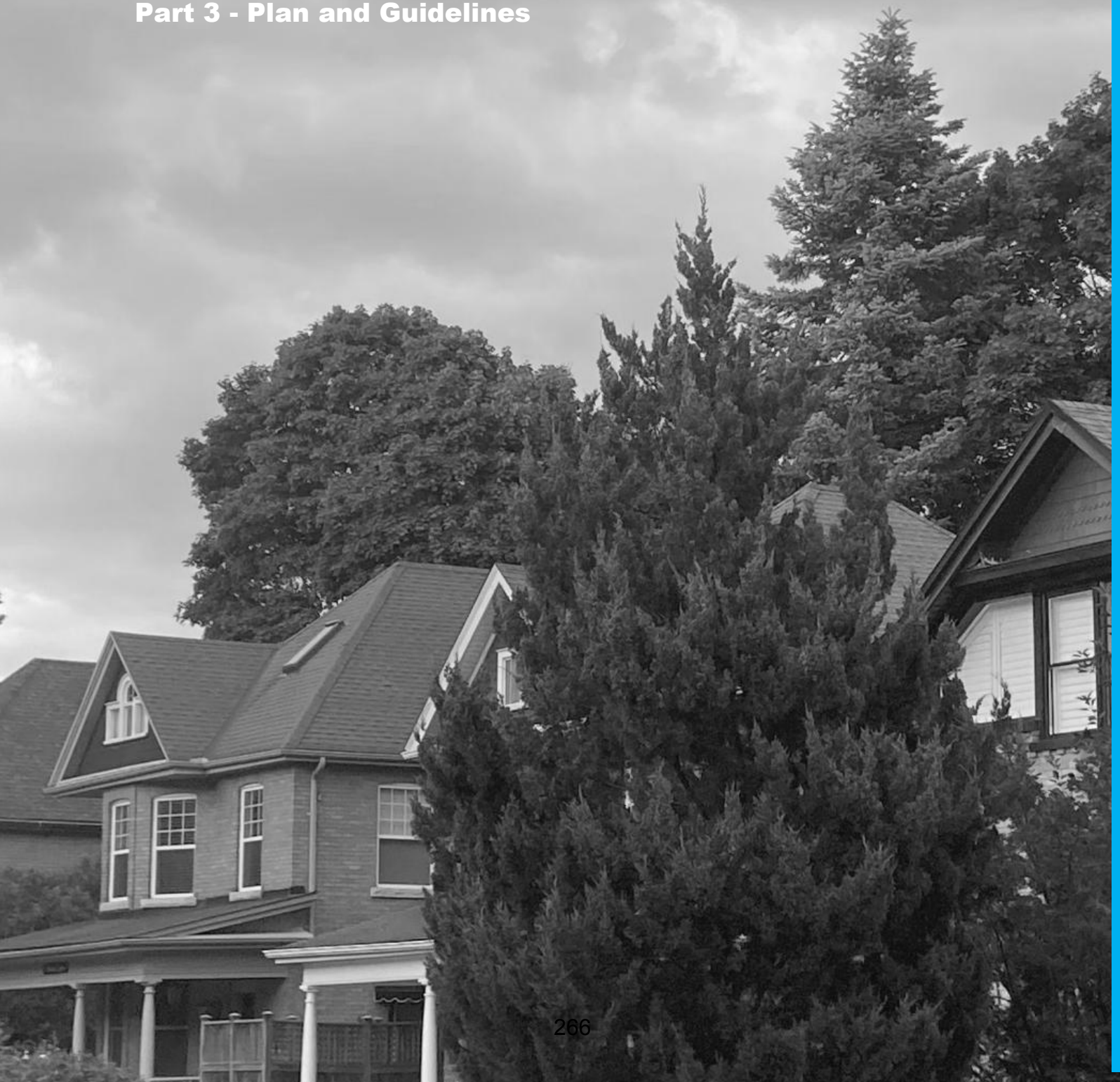
For designated heritage properties, the Bylaw provides additional standards to ensure the maintenance and preservation of heritage attributes. It includes requirements for the repair and replacement of heritage features, using recognized conservation methods and guidelines for vacant or damaged heritage properties, to protect against neglect and unauthorized access.

Administration and enforcement are handled by appointed Property Standards Officers with the authority to inspect properties, issue orders for compliance, and, if necessary, carry out repairs or demolitions at the owner's expense. A Property Standards Committee is established to hear appeals related to property standards orders, and penalties are outlined for non-compliance, including fines and additional charges for ongoing violations.

DRAFT

# Burlington Avenue – Ontario Street Heritage Conservation District Plan

## Part 3 - Plan and Guidelines





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## 3. Plan and Guidelines for Properties

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### 3.1. Objectives of the Plan and Guidelines

The Burlington Avenue-Ontario Street Heritage Conservation District (HCD) represents a critical opportunity not only to preserve and enhance the area's cultural heritage value but also to position it within a broader vision of sustainability. This includes protecting and celebrating its character-defining elements, such as historic built forms, streetscapes, mature tree canopies, property setbacks, and landmark views to Lake Ontario, while ensuring these features are resilient and aligned with both municipal sustainability goals and Indigenous approaches to stewardship.

The HCD Plan encourages the conservation, rehabilitation, and adaptive reuse of existing buildings that contribute to the district's character, while offering clear guidelines for sensitive change. Infill, alteration, and new development shall be guided to ensure compatibility with the heritage context, particularly on vacant or underutilized parcels. This includes setting appropriate setbacks and step backs, maintaining architectural details and consistent street walls, and enhancing the walkability and vibrancy of the public realm. The goal is to sustain the District's residential and cultural identity through thoughtful design, use of harmonious materials, height controls, and preservation of views and landscape features.

To support these efforts, this Plan shall be integrated into the regulatory framework and complemented by a heritage permitting process that is clear, proactive, and responsive to property owners. This process will guide restoration, repair, and maintenance activities while fostering active participation from residents, businesses, and stakeholders. Ultimately, the HCD will serve as a model for how heritage conservation can be a catalyst for sustainable, community-driven, and forward-looking place-making.

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### 3.2. District Boundary

The City of Burlington has a rich and layered history. Burlington, Ontario, is located on the traditional territory of the Mississaugas of the Credit First Nation, part of the Anishinaabeg peoples, and within the wider lands of the Haudenosaunee and Huron-Wendat Nations. For thousands of years, these Indigenous peoples lived, traveled, and traded along the shores of Lake Ontario, including the area now known as Burlington. The Burlington Avenue-Ontario Street District, located near the city's waterfront and downtown, holds significant architectural and cultural heritage. Originally part of Wellington Square, the District became part of the Village of Burlington in 1873. It was later developed under the 1881 subdivision plan of William Bunton, who sold off lots for residential development. The neighbourhood quickly grew into a cohesive and attractive residential area, characterized by late 19<sup>th</sup>- and early 20<sup>th</sup>-century homes, mature trees, and a wide pedestrian-friendly streetscape.

Despite urban pressures, it has retained much of its original form, offering a rare example of an intact historic neighbourhood. Its proximity to downtown and the waterfront made it a desirable location, reinforcing its importance in Burlington's urban growth. The area's blend of architectural styles, landscaped gardens, walkable sidewalks, and direct lake views contributes to its charm and vibrancy. As both a residential enclave and a scenic route to the waterfront, the District continues to serve as a testament to Burlington's evolution and enduring connection to its landscape.

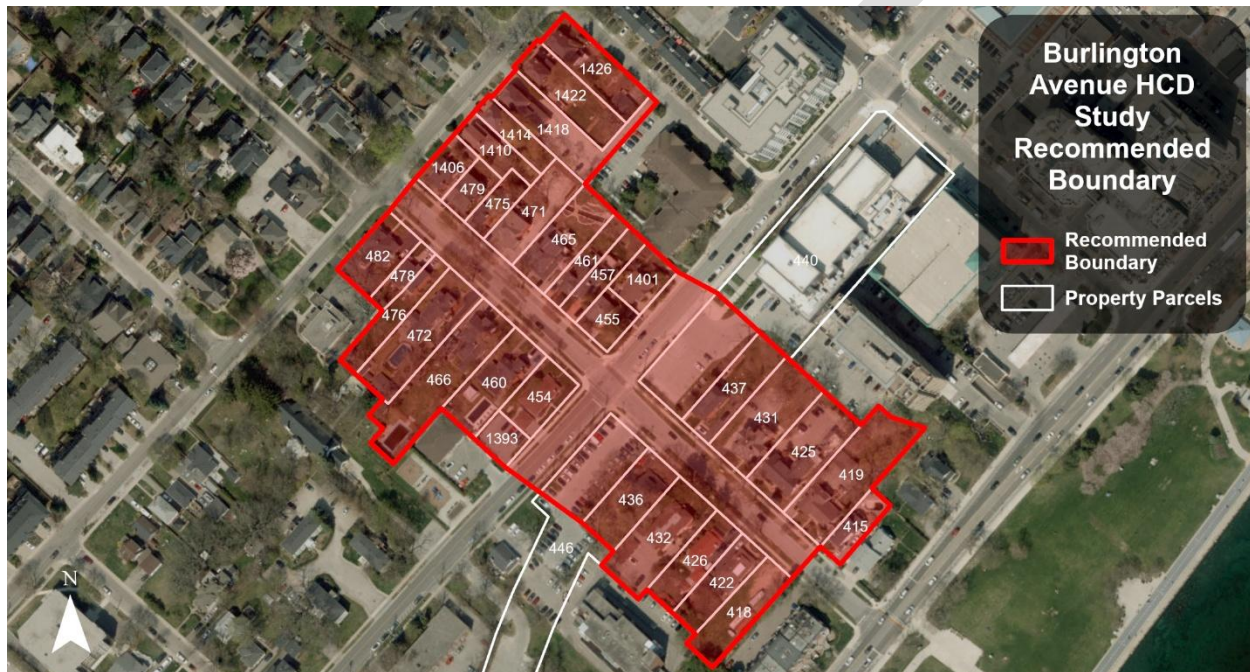


Figure 1: Burlington Avenue-Ontario Street Heritage Conservation District Boundary.

### 3.2.1 Contributing VS Non-Contributing Properties

All properties within the Burlington Avenue–Ontario Street Heritage Conservation District (HCD), whether publicly or privately owned, are designated under Part V of the Ontario Heritage Act (OHA) and are therefore subject to the policies and guidelines of this HCD Plan. Within the *District*, properties are classified as either contributing or non-contributing based on their heritage value and their role in supporting the District's overall character. Contributing properties directly reflect the cultural heritage value and integrity of the HCD and are subject to a higher standard of conservation.

Non-contributing properties, typically newer buildings, or those that have been significantly altered, do not individually express the District's heritage character but are still subject to design guidelines to ensure compatibility with the surrounding context. Under Part V of the OHA, contributing status is determined by a property's ability to



support the cultural heritage value, character, or integrity of the District. As identified in the HCD Study, all properties in the study area, except for the three municipal parking lots, meet at least one contributing criterion, with the majority meeting three or more. Please see appendix for individual property classification.

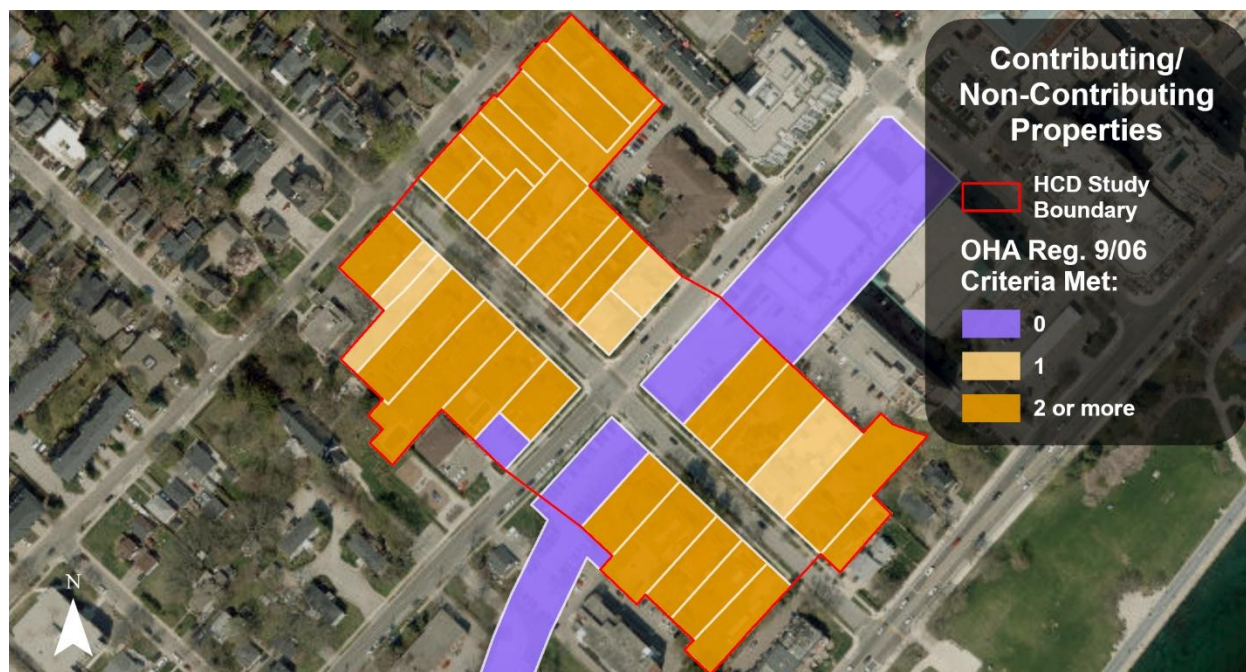


Figure 1: Number of criteria met under OHA Reg. 9/06 criteria by property parcel in the District.

### 3.2.2 Classification

The classification of properties as either contributing or non-contributing relied on evaluating each property against the framework of the Ontario Heritage Act Section 9/06 and the Statement of Cultural Heritage Value (SCHV). This includes the identified design, contextual, historical, social and community values of the District as expressed through the heritage attributes identified in SCHV. The complete SCHV can be found in **Section 2.0** of this report.

Properties that have been identified as contributing:

- Well-preserved examples of the architectural diversity of the area, such as Arts and Crafts, Vernacular, Georgian, Edwardian, and Victorian styles. Many of the properties retain original materials and craftsmanship, including brick façades in predominant red hues, intricate woodwork, and decorative detailing in windows, doors, and verandas;

- Represent the District's historic evolution as a cohesive residential enclave characterized by consistent and large lots, which contribute to a spacious and orderly streetscape;
- Exhibit generous front and side lawns with similar setbacks across homes from different periods, creating a unified scale and strong sense of place within the neighbourhood;
- Have a mature, varied tree canopy, supporting a walkable, inviting environment;
- Exhibit key views such as those between homes, offer glimpses of landscaped gardens, tree cover, and natural features such as Hager Creek, as well as those from Burlington Avenue that frame Lake Ontario, and establish a powerful visual connection to the waterfront, reinforcing the *District's* identity as a gateway to the lake.

Furthermore, to meet the requirements of Section 41(1)(b) of the Ontario Heritage Act, Contributing properties within the District were evaluated according to Ontario Regulation 9/06 section 3(1).

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### 3.2.3 Differentiating Policies and Guidelines

This section contains **policies (in bold)** and *guidelines (italicized)* intended to manage change within the District to meet the objectives of this Plan and to conserve the District's cultural heritage value.

The **policies** set the direction for the management of the District in a clear and direct manner. The directions provided by the **policies** generally use either 'shall' or 'should' language and are to be interpreted accordingly. The *guidelines* are not mandatory and provide suggested ways in which the Plan's **policies** might be achieved, however there may be other methods for satisfying related **policies**. *Guidelines* are useful directions on how to meet the **policies** of the Plan.

In brief:

- Policies are requirements under the *Ontario Heritage Act*.
- They use “**shall**” or “**must**” language to make clear what is mandatory.
- Policies provide certainty and establish the rules that must be followed when making decisions on heritage permits.

Example: “**New development shall be designed to be compatible with the scale, form, and massing of adjacent contributing properties.**”

- Guidelines are recommendations and best practices.

- They use “**should**” language to signal flexibility and encourage good design outcomes.
- Guidelines help applicants, staff, and Council understand how policies can be met in a practical way.

Example: “*Window replacements should reflect the proportions and rhythm of existing openings on the street.*”

### 3.2.3.1. Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada

The Standards and Guidelines for the Conservation of Historic Places in Canada (Standards and Guidelines) is a national framework developed by Parks Canada to guide the conservation of heritage properties across the country. It establishes best practices for preserving historic sites while allowing for change and adaptation. The document outlines three primary approaches to conservation:

1. Preservation – Maintaining a historic place with minimal intervention to retain its heritage value;
2. Rehabilitation – Making necessary repairs or alterations while protecting character-defining elements; and
3. Restoration – Returning a site to an earlier state by removing later additions or reconstructing missing elements.

The Standards and Guidelines emphasize the importance of understanding a site's heritage value, conserving character-defining elements, and ensuring any new work is physically and visually compatible while remaining distinguishable from the original fabric.

In the context of an HCD, the Standards and Guidelines inform policies and guidelines by:

- **Defining Conservation Approaches:** Ensuring that interventions respect the *District's* overall heritage character and support its long-term sustainability;
- **Guiding Alterations and New Development:** Providing criteria for appropriate changes to individual properties while maintaining the District's integrity;
- **Ensuring Material and Design Compatibility:** Encouraging the use of compatible materials, forms, and construction techniques in new work;
- **Protecting Views and Spatial Organization:** Recognizing the importance of key sightlines, streetscapes, and public spaces within the District; *and*

- **Balancing Change and Continuity:** Supporting sensitive adaptation that allows for growth while retaining the area's cultural significance.

The integration of these principals in the **policies** and *guidelines* of an HCD Plan can create a strong policy framework that ensures conservation efforts align with National best practices while addressing the specific heritage attributes of the District.

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### 3.2.4 Existing Part IV Designations

All properties located within this District are designated under Part V of the OHA. Some properties are also designated under Part IV of the OHA. Part IV designation protects the cultural heritage value of an individual property and its identified heritage attributes. These properties are designated by municipal by-law, each containing a Statement of Significance, that defines its cultural heritage value and attributes for that particular property. Interventions on properties designated under Part IV must also conserve the individual property's cultural heritage value and heritage attributes. Part IV properties in Burlington are included on the City's Heritage Register and by-laws are available on the Ontario National Trust's database.

1. **In situations where the cultural heritage value and heritage attributes of a designation by-law enacted pursuant to subsection 29(1) of the *Ontario Heritage Act* differ from this Plan, conservation of the cultural heritage values and heritage attributes specified in HCD designating by-law will prevail, unless doing so would expressly conflict with the individual by-law, and/or interior features are protected; and**
2. **In situations where the requirements of any heritage easement agreement conflict with the requirements of this Plan, conservation of the cultural heritage values and heritage attributes specified for the property subject to the heritage easement agreement will take precedence over the conservation of District-wide cultural heritage values and heritage attributes.**
  - a) In accordance with the City's Official Plan, a property that is included in an area designated as HCD may subsequently be designated under Part IV of the *Ontario Heritage Act*.

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### 3.2.5 Heritage Conservation Districts and the Official Plan(s)

The Burlington Avenue-Ontario Street Heritage Conservation Districts (HCD) is the City of Burlington's first HCD. As such, the City must amend the Official Plan to reflect this to explicitly allow for HCDs and include policies related to their establishment and management. This process should take place in accordance with ongoing evaluation and update of the Burlington Official Plan(s).

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## 3.3. Policies and Guidelines

The value of a HCD lies not just in its individual buildings, but in the collective character they create together, including the streetscapes, mature trees, walkability, open spaces, and other landscape features that define the District's setting and contribute to its sense of place. District-wide policies are essential tools for protecting this shared identity. By focusing on the broader context, including both built form and landscape elements, these policies ensure that change within the District supports its overall heritage character. They also play a key role in guiding conservation efforts to meet the objectives outlined in the District's Statement of Cultural Heritage Value (SCHV).

- 1. The cultural heritage values and character of the District, as defined in the SCHV and the Description of Heritage Attributes, including its walkable scale and cohesive landscape, shall be conserved;**
- 2. Repair and restoration of heritage attributes will be considered before replacement;**
- 3. Contributing properties will be maintained as ongoing maintenance prevents deterioration of heritage attributes and is the most cost effective means of preserving heritage resources. Enforcement of the City's Property Standards Bylaw (Bylaw 80-2019) shall be consistently undertaken by City staff. Enforcement will have regard for Policies and Guidelines within this Plan;**
- 4. New construction and alterations shall be in conformity with the policies and guidelines outlined in this Plan;**
- 5. All public works will conserve the cultural heritage values and character of the District and shall have regard for the Policies and Guidelines found in this Plan;**
- 6. The existing tree canopy will be maintained, conserved, and enhanced;**
- 7. Future amendments to the City of Burlington's Official Plan and Zoning Bylaw shall be in accordance with the objectives set out in this Plan.**



### 3.3.1 Landscape and Public Realm

The study area presents a cohesive yet varied residential fabric, brought together and distinguished by its mature landscape character. While there is a diversity of lot sizes and historic urban forms, it is the continuity of landscape features such as deep building setbacks which allow for healthy mature trees within expansive lawn areas, well tended gardens, pathways that lead to the front entrances, and pedestrian-friendly streetscapes, that express its cultural heritage value. These landscape elements are what truly bring the area together, enhancing its sense of place and making it special.

The streetscapes in the District are generally pedestrian-oriented, with sidewalks that promote walkability and visual connectivity. On Burlington Avenue, grass boulevards separate sidewalks from the curb, extending the green character of the street and creating a comfortable buffer between pedestrians and traffic. Ontario Street's compact street profile features sidewalks directly adjacent to the roadway. Heritage-appropriate lamp posts provided by the City of Burlington reinforce the historic character. Residential frontages typically include mature vegetation, front gardens, traditional fencing or hedging, and original pedestrian pathways leading to front entrances, reinforcing the walkable, human-scaled character of the District. While parking arrangements vary throughout the district, often with a predominance of side and rear yard access, it is the continuity of the landscape that defines the District's charm, coherence, and enduring heritage value. Preserving this continuity is essential to maintaining the area's historic character and sense of place. To that end, future planning and development should prioritize the protection and enhancement of this landscape framework, actively discouraging the introduction or expansion of front yard parking lots, which would fragment the streetscape and erode the visual and cultural integrity of the District.

#### Ontario Street Landscape

Ontario Street is characterized by a mix of long and short lots with shorter front yards all reinforcing the area's low-density residential form. For many properties, front yard parking has taken the place of the front lawn, trees, and garden, impacting the continuous and lush front landscape character of the street. Commercial properties have used of rear parking to minimize visual impacts along the street. The retention of original pedestrian walkways in many homes maintains traditional way of accessing the front entrance of the home. The overall continuity of the mature street trees, combined with landscaped gardens, hedges, and intermittent fencing, contribute to an attractive, continuous green streetscape which needs to be maintained.

### Ontario Street

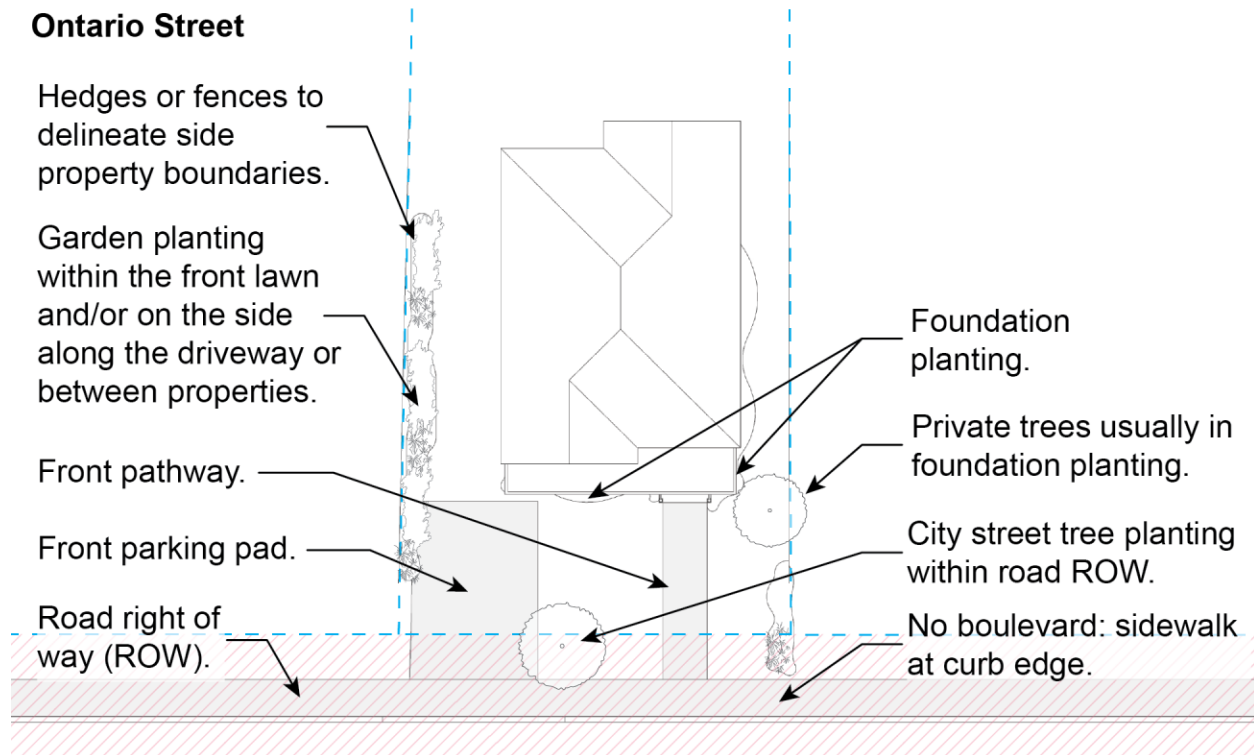


Figure 1: Typical heritage landscape characteristics within study area.

### Burlington Avenue (between Elgin and Ontario)

This segment of Burlington Avenue displays a diverse lot structure, with a combination of narrow and wide lots forming a streetscape that is varied yet cohesive. Side driveways dominate in the District, although recent alterations have introduced both front and rear parking solutions. Historically, this street was characterized by expansive front lawns, foundation garden plantings, mature street and garden trees, and a distinct pedestrian pathway leading to the front door, elements that collectively contributed to a cohesive and inviting streetscape. A shift, however, has occurred over time as front yard parking pads are increasingly being introduced or expanded, reducing the amount of lawn and other soft surface areas. This gradual transformation not only alters the visual character of the District but also poses a threat to the health of street trees and the long-term integrity of the public realm. The area is notable for its mature tree canopy, ornamental gardens, and prominent side yards. Boundaries are often marked by low wooden fences or hedges, softening transitions between private and public space. Original pedestrian walkways are evident in older dwellings, reinforcing the historical front yard character and circulation pattern intended to enhance the pedestrian entry experience through a green landscape.

## Burlington Avenue (between Lakeshore and Elgin)

Between Lakeshore and Elgin, Burlington Avenue is composed primarily of long lots, including several narrow parcels that reflect earlier subdivision patterns. Parking treatments are varied but are primarily side yard driveways being used for parking, and rear yard parking - particularly for multi-residences that accommodate larger parking areas. The streetscape benefits from mature trees and a mix of heritage and contemporary landscape layouts, where in addition to foundation planting, there is more planting within the lawn areas. As with other sections of the District, many older homes retain walkways leading to the main entrance, maintaining a strong visual and direct circulatory connection from the sidewalk to the front door.

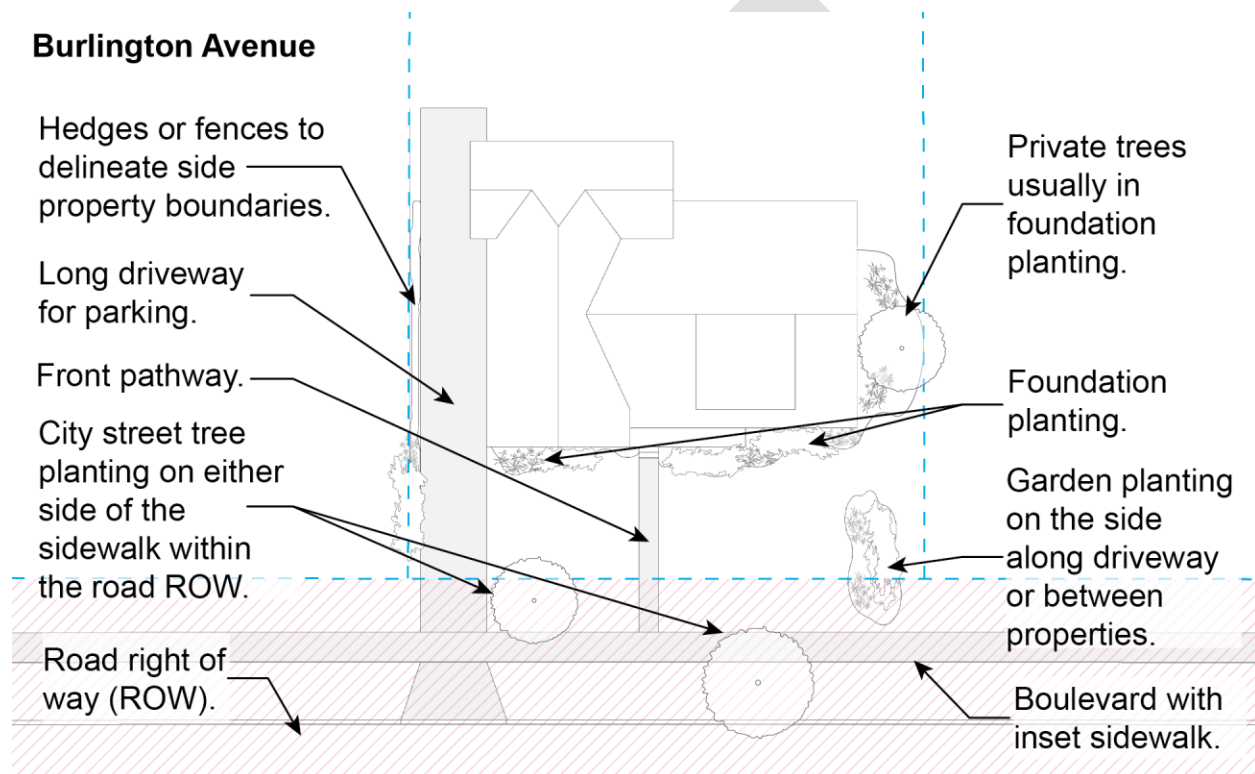


Figure 2: Typical heritage landscape characteristics within study area.

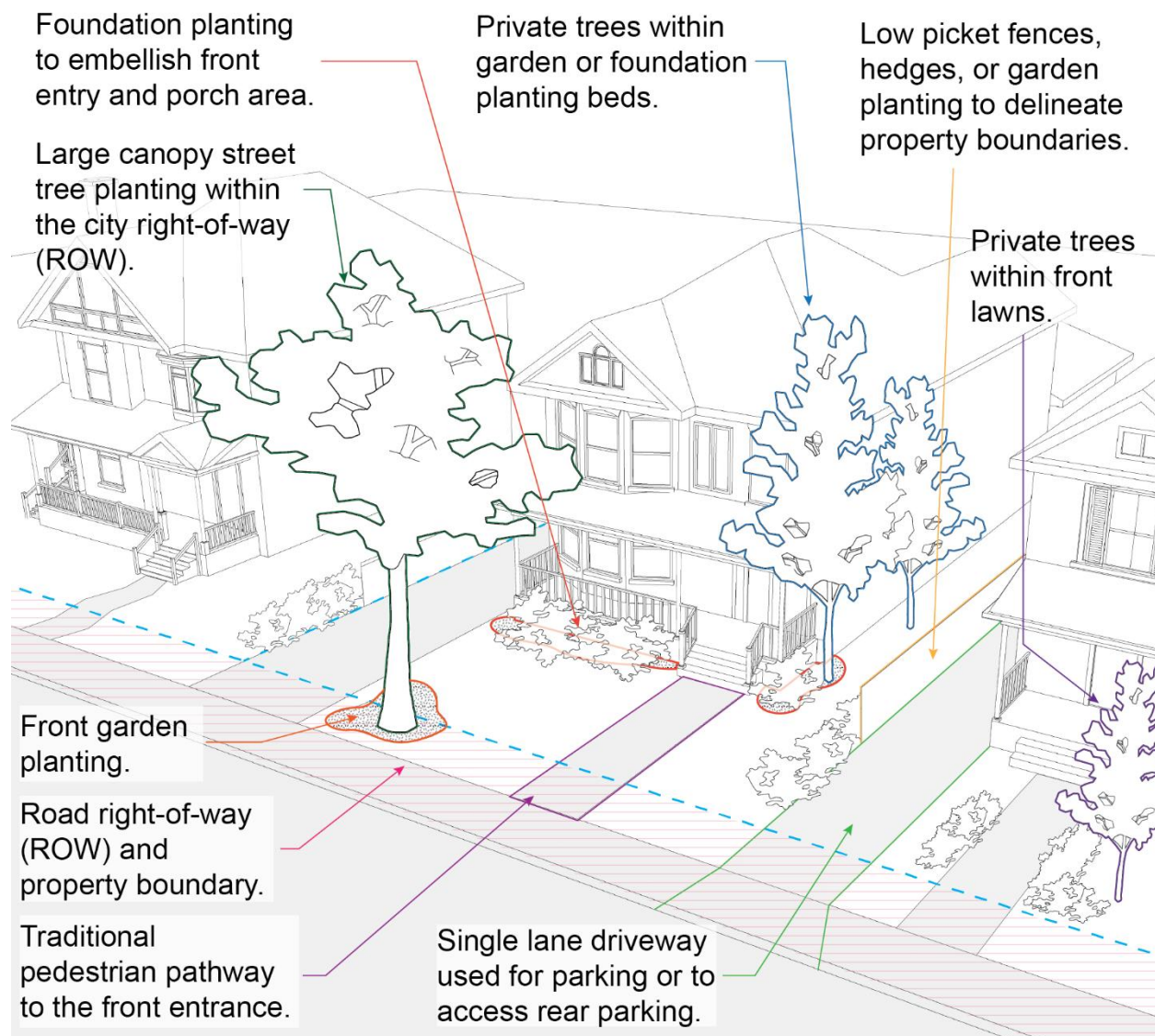


Figure 3: Typical heritage landscape characteristics within study area.

### 3.3.1.1. Trees & Vegetation on Private and Public Lands

The mature tree canopy is a heritage attribute of the District that contributes to the cultural heritage value of the area. This tree canopy is primarily the result of District residents and the municipality, past and present, who had the foresight to plant trees. Proper tree planting conditions should be provided to support healthy tree growth which includes minimizing the impact to the root systems. The street tree and front yard tree conditions should be an integral part of the Municipal landscape infrastructure requirements.

1. Every effort should be made to maintain existing mature trees on all properties in the District, where they do not pose a significant risk to health and safety or damage to nearby buildings;
2. Street trees should be retained, and new trees should be planted to enhance the existing tree canopy and pattern of tree planting along the street. New street trees should be deciduous, developing large canopies that will frame the street. Any alteration of city street trees is administered by the City of Burlington in compliance with municipal street tree Bylaws;
3. Mature trees on private lots on all properties in the District shall be maintained. Removal of trees should comply with all relevant municipal tree Bylaws as well as any other provincial requirements (i.e for endangered or protected species);
4. Species and location of newly planted city street trees in the District shall be compatible with significant viewsapes.
  - a) *City Tree selection should prioritize biodiversity; non-invasive, native or native adaptive species; low maintenance requirements; resistance to drought, pests, diseases; and species that are generally considered hardy overall;*
  - b) *New trees and shrubs added to front and side yards should be selected from native or native adaptive species;*
  - c) *Where a tree has to be removed, it should be replaced. New trees should be deciduous that develop a broad overhanging leaf canopy. For pruning advice, owners are encouraged to contact an arborist and the City's existing tree bylaws;*
  - d) *Construction damage is one of the most common causes of tree death and decline in urban areas due to underground root damage. Tree protection zones should be utilized for their protection and in line with the City's existing tree bylaws.*





Figure 4 Mature Trees at 432 Burlington Avenue.

### 3.3.1.2. Views

This residential character of the District is defined by its intimate scale, cohesive streetscape, and proximity to Lake Ontario. The established street layout creates a series of subtle yet meaningful views and sightlines throughout the neighbourhood. These include framed views toward Lake Ontario, often glimpsed between houses or at street ends, as well as the overarching presence of a mature tree canopy that defines the character of the area. The consistent rhythm of built form, combined with landscaped front yards and broad and large canopy street trees, contributes to a layered visual experience that shifts with the seasons. Preserving these key views

particularly those toward the lake and through the treed streetscape is essential to maintaining the area's heritage character and sense of place.

- 1. Development in the District shall respect and be compatible with identified views from the public realm, including but not limited to prominent buildings, structures, landscapes, and natural features, as identified and described in the Statement of Cultural Heritage Value (SCHV);**
- 2. Key views, including framed views toward Lake Ontario, street-end vistas, and views along treed streetscapes, shall be conserved as important contributors to the District's cultural heritage value;**
- 3. Development proposals in the District shall be assessed for their potential impact on key views identified in this Plan, including changes in massing, siting, and vegetation removal;**
- 4. In addition to identified key views, other views that contribute to the District's heritage character shall be considered in the application of these policies, depending on the nature and scale of the proposed development;**
- 5. Prominent sites with high visibility within the District and those sites that terminate a view will be required to meet a higher standard of architectural quality and urban design.**
  - a) Design new development and undertake alterations and/or additions to existing buildings to enhance identified views. This may include design of new buildings, alterations, and/or additions to match established proportions and avoid introduction of features that will negatively alter or obscure historical visual relationships;*
  - b) New development and alterations should be designed to frame and reinforce views to Lake Ontario where they exist, avoiding obstruction of these important vistas;*
  - c) Landscaping and site planning should maintain and enhance views along streetscapes, particularly those shaped by mature tree canopies and consistent front yard patterns;*
  - d) Where possible, design solutions should seek to create or improve secondary views (such as glimpses between buildings or views into landscaped front yards) that contribute to the overall character of the District;*
  - e) Applicants should consult early with Heritage Planning staff to confirm whether other context-specific views may be considered as part of a Heritage Permit review.*



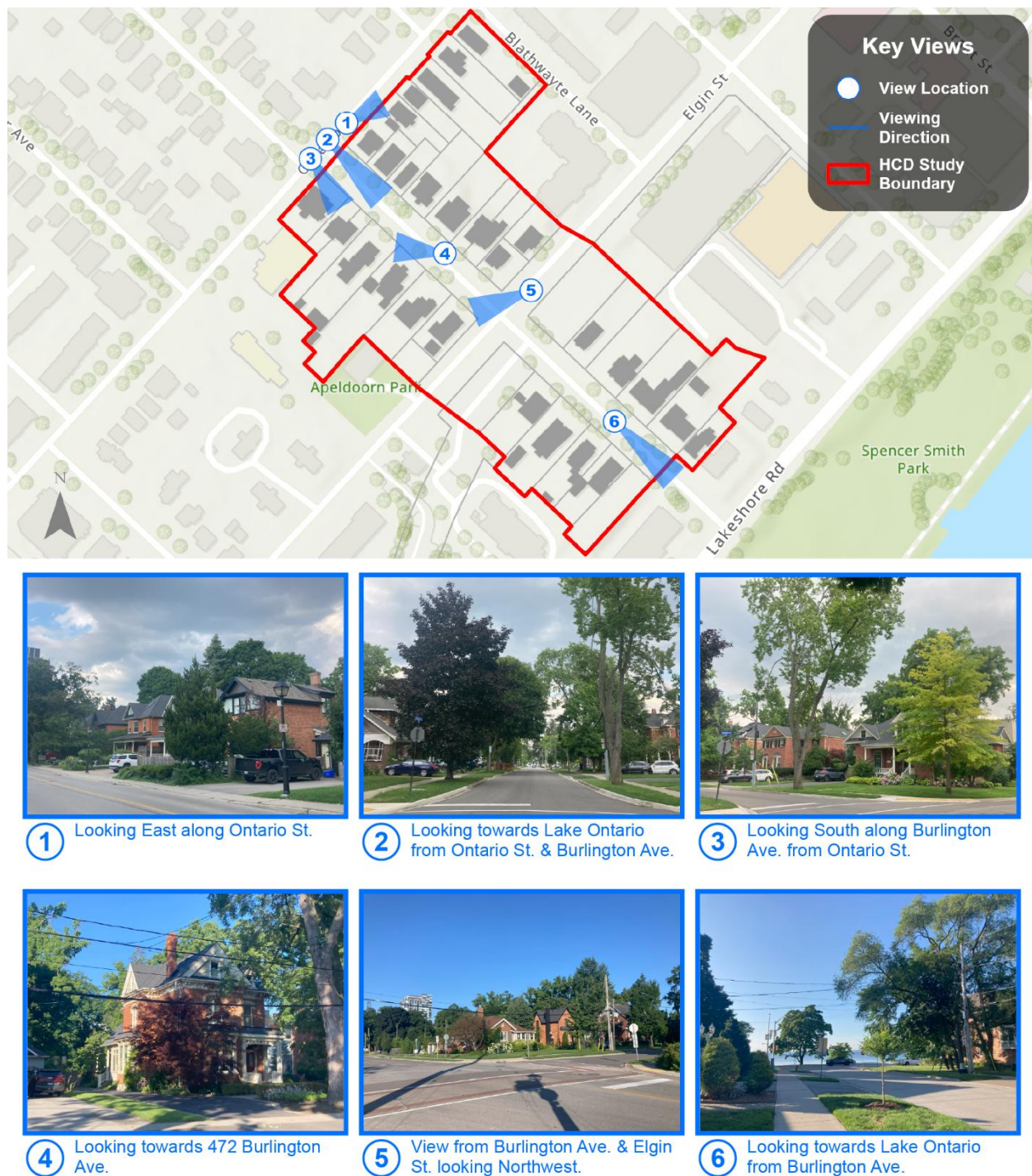


Figure 5 Key views within the HCD Boundary. While these are Key views, they do not express all important views in the District. Please see policies and guidelines above regarding views in the District.



### 3.3.1.3. Private Gardens and Landscape

The streetscapes in the District exhibit a varied pattern of front yard setbacks, contributing to a dynamic and visually engaging public realm. Properties feature a combination of front and side lawns, many of which are well-maintained and enhanced with mature gardens and ornamental shrubbery. This diversity in landscape treatment, along with the consistent presence of greenery, reinforces the area's established residential character and supports a strong sense of place. The cumulative effect of these landscaped elements contributes to the greening of the neighbourhood, which functions as an important heritage attribute by maintaining the historical relationship between built form and the natural environment.

- 1. Front and side yard landscaping within the District shall be consistent with the heritage landscape setting of contributing properties.**
- 2. Gardens shall be designed and maintained in a manner that complements the architectural features of contributing properties and reflects traditional landscape practices where appropriate;**
- 3. Conserve the existing unimpeded, soft landscaped character of front yards (and side yards on corner lots), as well as mature trees on existing properties within the District;**
- 4. Large areas of hard paving are prohibited.**
  - a) Continuous green pedestrian character of the open space, the setting of heritage properties and enhance the cohesive, green, and character of the neighbourhood;*
  - b) Gardens should be proportionate to the lot and maintain visual openness to the street;*
  - c) Formal or informal arrangements are acceptable, provided they are compatible with the character of the property and surrounding streetscape;*
  - d) Use of native, historically appropriate, or traditional plant species is encouraged;*
  - e) The integration of perennial beds, ornamental shrubs, foundation plantings, and tree canopies is supported to reinforce the District's established garden character;*
  - f) Garden elements such as stone edging, heritage-style borders, low retaining walls, and gravel paths are permitted where they align with the heritage character;*

- g) Modern hardscape materials (e.g., plastic edging, brightly coloured concrete) should be avoided or screened from view;*
- h) There should be maximizing of landscaped open space in front yards, particularly along the sidewalk frontages of residential properties.*



Figure 6 Property at 482 Burlington Avenue with front/side lawn and landscaped garden beds.

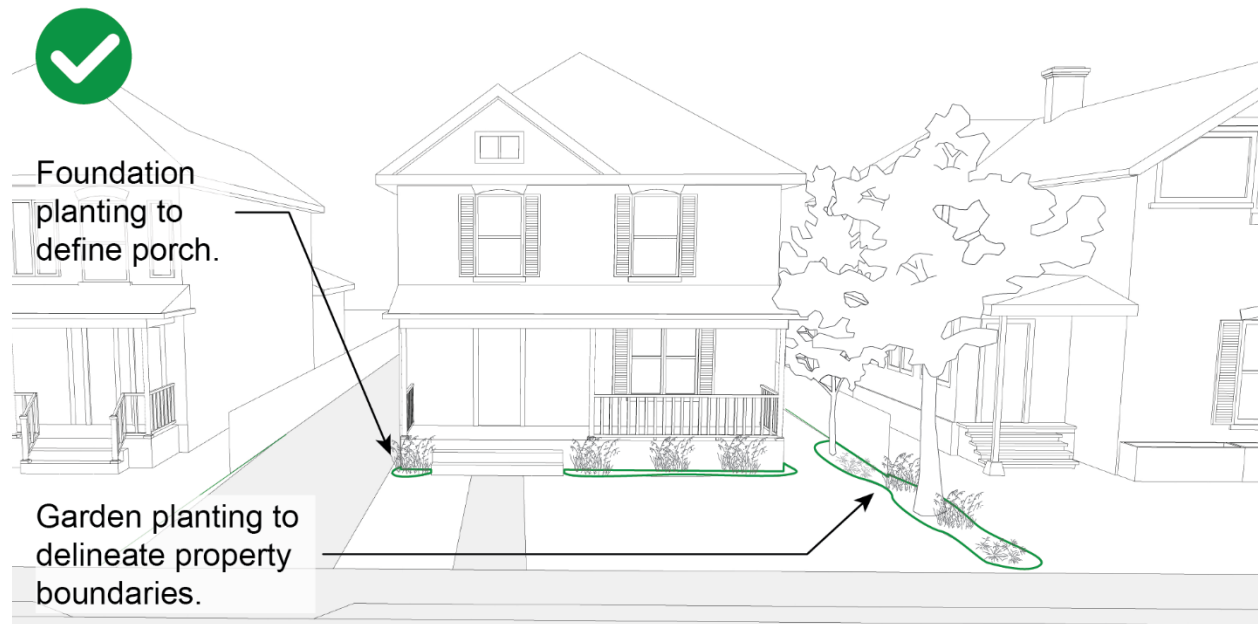


Figure 7: Graphic displaying garden and landscaping that is consistent with the heritage landscape setting of surrounding contributing properties.

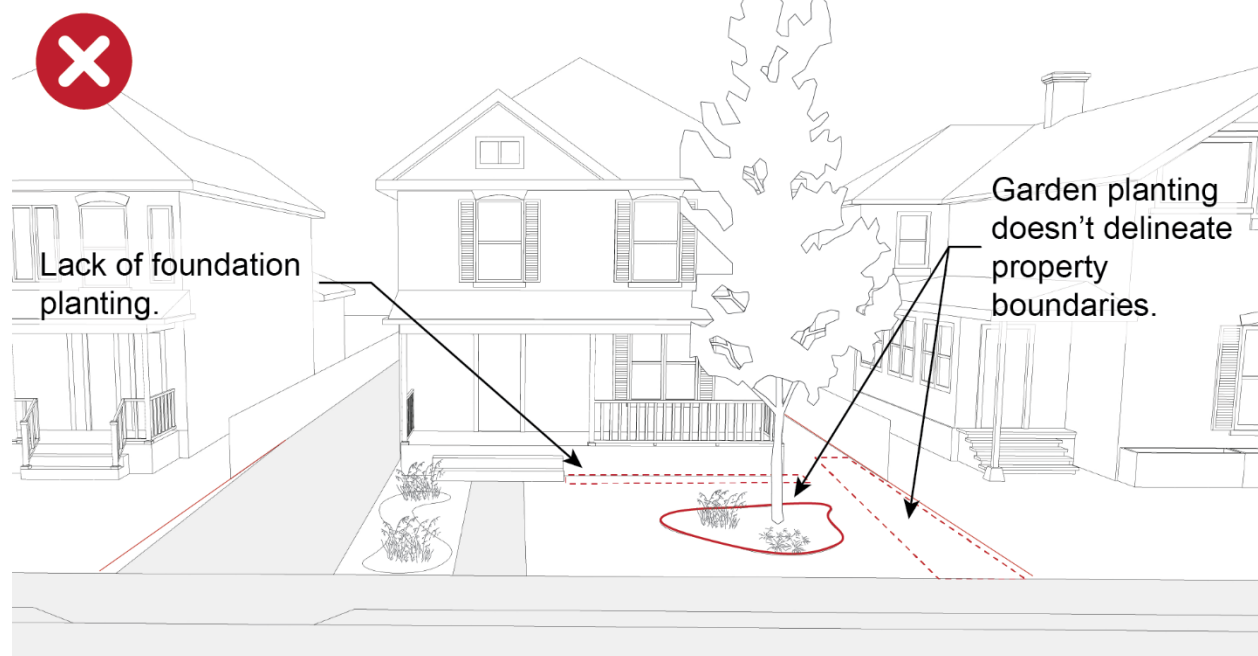


Figure 8: Graphic displaying garden and landscaping that is not consistent with the heritage landscape setting of surrounding *Contributing* properties.

#### 3.3.1.4. Fencing

1. Fencing in the shall support the visual openness, rhythm, and landscape character typical of the heritage District;
2. New or replacement fences in the District shall be compatible with the scale, materials, and detailing of the streetscape and adjacent properties;
3. Fencing shall not obscure or detract from the heritage attributes of a property or District.
  - a) *When applicable, traditional materials like wood or wrought iron are often preferred to maintain historical authenticity;*
  - b) *Fences are typically recommended to be low in height and set back from the front façade to minimize visual impact on the streetscape;*
  - c) *Owners should consult the City's Division Fence Bylaw in addition to these guidelines.*





Figure 9 An example of complimentary modern wood fencing at 460 Burlington Avenue.

#### 3.3.1.5. Amenity Lighting

1. **The installation of new amenity lighting shall ensure that the heritage attributes of the property are not adversely affected, and that there is no light trespass or spillover towards adjacent properties and the public realm.**
  - a) *Replicas of historical light standards are not required, as installing replicas of a particular era contrasts with the variety of eras represented by the District resources. Contemporary light standards are appropriate.*

### 3.3.1.6. Walkways and Driveways

There are a variety of driveways and walkways in the District. Most of the driveways and parking are on the sides of the properties and may lead to additional parking at the rear of the property. Driveways tend to be narrow at the sides of properties, although there are some crescent shaped and front parking areas, particularly on Ontario Street.

**1. The general pattern of walkways and driveways of contributing properties shall continue to prevail.**

- a) *Maintain the historical character of streetscapes by preserving original driveway and walkway materials where possible;*
- b) *The paving of landscaped open space to provide additional parking areas in front yards on all properties in the District is strongly discouraged;*
- c) *Minimize the visual impact of new driveways and walkways on heritage buildings and landscapes;*
- d) *Encourage the use of materials that are historically appropriate and compatible with the District;*
- e) *The use of permeable materials and surface treatments for hardscaping and hard surfaces, including driveways and pathways, is encouraged;*
- f) *Accessibility should be considered in the selection of materials and installation (refer to the Accessibility for Ontarians with Disabilities Act guidelines);*
- g) *Changes to driveway entrances, parking, and other hard-surface areas on private property should be carefully planned to ensure that compaction of the street tree root system does not occur. Generally, an area around the base of the tree equal in diameter to the crown of the tree should remain undisturbed to protect the long-term health and survival of the tree.*

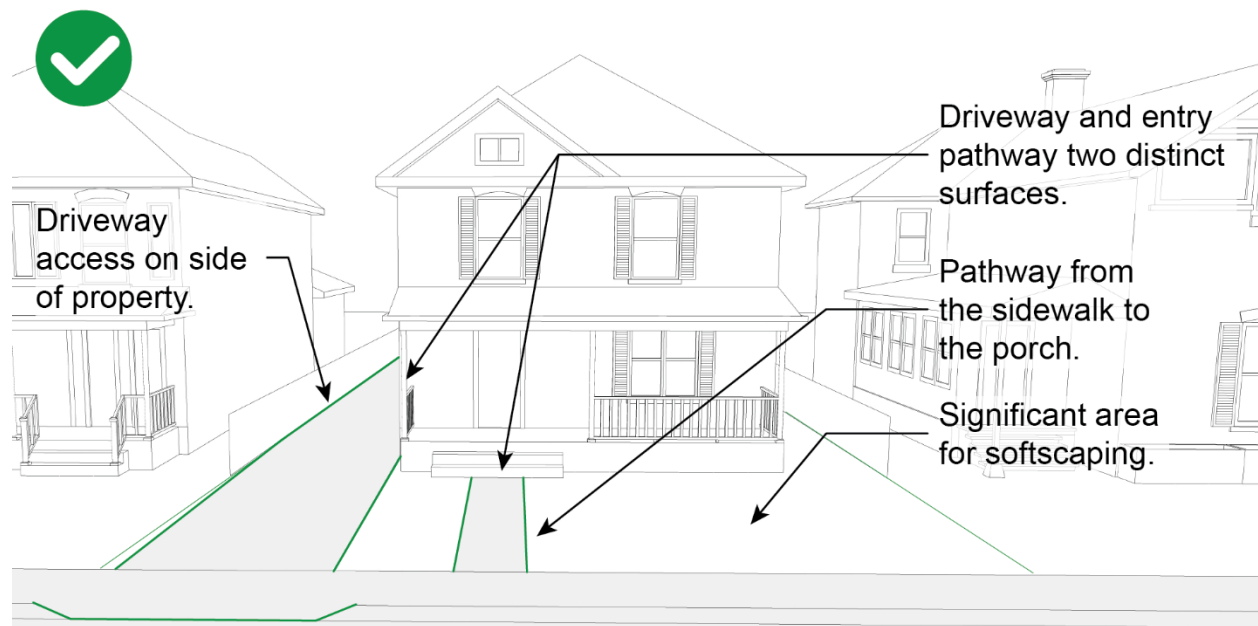


Figure 10: Graphic displaying walkways and driveways that are consistent with the heritage landscape setting of surrounding *Contributing* properties.

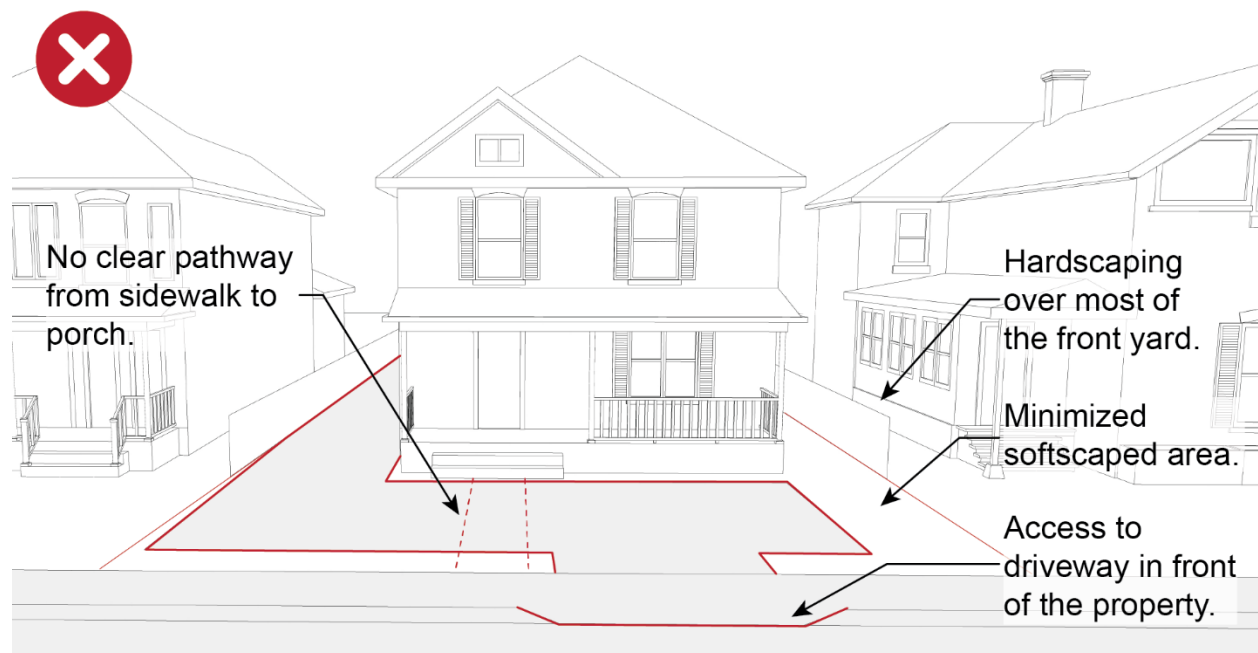


Figure 11: Graphic displaying walkways and driveways that are not consistent with the heritage landscape setting of surrounding *Contributing* properties.

### 3.3.2 Demolition and Relocation

The District displays a high level of integrity and visual cohesiveness expressed by its historic building stock. Given the objectives of this HCD Plan, there are few opportunities for demolition and relocation.

- 1. Demolition or relocation of contributing properties will not be supported, except in cases of extraordinary circumstances;**
- 2. Demolition by neglect will not be considered an extraordinary circumstance;**
- 3. The following must be confirmed as part of a complete application under the *Ontario Heritage Act* for the demolition of a contributing building;**
  - I. There is structural instability or damage resulting from an extraordinary circumstance as assessed by a structural engineer with expertise in heritage buildings;**
  - II. The building is damaged beyond reasonable repair to the extent that it no longer contributes to the cultural heritage value of the District;**
  - III. A thorough assessment of the building's condition has been completed by a qualified professional (e.g architect, heritage professional, engineer);**
  - IV. It has been demonstrated that alternative retention options have been meaningfully considered (e.g preservation, rehabilitation, restoration, reinvestment, retrofitting, re-use, mothballing etc.);**
- 4. Demolition of non-contributing properties shall be considered, however, demolition activity shall not begin until plans for the replacement building(s) or structure(s) have been approved, and a heritage permit issued by the City.**
  - a) Substantial progress should be made in the construction of the replacement building(s) within two years of the demolition of the previous building;*
  - b) In the rare instance that a contributing property is approved for demolition, the City may require that the building be recorded (e.g documentation photos, plans etc.) and the information be deposited at the City Archives.*



### 3.3.3 New Construction and Infill Development

There may be locations within the District where infill development may occur over time, if buildings that do not contribute to the historic or architectural character are demolished or other circumstances arise to allow infill construction. New construction is permitted, provided it is compatible with the heritage character and conforms to the policies in this section.

1. **New construction will be required to be compatible with the heritage character and attributes of adjacent heritage properties and the cultural heritage value of the District. This means adhering to the character of the surrounding neighbourhood of the District with regards to lot patterns, heights, massing, setback, building scale, roof pitches and exterior materials;**
2. **All new buildings, except for accessory buildings, for all properties on public or private lands in the District, must be accompanied by a Cultural Heritage Impact Assessment (CHIA);**
3. **The CHIA must demonstrate that the proposed building aligns with the policies and guidelines of this HCD Plan pertaining to New Construction and Infill Development.**
  - a) *New residential buildings should reflect contemporary design while respecting the heritage context. They should not replicate historic architectural styles or incorporate authentic historic details inappropriately;*
  - b) *While modern interpretations of historic forms and elements are encouraged, exact reproductions of historic buildings that create a false sense of history and disrupt the organic evolution of the built environment are not permitted;*
  - c) *Roof designs should use simple, compatible forms and pitches found in the District, avoiding exaggerated or incongruous shapes;*
  - d) *Exterior materials should be of high quality and compatible in texture, scale, and colour with those traditionally used in the District, while allowing contemporary equivalents where appropriate;*
  - e) *A Cultural Heritage Impact Assessment (CHIA) should clearly identify adjacent contributing properties and key views that may be affected by the new construction;*
  - f) *The CHIA should include a streetscape elevation or massing study to illustrate how the proposed development relates to its immediate context in scale, height, and setbacks;*

- g) Proposed mitigation measures (e.g., stepbacks, material transitions, landscape buffers) should be explicitly documented in the CHIA to show how compatibility will be achieved;*
- h) Applicants should consult with Heritage Planning staff early in the process to confirm the scope and expectations for the CHIA.*

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### 3.3.4 Massing and Density

The District boundary is located in the St. Luke's Precinct and is presently zoned as a low-rise precinct in the City of Burlington. Massing and density shall comply with the density, heights, and zoning updates, which are outlined in detail in **Section 2.3.1** of this report. These policies apply to new buildings and additions, as well as to additional residency units (ARUs), secondary suites, and garden suites.

- 1. New development or additions within the HCD, whether on contributing or non-contributing properties, shall respect the prevailing building heights and rooflines of contributing properties within the immediate context to ensure visual continuity and preserve the established streetscape rhythm;**
- 2. Modest variations in height may be considered where they:**
  - I. Occur in transition areas between differing building scales;**
  - II. Contribute positively to the character of the streetscape or riverfront;**
  - III. Do not overwhelm or diminish adjacent heritage resources;**
- 3. Proposals for increased height must be accompanied by a Cultural Heritage Impact Assessment (CHIA) demonstrating that the change will not negatively impact the District's heritage attributes or its overall cultural heritage value.**
  - a) Infill or new construction should generally not exceed the average height of existing heritage buildings on the block;*
  - b) New construction should reflect the established rhythm of lot widths and spacing of adjacent heritage properties to maintain the continuity of the streetscape;*
  - c) Building heights should align with the prevailing cornice or eave lines of adjacent contributing properties, allowing for modest variation to distinguish new development as contemporary;*
  - d) Front and side yard setbacks should be consistent with adjacent contributing properties to reinforce the existing streetscape pattern.*

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### 3.3.5 Sustainability and Utility Equipment

The following section recognizes that there may be opportunities to add new features that allow for improved energy efficiency, provided they are installed appropriately and with minimal impact on the heritage attributes of the HCD and the existing building.

- 1. Improvements for energy efficiency will be considered provided they are compatible with, and do not detract from, the cultural heritage value or attributes of the District and adjacent contributing properties.**
  - a) Solar panels should be located so that they are not visible from the street or as discretely as possible; they should be installed in a way that minimizes damage and impact to the heritage fabric of the building;*
  - b) Modern utilities and other equipment such as (but not limited to) hydro or water meters, satellite dishes, vents and ducts, skylights, or HVAC units should be located away from primary façades (and side elevations on corner lots), in an inconspicuous location wherever feasible or when technical requirements allow. They should be installed in a manner that does not damage the building.*

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### 3.3.6 Adjacency to the District

The Provincial Planning Statement (PPS) provides direction for managing the impacts of development on lands adjacent to protected heritage properties, including HCDs. While the HCD Plan does not extend to adjacent properties, major development proposals, such as new buildings or significant additions, on adjacent lands consider the potential impact on the cultural heritage value and attributes of the District. Please see more information about the rationale behind the policies and guidelines for lands adjacent to HCDs in **Section 4.1.3** of this document.

- 1. Development and site alteration to properties adjacent to the District shall conserve the cultural heritage value, heritage attributes, and integrity of the District.**
  - a) City staff will determine the need and scope of a CHIA based on the scale and nature of the proposed work, its proximity to the District, and the type of potential impact. Examples include visual impacts on key sight lines or views, shadowing, physical or visual isolation of heritage attributes, or construction-related effects.*

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### 3.3.7 Repair and Alterations

Repairs and alterations are often undertaken to improve the comfort, function, and appearance of properties. This can be done through various means, such as re-siding façades, upgrading insulation, modifying entrances, or creating new window openings.

Within the District, these types of changes occur against a backdrop of rich architectural diversity, with buildings representing styles such as Bungalow, Craftsman, Edwardian, Queen Anne Revival, Victorian, Georgian, and Contemporary forms.

Many properties also feature later additions that, when designed sympathetically, successfully blend with the historic character of the area. Materials play an important role in this visual cohesion: while red brick predominates, stucco, cedar shingles, fish-scale detailing, and other cladding types contribute to the district's layered and evolving architectural identity. The goal of these policies and guidelines is to ensure that necessary repairs and alterations respect and reinforce this character, allowing properties, whether historic or contemporary, to adapt while contributing positively to the overall streetscape.

- 1. Repairs and alterations on all properties shall respect and/or conserve the cultural heritage value of the District, as applicable;**
- 2. Repairs and alterations on non-contributing properties shall respect the heritage attributes of adjacent contributing properties;**
- 3. Original materials and architectural features on all properties within the District shall be repaired rather than replaced, wherever feasible;**
- 4. Repairs and alterations on all properties within the District shall be compatible with the character of the property and streetscape, in terms of scale, form, materials, and detailing;**
- 5. Repairs and alterations on contributing properties shall not obscure or remove key character-defining elements;**
  - a) Historical, architectural and landscape features and building materials should be maintained and enhanced;*
  - b) Any proposed change to a contributing property should be based upon a clear understanding of the issue with the building or site. Wherever possible, proposed alterations should be based on a sound knowledge of the building type, materials, and form;*
  - c) Contemporary alterations should be distinct yet sympathetic, using compatible materials and forms;*
  - d) Avoid mimicking historic styles in a way that creates a false sense of history;*
  - e) Where repairs alterations are necessary, every attempt should be made to make changes on the least visible façades, in discreet locations, away from the street presence of the building;*

- f) Maintain proper site drainage in any work so that water does not collect or drain towards foundations;*
- a) A heritage permit may be required for repairs, alterations and additions on non-contributing properties depending on the scope of the project. This will be at the discretion of the Heritage Planning staff.*

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### 3.3.8 Roofs and Rooflines

The diversity of roof types found within the District reflects the influence of a range of architectural styles and contributes to the cultural heritage value.

- 1. Alteration or removal of roof features of a contributing property shall only be permitted where determined to be appropriate, including roof features that are not prominently visible from the public realm or do not contribute to the cultural heritage value and heritage attributes of the District.**
- 2. Where a roof or roof features of a contributing property are damaged or deteriorated beyond repair, replacements shall reference the existing roof and/or roof features.**
  - a) Maintain historic rooflines and pitches;*
  - b) Replace only those portions that have deteriorated beyond repair, rather than replacing the entire roof or roof feature;*
  - c) Replacement roofs and roof features should be physically compatible with the contributing property and not result in damage or removal of other building features that reflect the District's heritage attributes;*
  - d) Vents, skylights and other new roof elements should be sympathetic in type and material and should be located out of general view from the public realm.*
  - e) Avoid oversized dormers or rooftop additions that overwhelm the existing form;*
  - f) The addition of solar panels or solar hot water heaters may be permitted on roofs but shall not permanently damage or remove heritage fabric. The installation of this type of equipment should be in the same plane as the roof (e.g., at the rear slope of a roof or on a flat or low-pitched roof) and not visible from the street wherever possible;*

- g) *Chimneys can be important heritage attributes and should be retained wherever possible. Non-functioning chimneys should be retained, capped, and re-pointed.*

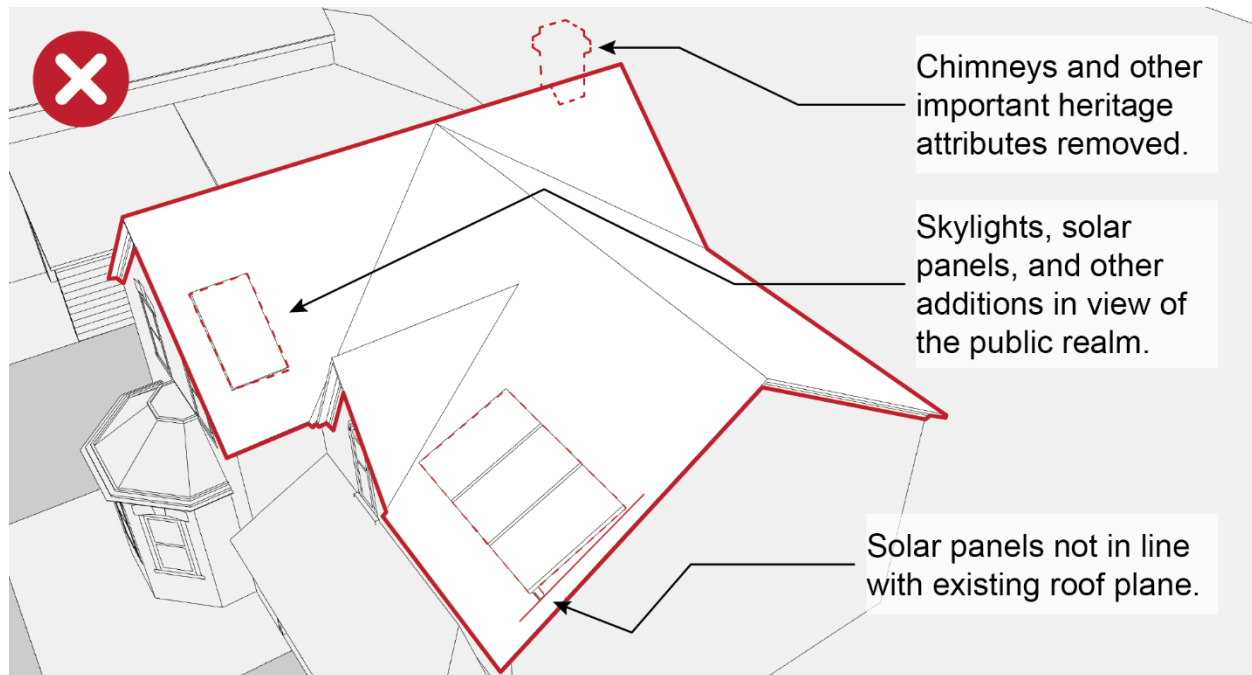


Figure 12 Graphic of incompatible roof alterations to including removed chimneys and visible additions from the public realm such as skylights and solar panels.



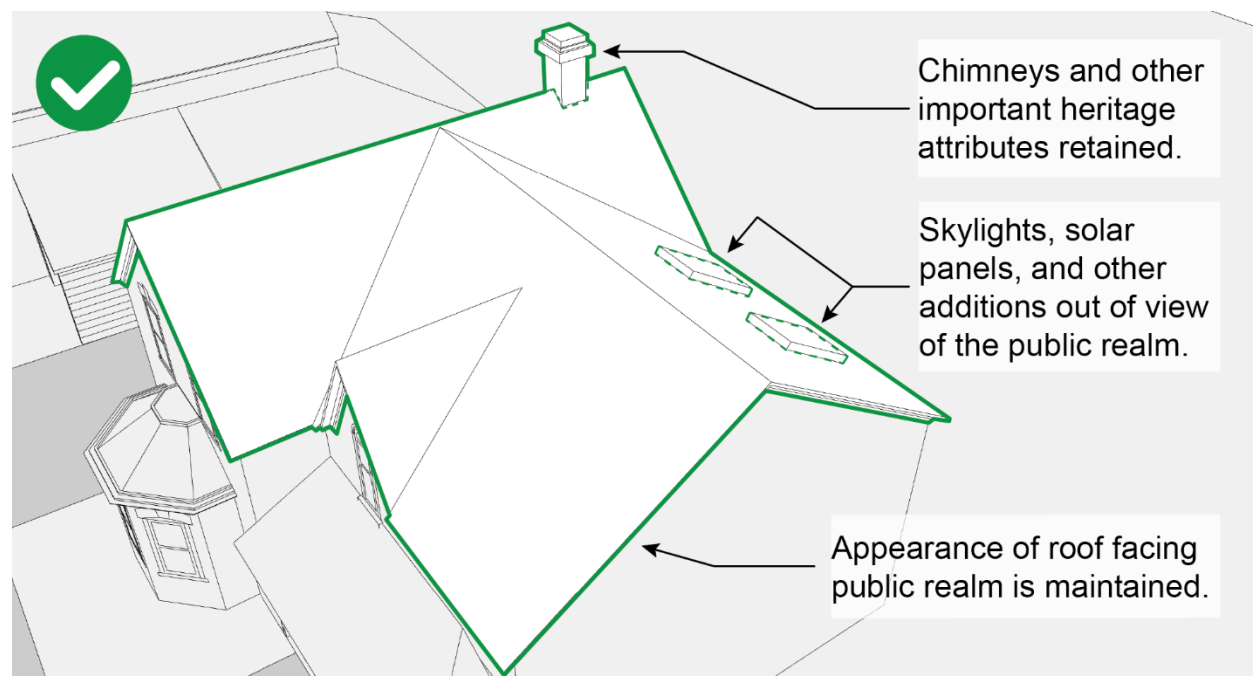


Figure 13 Graphic showing compatible roof modifications that meet the policies and guidelines. This includes retaining heritage attributes such as chimneys and ensuring any roof additions such as skylights and solar panels are out of view from the public realm.

### 3.3.9 Exterior Walls

Exterior walls include foundation walls, raised basements, and walls from the ground through attic levels, and may include the walls of projecting elements such as parapets, dormers, bays, and turrets. Exterior features include decorative details, sills, lintels, and other features within the plane of the wall.

1. **Alterations to exterior wall features of contributing properties shall conserve the legibility of the primary structure's architectural style and typology;**
2. **Authentic heritage fabric on contributing properties must be retained and maintained;**
3. **Damaged or deteriorated exterior wall cladding or exterior wall features on contributing properties shall be repaired rather than replaced;**
4. **Alterations to exterior walls on non-contributing properties shall respect the heritage attributes of adjacent properties, and of the District.**

- a) *If replacement is necessary, select materials that are visually compatible with the historic palette of the District;*
- b) *Repairs to exterior cladding or wall features should use appropriate and compatible materials and methods to avoid causing damage to existing materials, such as the use of compatible mortar mixture and traditional pointing methods when repointing brick masonry;*
- c) *Avoid synthetic or highly reflective materials that disrupt the heritage character;*
- d) *Brick masonry requires re-pointing from time to time and this process should be undertaken by tradespeople with experience in historic masonry techniques and materials;*
- e) *Generally, lime-based mortar should be used, and joints should replicate the original in finish, colour, and texture. Hard, cement-based mortars are more rigid during freeze-thaw cycles and can cause brick units to deteriorate;*
- f) *New cladding should not be applied to exterior brick walls on contributing properties that have not been previously over-clad;*
- g) *Removing over-cladding from exterior brick walls on properties that have been previously re-clad is encouraged where the existing over-cladding may cause deterioration to the underlying brick over time;*
- h) *Protect original wall surfaces from cleaning methods that may permanently alter or damage the appearance of the surface or give a radically new look to the building. Sandblasting, strong chemical cleaning solutions or high-pressure water blasting are discouraged.*
- i) *The application of waterproofing and water repellant coatings should be avoided;*



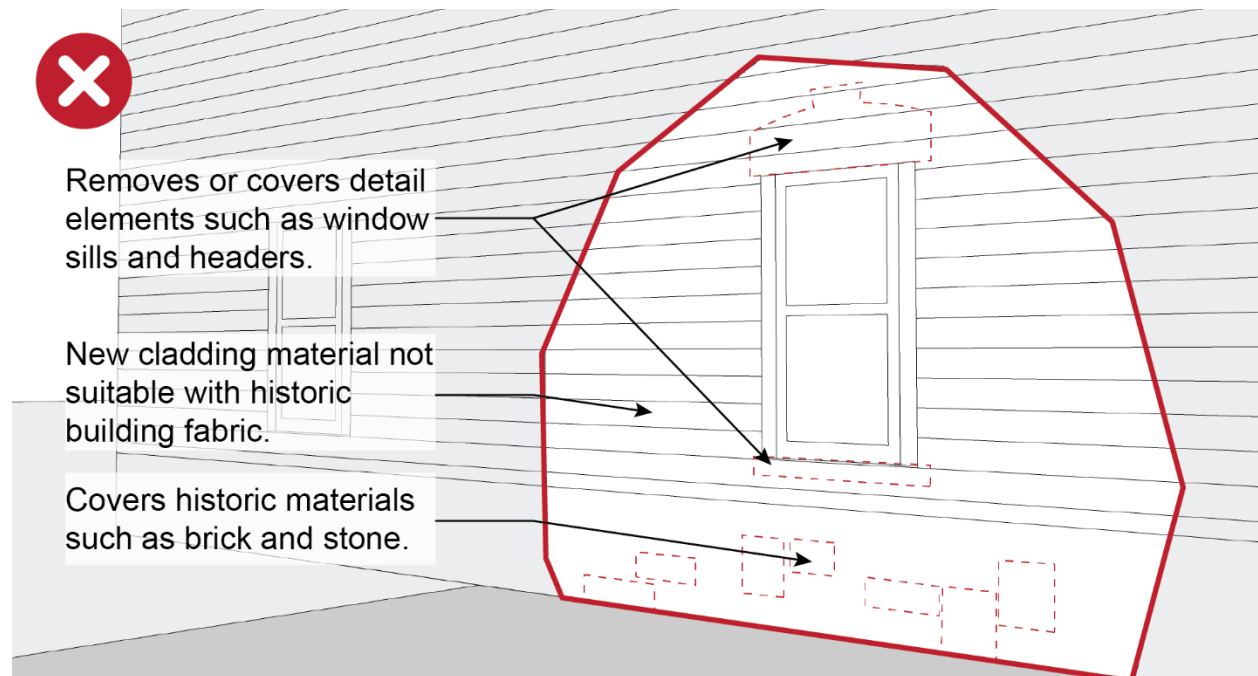


Figure 14: Graphic demonstrating incompatible alterations to exterior walls. This includes covering original materials.

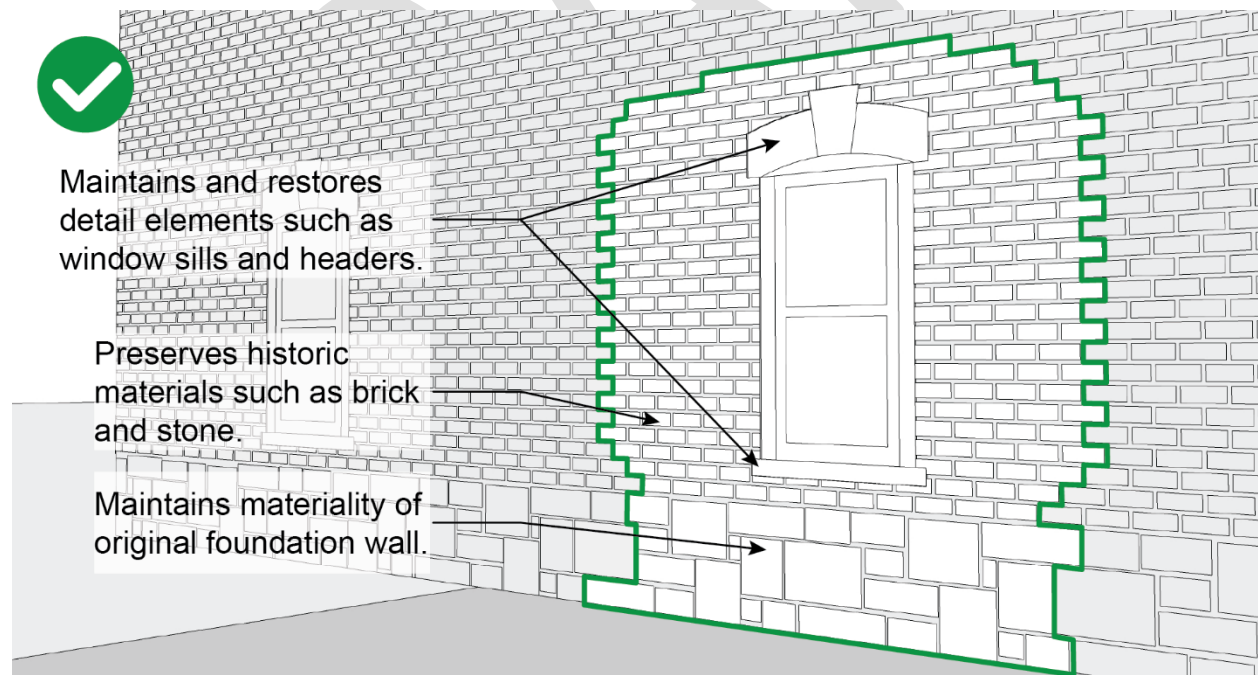


Figure 15: Graphic demonstrating appropriate alterations to exterior walls.

### 3.3.10 Window and Door Openings

The form and shape of window and door openings and their features are important to the integrity of contributing properties and the District overall. Windows punctuate an elevation and establish the horizontal and vertical datum lines that organize and structure an elevation. Similarly, doors and door openings often provide a focal point for an elevation and structure the geometry and rhythm of its bays.

Exterior window and door features include architectural detail such as plain, stained, or coloured glass, original, distinctive frames of wood or metal, with divided lights, decorative treatments, and hardware. There may be mouldings that make the transition between the frame and the framed opening. Some window frames, door frames, sidelights, transoms, and glazing are original to the building, and these elements may be important features to the property's significance.

- 1. Alterations to the size, shape, and placement of windows and doors of contributing properties shall conserve the legibility of the primary structure's architectural style and typology;**
- 2. Maintain original window openings and entrances of contributing properties that are important to the architectural character and symmetry of contributing properties;**
- 3. The removing or blocking-up of window and entrance openings that are important to the architectural character and symmetry of the contributing properties is not permitted;**
  - a) Where historic windows or doors survive, repair and maintain them rather than replace;*
  - b) New window or door openings should be proportional to the façade and aligned with the rhythm of openings on adjacent properties;*
  - c) Preserve original doors, surrounds, sidelights, transoms, and hardware wherever feasible;*
  - d) Repair deteriorated wood or metal elements in-kind rather than replacing the entire unit. Where repair is not possible, replace only the damaged parts rather than the whole door system;*
  - e) Maintain the historic proportions of door openings, sidelights, and transoms;*
  - f) New door openings on principal façades are discouraged. Where required for functional or accessibility reasons, new openings should be placed on secondary elevations and designed to minimize visual impact;*

- g) *New windows shall be compatible with the original/historic windows in terms of material (such as wood), proportions (such as ratio of horizontal to vertical dimensions), rhythm and scale (such as number of openings per building façade), and glazing patterns (i.e. sashes and glazing);*
- h) *Avoid inappropriate vinyl windows or oversize glazing that alters the building's scale. Replacement windows shall convey the same, or a similar appearance as the historic window and be physically and visually compatible;*
- a) *Conserving the historic muntin, sash profile, and dimensions of windows is encouraged, where they exist.*

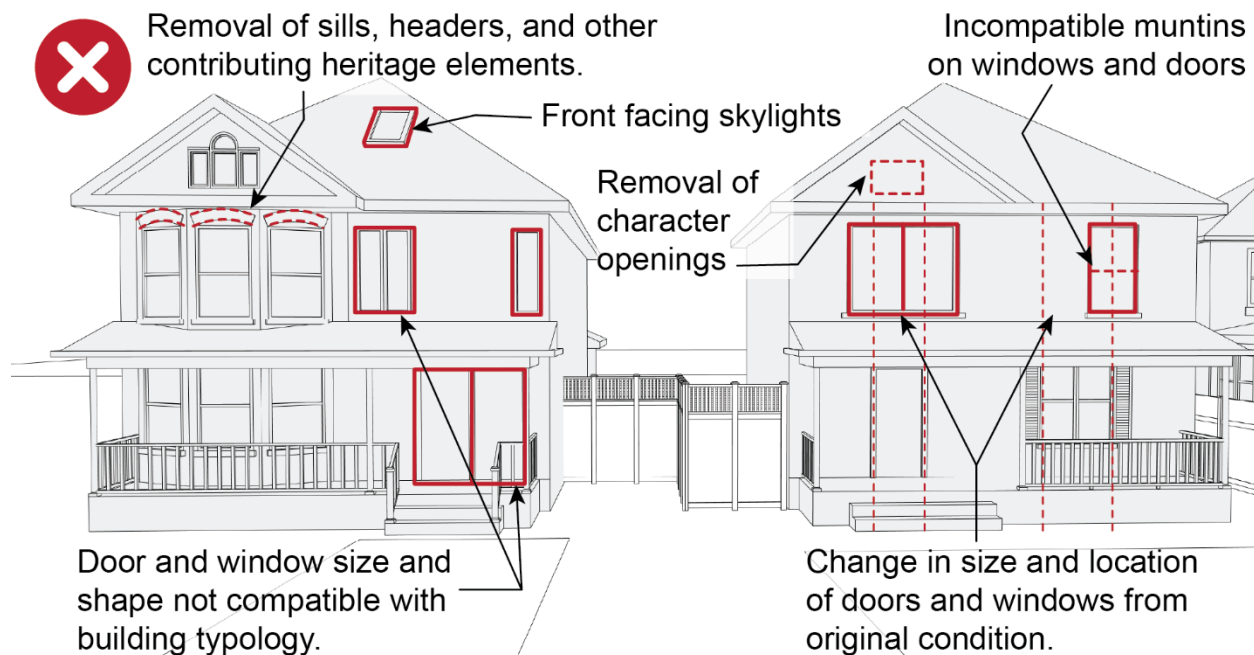


Figure 16: Graphic showing incompatible alterations to window and door openings of contributing residential properties. This includes the removal of architectural elements as well as altering the size and location of original openings.

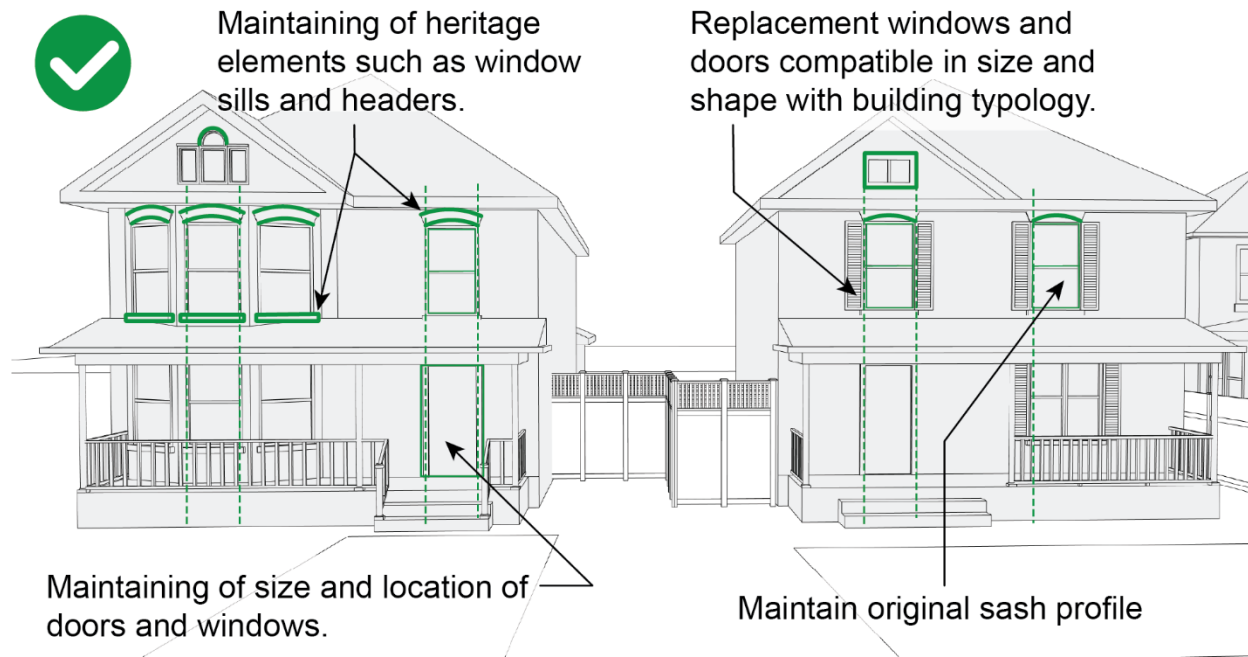


Figure 17: Graphic showing modifications to contributing residential properties that meet the policies and guidelines such as maintaining original opening locations and all heritage elements.

### 3.3.11 Porch and Verandah Repairs and Alterations

A wide variety of porch and verandah styles, types and treatments reflect the range of architectural styles and expressions found in the District. Features of porches and balconies in the District may include stairs, ramps, railings, porticos, canopies, gables, pilasters, balustrades, metal work, woodwork detail, and decorative treatments.

1. Repairs and alterations to the features and details of entrances, porches and balconies of contributing properties shall conserve the legibility of the primary structure's architectural style and typology;
2. Damaged or deteriorated entrance, porch, and balcony features of contributing properties shall be repaired rather than replaced;
3. Character-defining porches or verandahs of contributing properties shall only be removed where they pose a life/safety threat. In such cases, they shall be thoroughly recorded prior to removal to allow for their accurate reconstruction;
4. Restoration of a missing porch must be based upon historical, pictorial and physical documentation, rather than conjecture, wherever possible;



**5. New entrances, porches and balconies of all properties shall be physically and visually complementary to the District's cultural heritage value and heritage attributes.**

- a) Historic wood railings, balustrades and columns that are part of entrances, porches, and verandahs that reflect the architectural character of the contributing property should be conserved, where they exist;*
- b) Alterations to entrances or porches to increase accessibility should conserve the legibility of the property's architectural style where possible to minimize the impact to the District's cultural heritage value and attributes;*
- c) Where exterior staircases are required, they should be installed away from principal façades (i.e. on secondary elevations), wherever possible;*
- d) Wood is encouraged to be used in the construction of new entrances and porches. Other materials, such as synthetic wood products will be considered on a case-by-case basis through the heritage permit process;*
- e) Contemporary design and materials may be used for new entrances, porches, and balconies;*
- f) New or reconstructed porches should be simple, compatible in scale and material, and avoid false historic detailing.*



Figure 18 Image of an excellent example of an addition respecting the massing, window line, porch and roofline of the existing building at 471 Burlington Avenue.

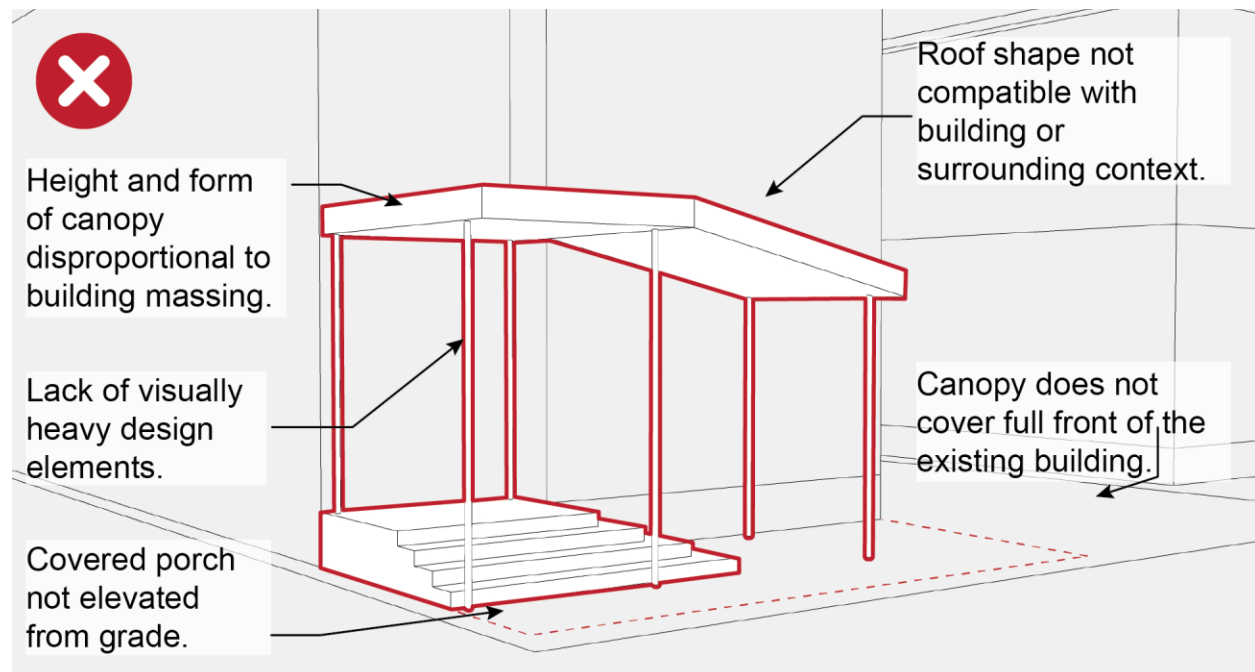


Figure 19 Graphic showing modifications to front porches and verandas of contributing residential properties that do not meet the policies and guidelines. This includes modifications to the porch roof that are not compatible with the surrounding context, or its height that is disproportionate to the property.

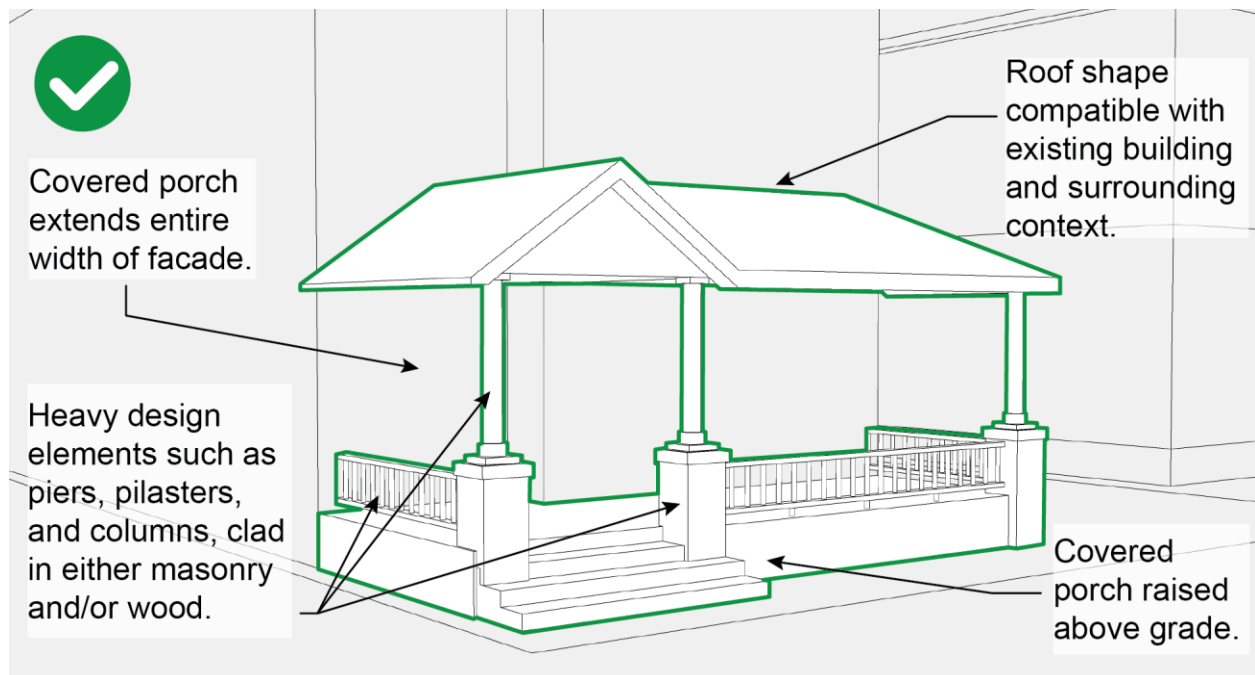


Figure 20 Graphic of a porch and verandah alteration that meets the policies and guidelines. The proportions and contributing heritage elements are conserved.

### 3.3.12 Additions

This section outlines guidelines for additions to properties within the District. Additions to contributing and non-contributing properties are an important aspect of a building, and the District's, evolution.

#### 3.3.12.1. Location, Massing and Form

1. Additions to all properties in the District shall be subordinate in scale and massing to the primary building, ensuring the original form remains legible;
2. Additions are not permitted on the front façade and shall be located at the rear or to the side for all properties;
3. Additions on the front façade of all properties shall not be permitted;
4. Rooftop additions for all properties shall be stepped back from the primary street-facing façade to minimize visibility from the public realm;
5. Additions on all properties shall be limited in size and scale to complement the existing building and neighbouring properties;
6. Multi-storey exterior additions on all properties must be set back as deeply as possible from the existing front wall plane in order to be unobtrusive in the streetscape and differentiate the addition from the older structure;
7. The original roof configuration of contributing properties, at the front of the building shall be maintained and not obscured by any addition. Roofing materials and associated features, such as fascia, trim, and brackets shall be retained and not obstructed by an addition.
  - a) *Additions should be complementary to the main building and clearly secondary in terms of scale, massing, and height; they should also be clearly distinguishable in form and detail;*
  - b) *The height of the addition should be no more than that of the main building and, preferably lower, in order to clearly distinguish it from the original building;*
  - c) *The roofline of a rear addition should not exceed the height of the existing building's roof ridgeline, otherwise it should be stepped back from the street elevation to reduce its visual impact when viewed from the street;*
  - d) *Construction of additions should not entail removal, covering, or other adverse impacts on the heritage attributes or other important architectural features of the original building;*



- e) *Where additions are visible from the street, their design should consider the horizontal and vertical patterns of the existing and/or neighbouring buildings, including overall proportions, alignment of windows and doors, as well as of cornice lines and rooflines;*
- f) *For corner lots, additions should face the secondary street, not the primary heritage frontage;*
- g) *Rooftop additions should be set back at least one bay or a full storey from the primary façade to remain visually recessive;*
- h) *On non-contributing properties, additions may introduce contemporary forms, provided they reinforce the established massing patterns of the District.*

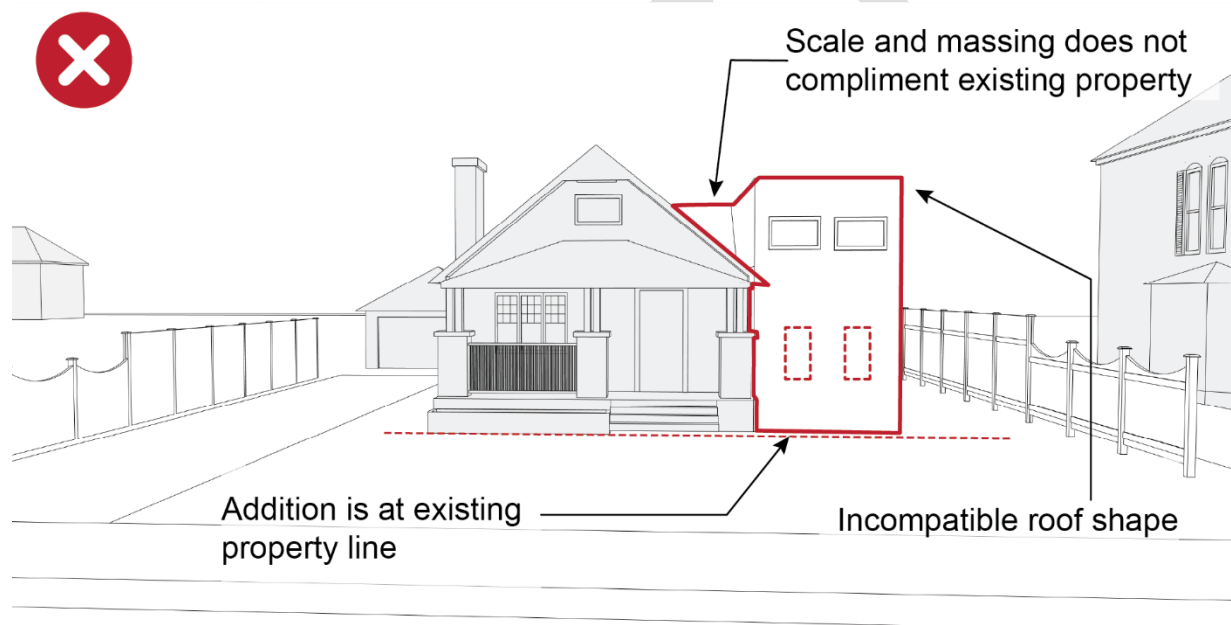


Figure 21 Graphic showing an addition location that does not meet the policies and guidelines. This includes an addition of a larger scale and massing than the contributing property and a building footprint that is not set back from the property's primary façade.

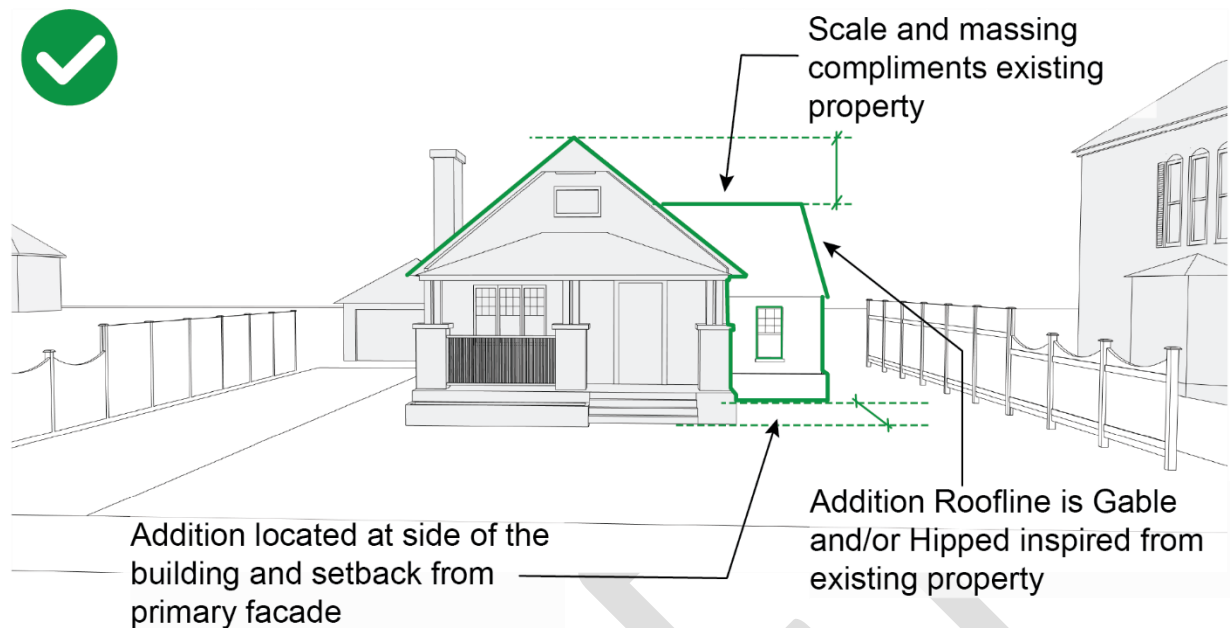


Figure 22 Graphic illustrating an addition to a contributing residential property that meets the policies and guidelines. The scale and massing of the addition is complimentary and subordinate to the contributing property, and its footprint is set back from the primary façade. The roof line and openings are inspired by designs from the District and more importantly, the existing contributing property.



Figure 23 Addition at the rear of 437 Burlington Avenue.

### 3.3.12.2. Addition Designs

1. Additions to contributing properties must be carefully designed so that they support and do not overwhelm the heritage value of the property or the District.
2. Additions to non-contributing properties shall improve compatibility with the HCD, offering an opportunity to reinforce district character;
3. New additions on all properties shall be designed in a manner which distinguishes between old and new and is compatible with the architectural style of the existing building, adjacent contributing properties and the District as a whole;
  - a) *Design of additions or those additions that reference design motifs of the existing building is to be encouraged. Compatible additions are complementary in terms of scale, mass, materials, form, and colour.*

### 3.3.12.3. Materials and Detailing

1. **Materials for additions shall be compatible but distinguishable from the original construction;**
2. **Authentic historic details shall not be replicated in a manner that creates a false sense of history;**
3. **Additions to all properties should employ materials that are compatible with those historically found within the Heritage Conservation District.**
  - a) *The application of new cladding, surfaces or coatings, including synthetic materials such as vinyl or aluminum siding, acrylic stucco, and Exterior Insulation and Finish Systems (EIFS) are discouraged on building façades facing the public realm. These materials and others, such as fibre cement board, metal panels, synthetic wood products, and other modern materials will be considered on a case-by-case basis;*
  - b) *Additions should use high-quality materials that are durable and complementary to the District, such as brick, stone, wood, or compatible contemporary finishes;*
  - c) *Use of lightweight materials (e.g., glass, metal) may be appropriate for rooftop or rear additions to reduce visual impact;*
  - d) *Ensure that vents, skylights, and other new roof elements are sympathetic in type and material and that they are discretely placed out of general view from the street and public rights-of-way;*
  - e) *Use of false-historic cladding, decorative trim, or replicated historic details should be avoided;*
  - f) *Where possible, additions should enhance energy performance (e.g., through sensitive insulation or glazing strategies) without compromising heritage character.*

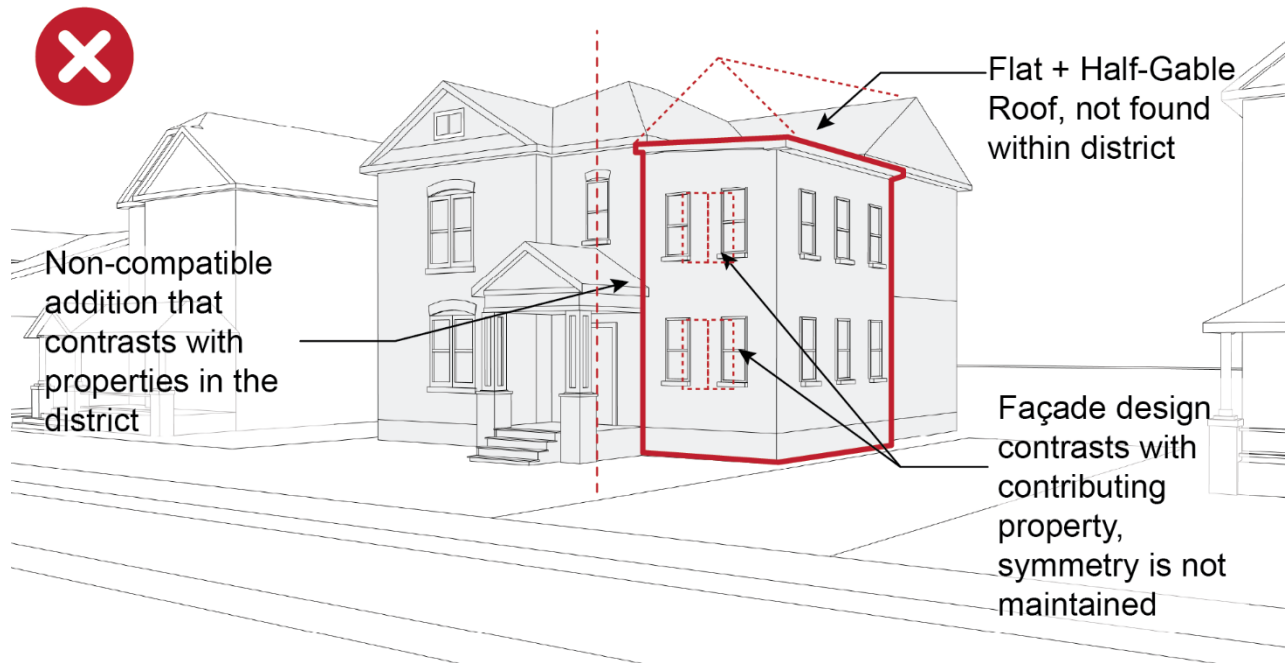


Figure 24 Graphic illustrating an addition that creates a false sense of history of the property. While the addition appears to be subordinate to and complementary of the contributing property, it is not distinguishable as a contemporary addition.



Figure 25 Graphic illustrating an addition of a similar scale however the design remains distinguishable from the original property. The addition is thus legible as a contemporary addition.



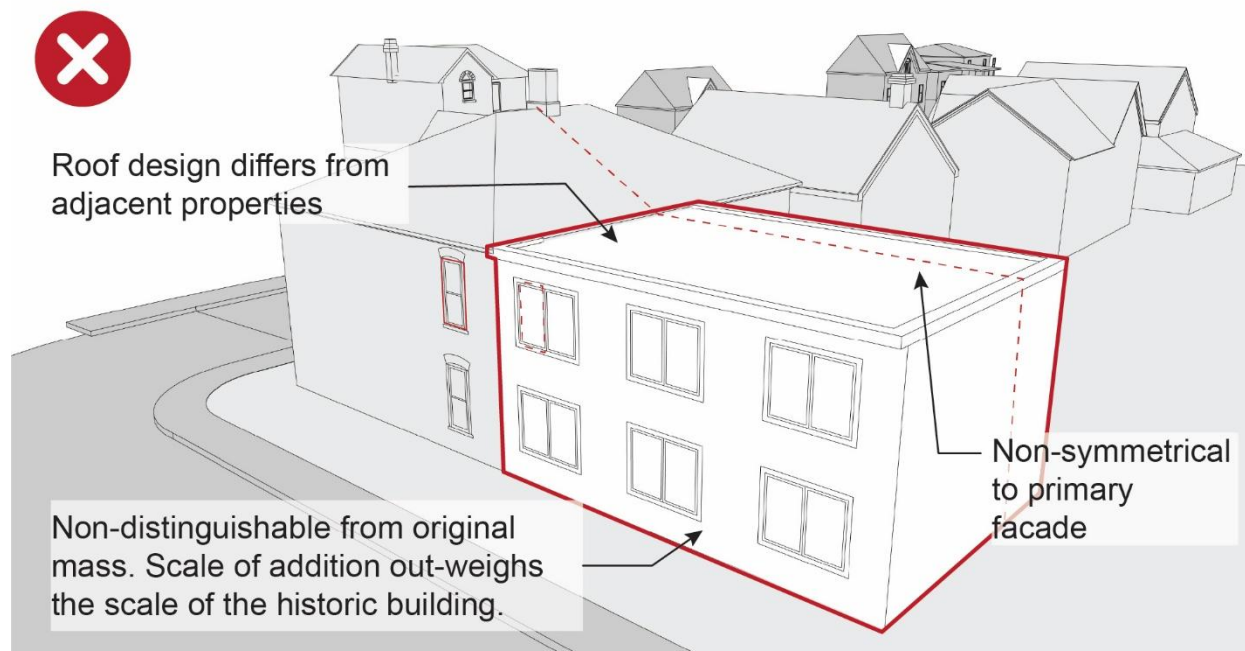


Figure 26 This addition does not meet the policies and guidelines due to contrasting roof designs and the loss of symmetrical qualities to the overall property.

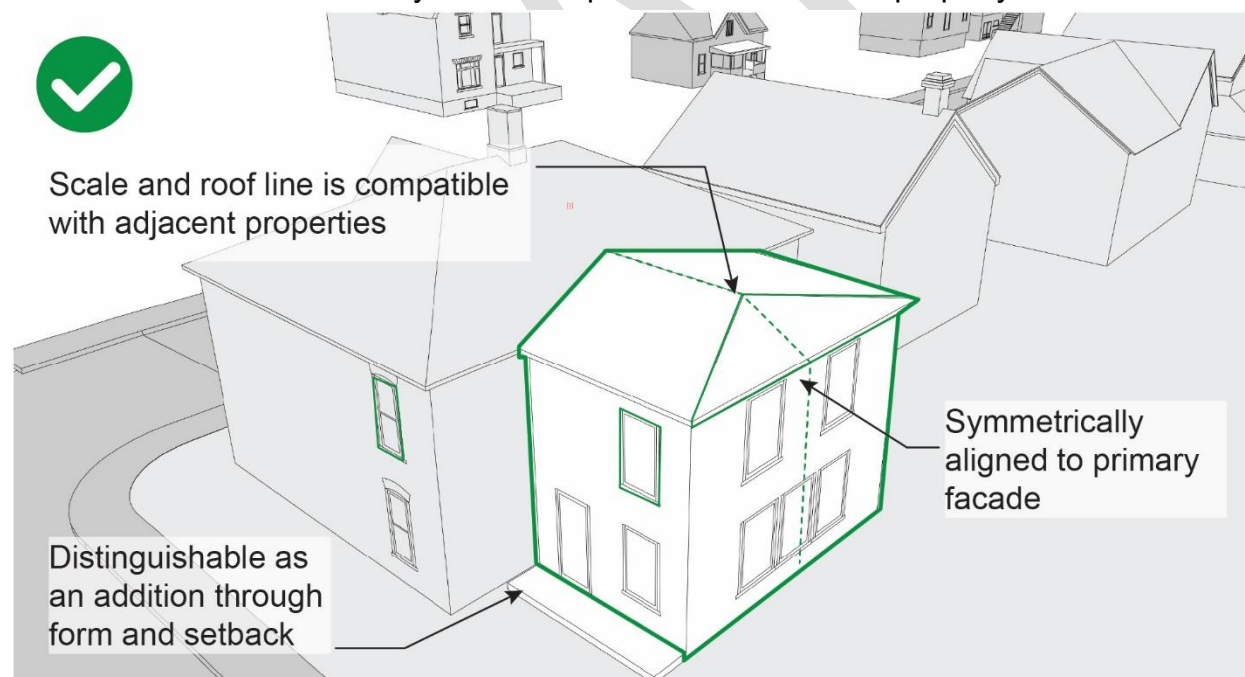


Figure 27 Graphic of a compatible addition to a corner contributing property. The addition honours the symmetry of the primary façade, is compatibly scaled to adjacent properties, and is distinguishable, through form and setback.

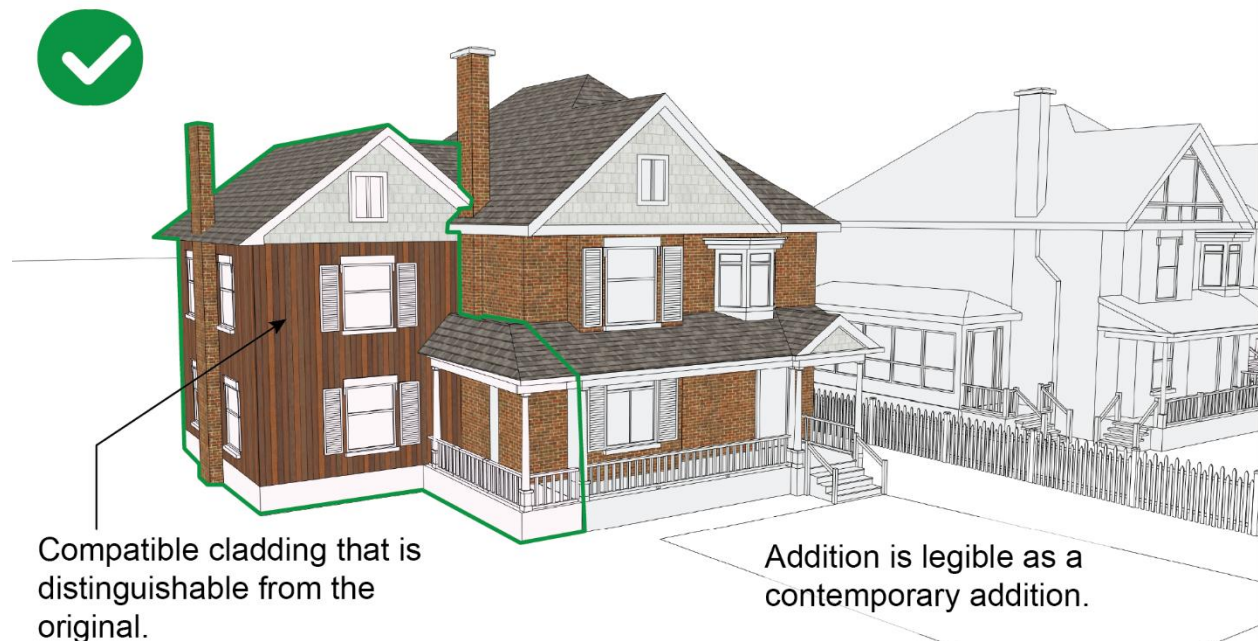


Figure 28 Graphic example of an addition to a contributing property that meets the guidelines.

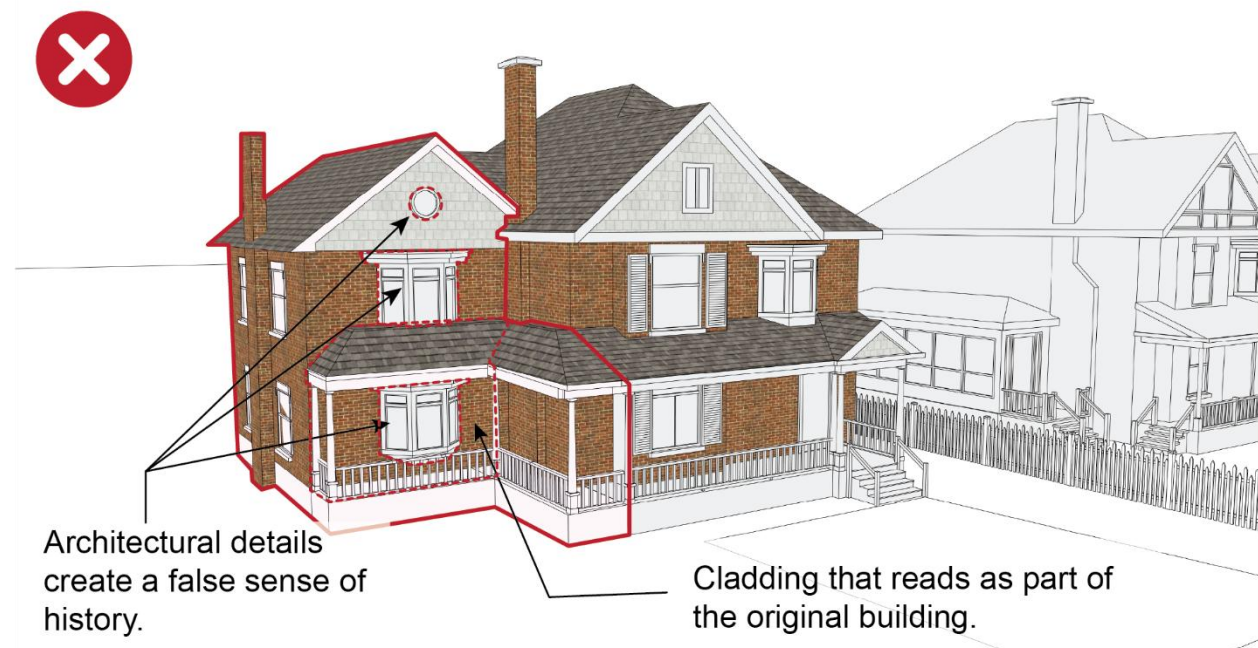


Figure 29 Graphic example of an addition to a contributing property that does not meet the guidelines. Although upon first glance the property appears compatible, it creates a false sense of history using architectural elements that were not there originally.

#### 3.3.12.4. Window and Entrance Additions

1. Additions to contributing properties shall protect and maintain original and/or historic window openings;
2. New windows on additions visible from the public realm should be compatible with the windows of the original structure of contributing properties, in terms of proportions (such as ratio of horizontal to vertical dimensions) as well as rhythm and scale (such as number of openings per building façade).
  - a) *Where new entrances or exterior staircases are required, they should be installed on secondary elevations and/or set back from the existing front building elevation;*
  - b) *Large expanses of unbroken glazing should be avoided on street-facing elevations;*
  - c) *Entrances for additions should be secondary, ensuring the primary entrance of the heritage building remains the focal point.*



### 3.3.13 New Construction

The Burlington Avenue-Ontario Street Heritage Conservation District (HCD) comprises a mix of building forms and architectural styles. New residential development may occur in an HCD in various circumstances, including the construction of buildings on vacant lots or the replacement of existing structures with new ones. Infill development should respect the established character of the District by considering factors such as scale, massing, setbacks, materials, and architectural details. While new construction is permitted, it must be compatible with the heritage character of the area and align with the policies set out in this HCD Plan. Thoughtful design that reflects and reinforces the *District's* historical context is essential to maintaining its integrity.

1. **New construction will be required to be compatible with the heritage character and attributes of adjacent heritage properties and the cultural heritage value of the District;**
2. **New construction shall respect and adhere to the to established lot patterns, heights, massing, setback, building scale, roof pitches; and exterior materials of the District;**
3. **New construction should reflect contemporary design while respecting the heritage context. They should not replicate historic architectural styles or incorporate authentic historic details inappropriately;**
4. **Primary façades of new buildings shall face the street, maintaining the historic orientation of buildings in the District;**
5. **Setbacks for new construction shall align with those of adjacent contributing properties, unless otherwise directed by the Plan;**
6. **Stepbacks or modulation shall be used where required to reduce bulk and maintain rhythm;**
7. **Blank façades facing the street are not permitted, including on new residential buildings situated on corner lots;**
8. **Roof forms on new construction shall be compatible with those found within the District, reflecting prevalent pitches, shapes, or parapet heights.**
  - a. *Modern interpretations of traditional forms for porches, rooflines and materials are encouraged if they respect the character of the streetscape;*
  - b. *Buildings should be maintain consistent front yard setbacks with adjacent properties to reflect the rhythm of the streetscape;*
  - c. *The height of new construction should not exceed that of adjacent contributing properties by more than one storey;*

- d. *Window and door openings should reflect the proportion, rhythm, and placement of openings on adjacent contributing properties;*
- e. *Large expanses of uninterrupted glazing should be avoided on street-facing façades;*
- f. *Entrances should be oriented to the street and designed to reinforce the pedestrian-friendly scale of the District;*
- g. *Rooflines should relate to those on adjacent heritage properties, whether through slope, parapet height, or rhythm;*
- h. *Preferred materials should include brick, wood, or compatible contemporary equivalents;*
- i. *Synthetic cladding (e.g., vinyl siding) should be avoided where visible from the street;*
- j. *Secondary materials may be used on side and rear elevations, provided the overall quality and compatibility remain high.*

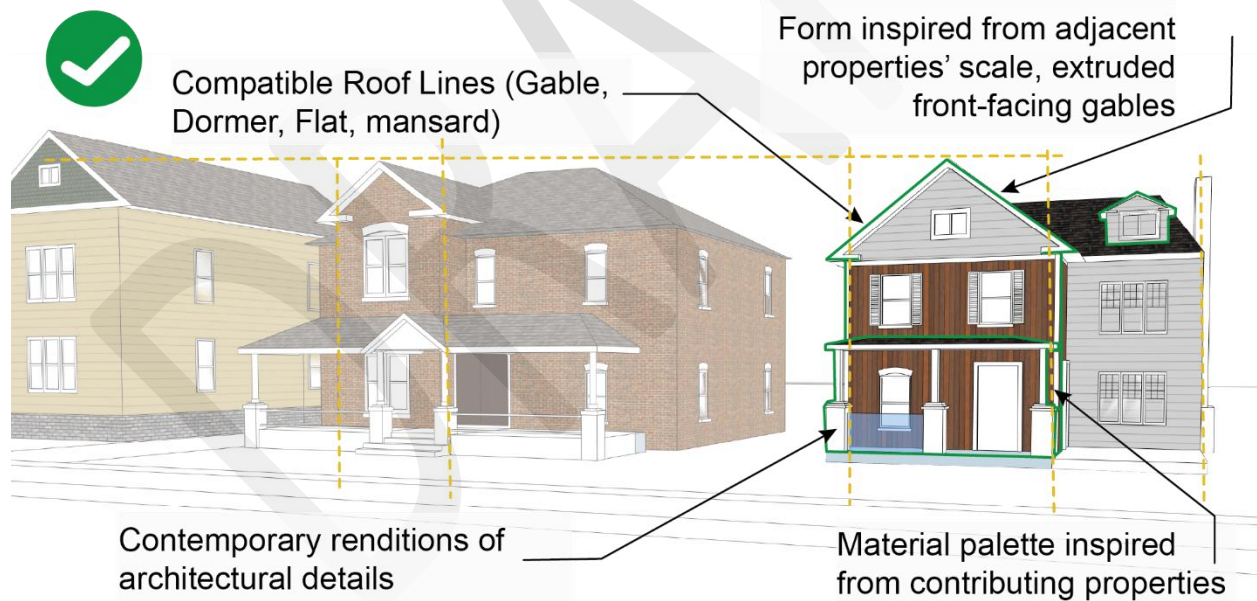


Figure 30 Graphic example of new construction within the District, using form, scale and architectural details as inspiration for new buildings.

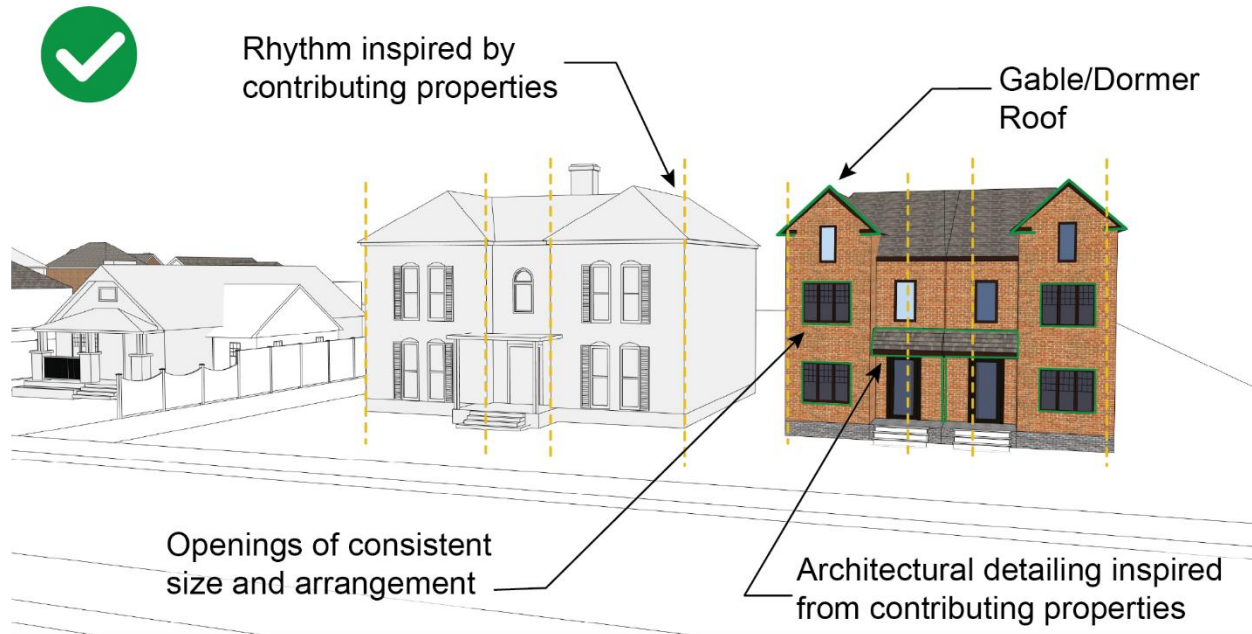


Figure 31 Graphic example of new construction of multi-unit residential property that meets the guidelines and inspires from some of the larger contributing properties found within the District.

### 3.3.13.1. Additional Residential Units

Secondary structures and outbuildings, including Additional Residential Units (ARUs) may be permitted within the HCD subject to compliance with the Official Plan, Zoning By-law, and the policies and guidelines of this HCD Plan. ARUs must be designed and located to conserve and support the cultural heritage value and attributes of the District.

1. The construction of small-scale outbuildings in the rear yard, such as garden sheds, greenhouses, or storage structures shall be permitted on both contributing and non-contributing properties, provided they are appropriately scaled and sited to minimize their visibility from the public realm;
2. The design of ARUs shall consider the lot size, configuration and heritage context and not have adverse impacts of the heritage character of the property;
3. The siting of ARUs shall not require the demolition or removal of heritage contributing resources;
4. ARUs should be located to the rear or side of the main dwelling and be clearly subordinate in scale and massing;

**5. Original landscape features, mature vegetation, and historic accessory structures should be retained where possible when siting ARUs.**

- a) *For contributing properties, new outbuildings should be clearly distinguishable from the historic building, yet compatible in form, scale, and massing. Materials and detailing should be simple and subordinate, avoiding mimicry of historic architecture while complementing the character of the property and the District;*
- b) *For non-contributing properties, greater flexibility in the design of outbuildings may be allowed. However, materials, scale, and placement should still respect the character of the surrounding contributing properties and reinforce the heritage setting of the District;*
- c) *Where visible from public areas, mechanical equipment or utility elements (e.g., vents, skylights) should be discreetly integrated.*

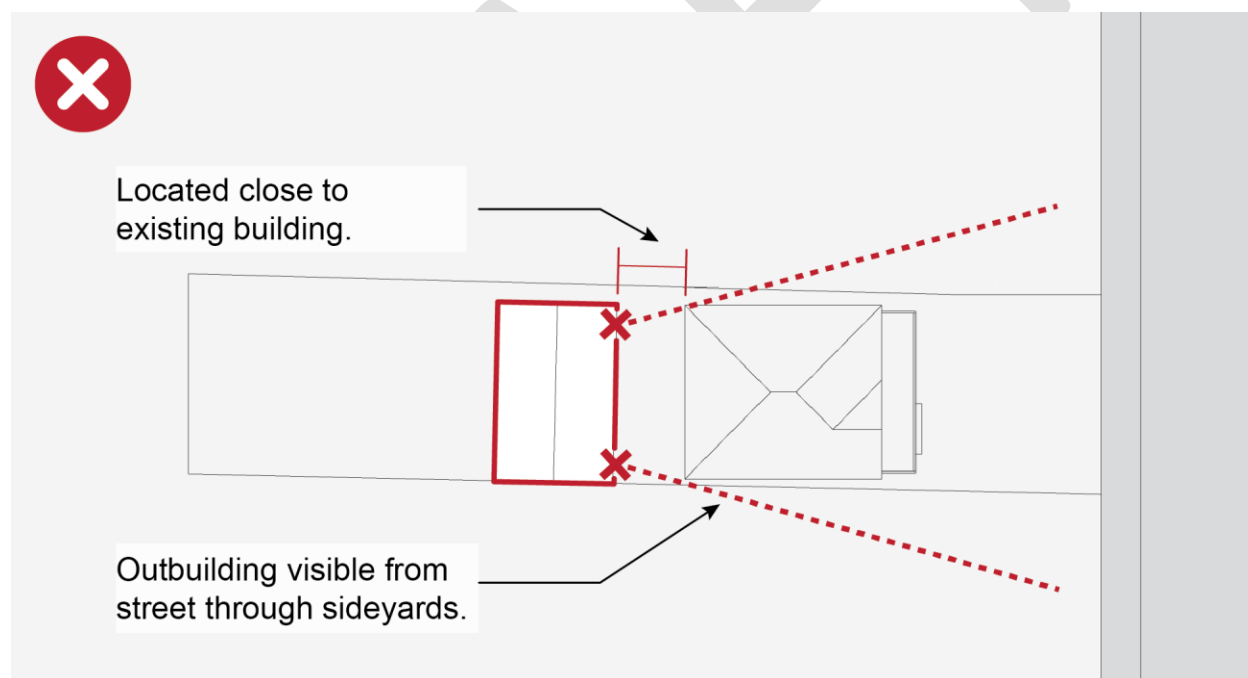


Figure 32: Diagram illustrating inappropriate location for a secondary structure on a contributing residential property.

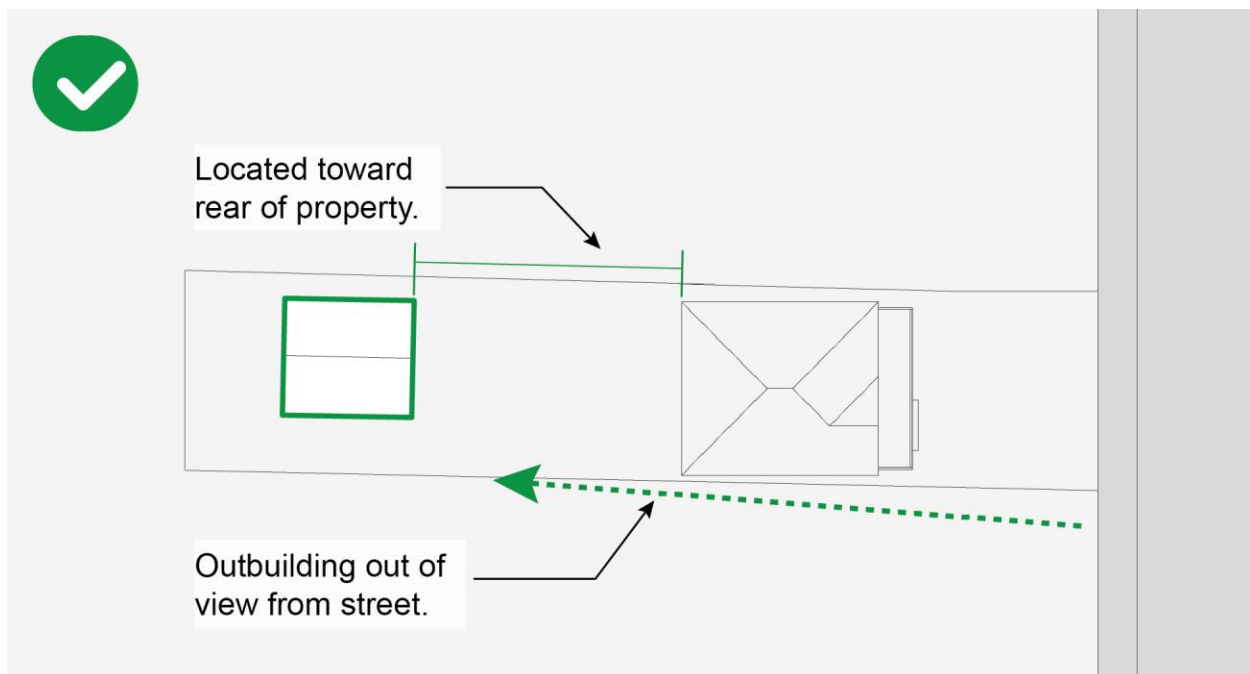


Figure 33: Diagram illustrating appropriate location for a secondary structure on a contributing residential property.

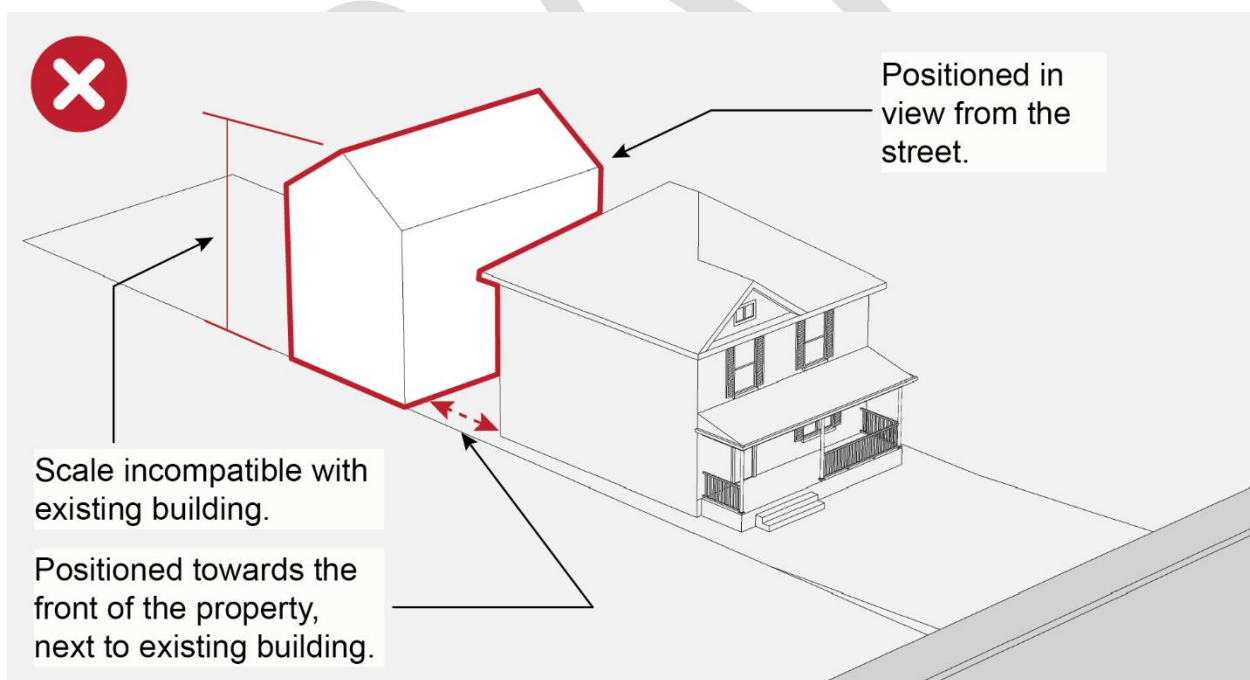


Figure 34: Diagram illustrating inappropriate scale and location of a secondary structure on a contributing residential property.

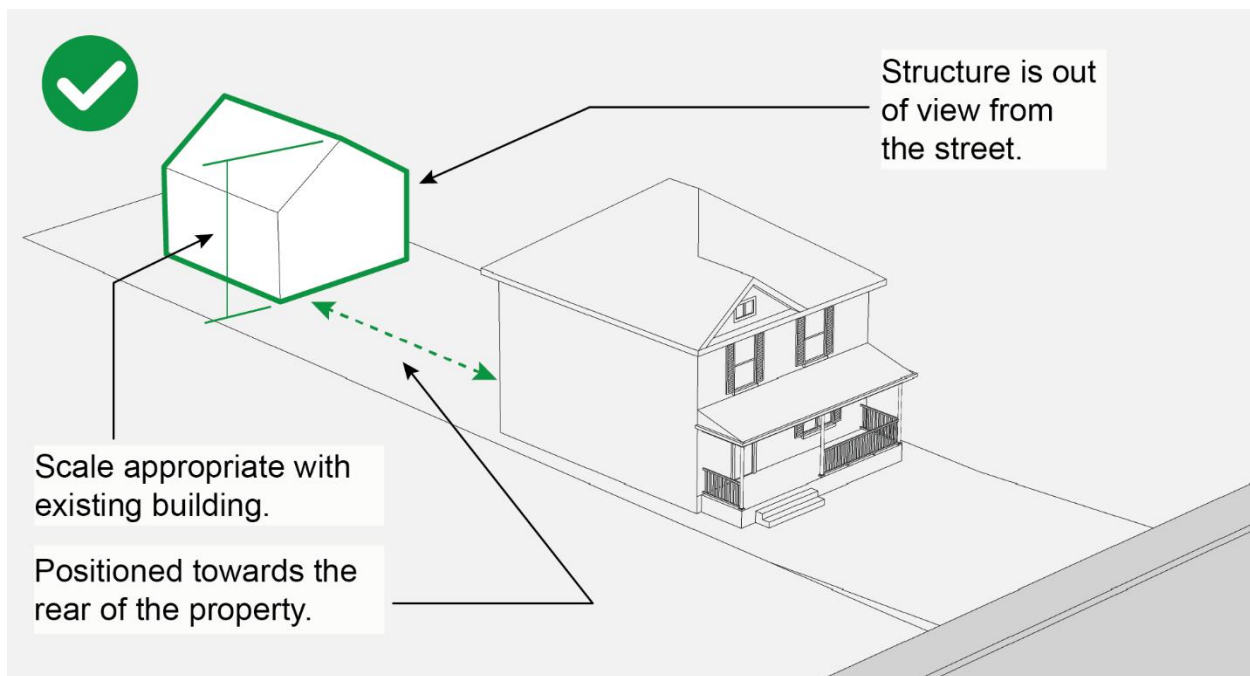


Figure 35: Diagram illustrating appropriate scale and location of a secondary structure on a contributing residential property

### 3.3.13.2. Garages and Sheds

1. While these structures are often utilitarian, their design, placement and materials should respect the heritage value of the District;
2. New garage entries shall not be located on primary street-facing façades of contributing or non-contributing properties;
3. Detached garages shall be located to the rear or side of the property, behind the primary building massing;
4. Attached garages, where permitted, shall be recessed from the front façade and designed to minimize visual prominence;
5. Garages shall be subordinate in height, scale, and footprint to the primary building;
6. Exterior materials for garages shall be compatible with the primary building and the surrounding streetscape.
  - a) *Architectural elements (roof form, windows, doors, trim) of new detached garages or sheds should be compatible with the character-defining features of the main building and the District;*



- b) Detached garages should be placed at the rear of lots, with minimal visibility from the public street;*
- c) Side-yard garages should be set back from the primary façade to avoid dominating the streetscape;*
- d) Materials should be similar to those found in the district, such as wood siding or brick, rather than modern synthetic materials that contrast with the historic fabric. Doors should avoid highly reflective or manufactured finishes (e.g., bright aluminum, plastic);*
- e) Existing detached garaged, carriage houses and sheds that contribute to the heritage character of the property or the district should be preserved and maintained;*
- f) Any repairs or alternations should use materials and details that match or compliments the heritage character of the original building;*
- g) Where attached garages are permitted, they should be integrated into the overall building massing rather than appearing as a dominant projecting element;*
- h) Recessed or side-loaded garages are preferred to front-facing attached garages;*
- i) On non-contributing properties, garages should follow these same siting and design principles to maintain district character, even where more flexibility exists;*
- j) Any repairs or alternations should use materials and details that match or compliments the heritage character of the original building.*

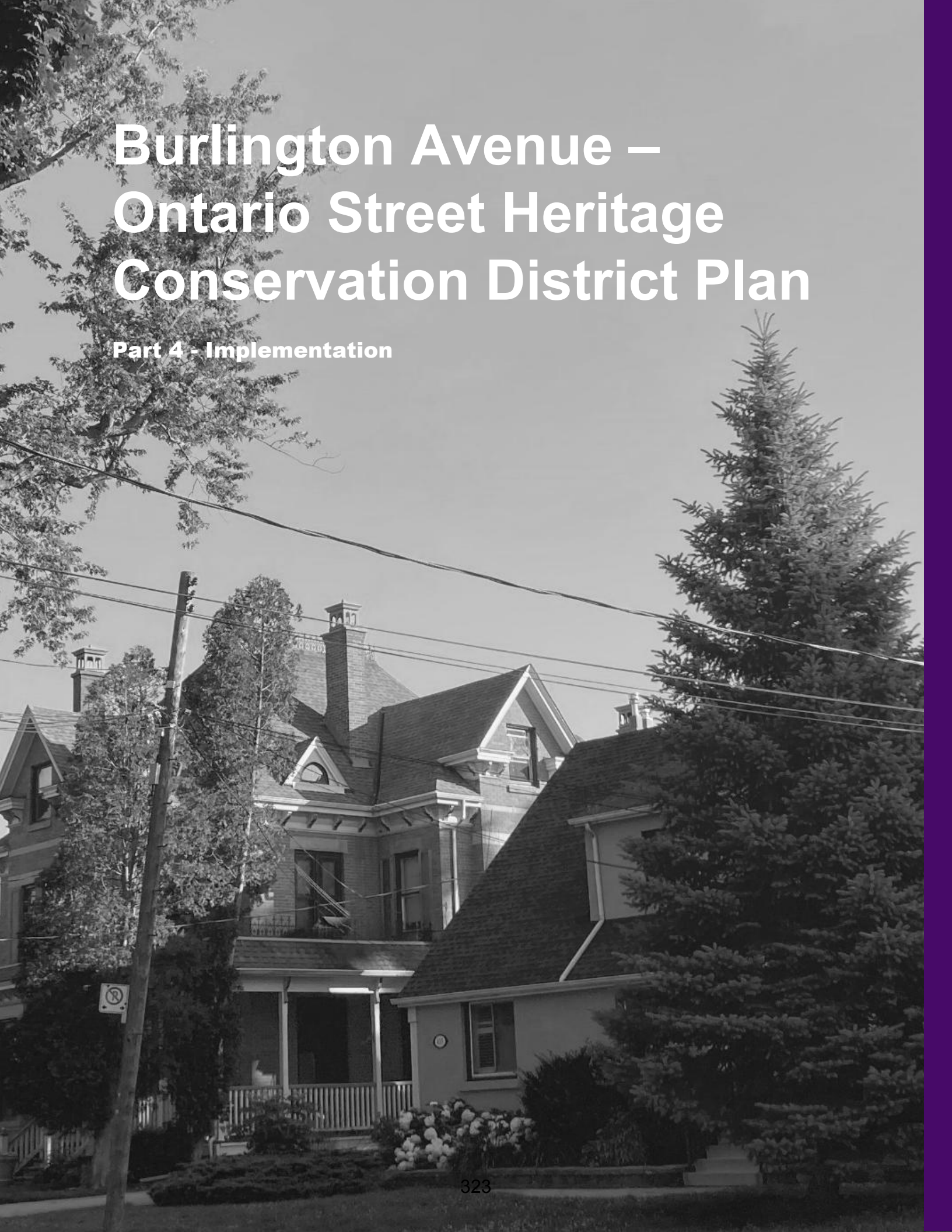


Figure 36 Driveway and Garage located at 466 Burlington Avenue.



# Burlington Avenue – Ontario Street Heritage Conservation District Plan

## Part 4 - Implementation



## Contents

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## 4. Implementation

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### 4.1. Heritage Permit Process

The *Ontario Heritage Act* (OHA) requires property owners to obtain a heritage permit prior to undertaking the alteration or demolition of a property. These guidelines are intended to provide direction to property owners intending to undertake projects within the HCD. This process ensures that changes align with the City's heritage conservation goals. Before proceeding with any modifications, property owners should consult the City's Heritage Planning staff to determine if a permit is necessary. If required, they must complete a Heritage Permit Application Form, providing a detailed description of the proposed work along with supporting materials such as photographs, drawings, or plans. You're also required to obtain a permit for the removal or demolition of structures on designated heritage properties.

Once submitted, the application undergoes a review process. Heritage Planning staff assess compliance with heritage policies, and in some cases, the Heritage Burlington Advisory Committee (HBAC) may provide additional recommendations. This review can take up to 90 days. Following the review, the City will either approve the application, approve it with conditions, or deny it. If approved, property owners may need additional permits, such as building permits, before starting work. To ensure a smooth process, applicants are encouraged to engage with Heritage Planning staff early and refer to the City of Burlington's Heritage Planning webpage for further guidance at <https://www.burlington.ca/en/planning-and-development/heritage-conservation-planning.aspx>

#### 4.1.1 When is a Heritage Permit Required

In HCDs, a heritage permit is generally required for any exterior alterations, new construction, additions, or demolition that could affect the heritage character of a property. This includes visible changes such as replacing windows with a different style, adding dormers, altering exterior materials, or constructing new buildings. Routine maintenance and in-kind repairs, however, are typically exempt.

All properties located within the boundaries of the HCD are designated and regulated under Part V of the Ontario Heritage Act regardless of age, type or style. Most exterior alterations require the approval of the City of Burlington and shall comply with the Policies and Guidelines of this Plan. Property owners proposing to alter their building should consult with staff in the Heritage Services Section prior to submitting an application. Staff will advise the property owner if a heritage permit is required.

Sometimes a heritage permit is not needed. A heritage permit is not required if an alteration or renovation is not visible from the street, or if it only affects the interior of a building. Routine maintenance activities do not require a heritage permit, either.

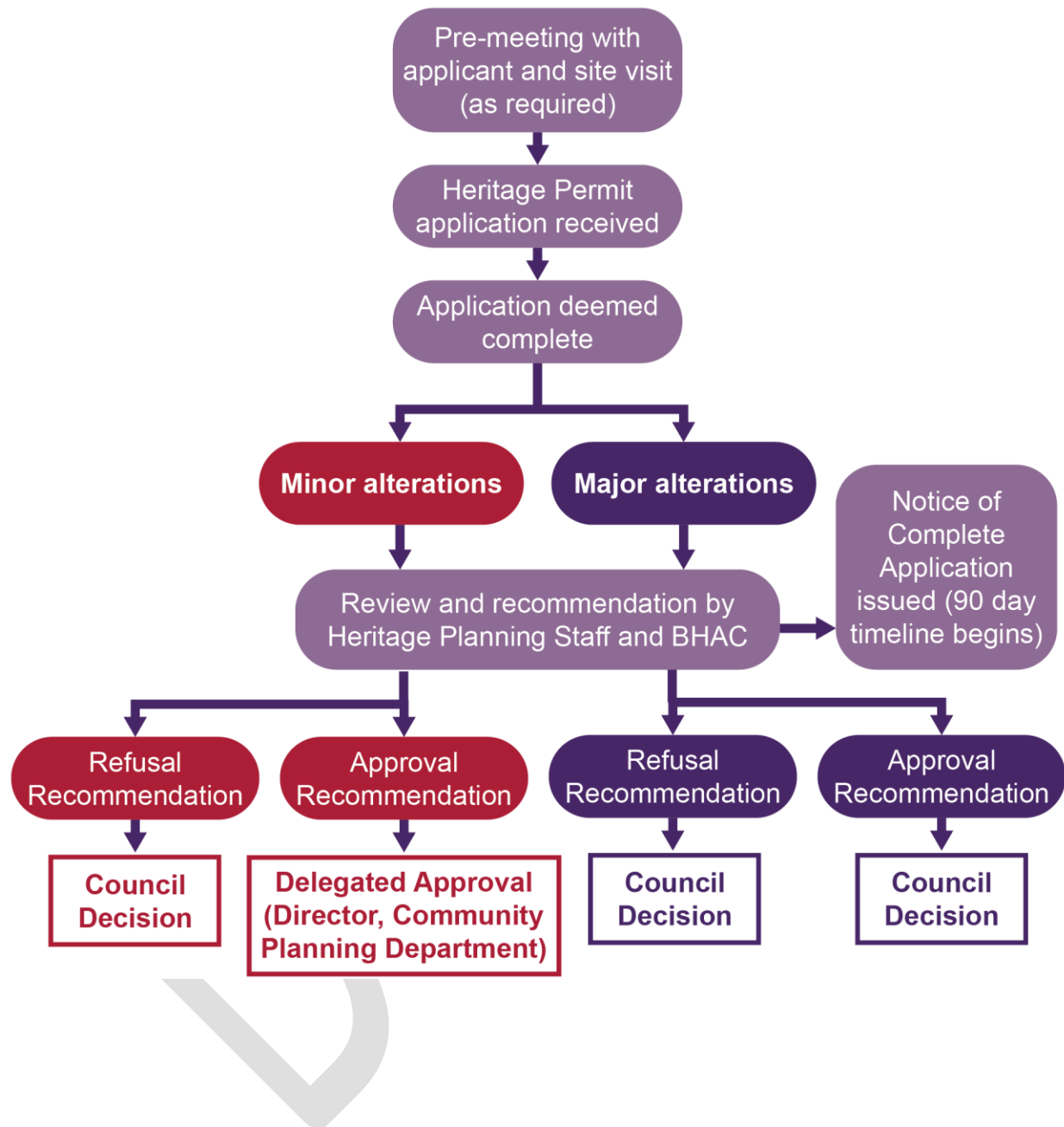
The following are examples of interventions do not require a Heritage Alteration Permit under the *Ontario Heritage Act*:

- Interior alterations
- Insulating, weather stripping, caulking
- Painting/paint colour
- Regular on-going building maintenance such as repointing and foundation repairs using heritage-sensitive methods
- Planting, gardening and minor landscaping that is in character with the streetscape
- Pools and pool fences shall obtain the appropriate pool permits, and conform to these guidelines, but do not require a heritage permit.

For all other types of work, a heritage permit is likely required. Depending on the scale of the project, approval may be delegated to staff. To ensure a smooth process, applicants are encouraged to engage with Heritage Planning staff early and refer to the City of Burlington's Heritage Planning webpage for further guidance at

<https://www.burlington.ca/en/planning-and-development/heritage-conservation-planning.aspx>

### 4.1.2 Heritage Permit Process





### 4.1.3 Cultural Heritage Impact Assessment

A Cultural Heritage Impact Assessment (CHIA) evaluates the impact of a proposed development, building alteration or site alteration on a built heritage resource(s) or a cultural heritage landscape(s) and recommends mitigative measures or alternative development approaches to conserve the heritage attributes of that resource/landscape. CHIAs are an important planning tool to ensure the heritage values, attributes and integrity of cultural heritage resources are considered in the land development process.

#### When is a CHIA Required

At the discretion of staff, a CHIA is required for certain applications involving the following types of properties:

- For additions to properties, and at the discretion of staff, a CHIA may be required for additions to contributing (also for non-contributing) properties to determine the impact of the addition on the cultural heritage value and attributes of the District.
- In the case of demolitions, a CHIA will be required to determine the impact of replacement buildings on the cultural heritage value and [heritage] attributes of the District.
- In the case of new development, a CHIA may be required to determine the impact of new buildings and structures on the cultural heritage value and attributes of the District.

At City Staff's discretion, the content of a CHIA may be scoped to reflect anticipated impacts to a heritage resource or waived if there is sufficient information to suggest there will be no impacts to a heritage resource (i.e., erection of a temporary structure). Where staff is of the opinion the potential impacts to a resource will be minor, the discussion of impacts may be integrated into an Urban Design Brief or Urban Design Study.

#### Notification

A CHIA is most effective when it is conducted early in the development application process and should form part of a complete application. The findings, conclusions and recommendations of the CHIA as well as HBAC's comments on the report should be reflected in the development concept advanced to the City and thus should be implemented prior to final site plan or building permit approval. City of Burlington staff will inform property owners and/or their representative of the need for a CHIA. Applicants considering development, building or site alterations are encouraged to contact one of the Senior Heritage Planners early in their project planning process to determine if a CHIA is required. If so, they will be provided a copy of this Terms of Reference.

## Qualified Heritage Conservation Professional

A CHIA must be prepared by a qualified heritage conservation professional, such as a heritage planner, heritage architect and/or heritage landscape architect, with demonstrated knowledge of accepted heritage conservation standards, and experience with historical research and identification/evaluation of cultural heritage value. The professional should be registered with the Canadian Association of Heritage Professionals (CAHP) and be in good standing. The qualifications and background of the professional completing the CHIA must be included in the report in the form of a Curriculum Vitae (CV).

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### 4.1.4 Adjacent Lands Development

Adjacent lands policies pertaining to a Heritage Conservation District (HCD) typically aim to protect the District's heritage character from indirect impacts caused by new development or alterations on nearby properties. These policies are guided by provincial, municipal, and District-specific heritage guidelines. Adjacent lands are contiguous to, or located nearby, a designated Heritage Conservation District (HCD) such that development or site alteration on those lands has the potential to impact the heritage attributes, character, or setting of the HCD.

The policies and guidelines for Adjacent Lands can be found in **Section 3.3.6** of this document. The summary below provides greater detail around the rationale for policies and guidelines for lands adjacent to a HCD.

#### Requirement for a Heritage Impact Assessment (HIA)

- A CHIA may be required if a proposed development or alteration on adjacent lands has the potential to impact the heritage attributes, views, or character of the HCD.

#### Compatibility of New Development

- New buildings or additions on adjacent lands should be compatible with the scale, massing, materials, and architectural style of the HCD; and
- Designs should not overshadow, dominate, or detract from the character of the District.

#### Protection of Views and Vistas

- Development should maintain important sightlines and views into and out of the HCD, especially if the District includes landmarks or culturally significant streetscapes.

### Mitigation of Negative Impacts

- If a project on adjacent lands could negatively affect the HCD, mitigation measures such as setbacks, buffering (e.g., landscaping), and sympathetic design may be required.

### Alignment with Municipal and Provincial Policies

- Adjacent land developments must comply with the Ontario Heritage Act, Provincial Planning Statement (PPS), and municipal heritage guidelines that regulate land use near heritage resources.

### Public and Municipal Review

- Developments on adjacent lands often require review by heritage planners, committees, or municipal councils, to ensure heritage conservation principles are upheld.

The policies and guidelines concerning Adjacent Lands help to ensure that changes on adjacent properties do not erode the historic integrity and sense of place of a HCD while allowing for context-sensitive development.

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## 4.2. Financial Incentives

The City of Burlington offers two main financial incentive programs to support the conservation of designated heritage properties. The Heritage Property Tax Rebate Program provides a 40% property tax rebate for eligible residential heritage properties and a 20% rebate for eligible commercial properties, covering City, regional, and school board portions. Properties must be in good repair, and the program assists owners with conservation, protection, and restoration work.

The Community Heritage Fund offers grants of up to 25% of eligible project costs (to a maximum of \$15,000) and interest-free or low-interest loans covering up to 50% of costs (also capped at \$15,000), with repayment terms of up to 10 years. Eligible work includes conservation, major repairs, and restoration of heritage features identified in the property's designation bylaw, as well as structural repairs and, in limited cases, exterior painting in historically appropriate colours. Routine maintenance, minor repairs, or work on non-heritage features are not eligible. Both programs require applicants to follow specific guidelines and, upon approval, sign a Conservation Agreement with the City. More information is available on the City of Burlington's website here:

[https://www.burlington.ca/en/planning-and-development/supporting-burlington\\_s-heritage.aspx](https://www.burlington.ca/en/planning-and-development/supporting-burlington_s-heritage.aspx)



Research on other municipalities indicates that only contributing properties in HCDs are eligible for the heritage tax rebate program, however this will be determined by the City of Burlington.

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### 4.3. Frequently Asked Questions Relating to Heritage Conservation Districts

**Q: Are properties within Heritage Conservation Districts “Designated Heritage Properties”?**

A: Yes, properties within an HCD are considered designated under the Ontario Heritage Act.

**Q: How much does a Heritage Permit cost?**

A: The City of Burlington does not charge a fee for Heritage Permits.

**Q: If my neighbourhood becomes a Heritage Conservation District, does it mean I’ll need to spend more money maintaining my property?**

A: No, designation does not impose any additional maintenance requirements. Regular city by-laws still apply. Note that older buildings may inherently require more maintenance due to their age.

**Q: Is there any assistance available to help owners maintain their properties?**

A: Yes, for properties within an HCD as well as individually designated properties, please see section 4.2 above.

**Q: Will this affect my property taxes?**

No, inclusion within an HCD does not affect property taxes. Property taxes are set by property class, using the assessed value calculated by the Municipal Property Assessment Corporation.

**Q: Does a heritage designation reduce a property’s resale value?**

This claim has been investigated and, in many cases, is found to be untrue. There are many published case studies and research online, including studies done by McMaster University and Canada’s Historic Places.

**Q: Will this affect my property insurance?**

A Heritage Conservation District should not increase your insurance costs. Note that older buildings may inherently be more difficult to insure due to the risk associated with their age. Please see section 4.4 below.

**Q: If my neighbourhood becomes a Heritage Conservation District, does that mean that I can't make changes to my property?**

A: No, properties within a Heritage Conservation District can be altered and renovated. An HCD Plan will provide guidelines for maintenance, renovations, and new development that respects the neighbourhood characters. A heritage permit is required for some exterior work. Interior work does not require a heritage permit.

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#### **4.4. Designation and Property Values**

A frequent concern expressed by property owners is whether heritage designation will negatively affect the market value of their property. Research undertaken in Ontario and across Canada, however, demonstrates that this is not the case. In fact, most studies show that designation is either value-neutral or positively associated with property values. Heritage neighbourhoods are often sought after because of their architectural character, walkability, mature landscapes, and sense of place, all of which contribute to their long-term desirability.

A recent study undertaken by McMaster University's Research Shop (2023) for the City of Hamilton examined the relationship between designation and residential property values. The researchers analyzed approximately 178,000 property sales records from across Hamilton-area municipalities, of which 301 were designated heritage properties. Using statistical tools that estimate the influence of different property attributes such as size, materials, location, and year of sale, the study compared designated and non-designated homes. The findings were consistent across different model specifications: heritage designation was statistically, significantly associated with higher sale prices, even after accounting for other variables. This evidence confirms that designation in Hamilton has not depressed property values, rather, it has been linked to measurable financial benefits for owners.

These conclusions are reinforced by earlier studies. Robert Shipley's landmark Ontario study (2000), which examined roughly 3,000 designated properties in 24 communities, found that heritage homes generally performed as well as or better than non-designated homes in terms of sale price. Importantly, designated properties also tended to be more resilient during economic downturns, maintaining their value more consistently. Municipal studies, including those conducted in Toronto, have reached similar conclusions, noting that properties within Heritage Conservation Districts often hold or increase in value after designation.

While every property and HCD in Ontario is unique, for Burlington, this body of evidence supports the use of district designation as a planning tool that benefits both cultural and economic interests. It indicates that designation should not be viewed as a burden on property owners, but rather as a means of safeguarding heritage character while supporting property stability and value. At the same time, the City recognizes that costs associated with conservation, such as repairs, materials, and specialized trades, can

pose challenges. The Burlington Avenue–Ontario Street HCD Plan aims to address those by providing clarity through consistent policies and guidelines, while also supporting the use of the City’s incentive programs and clear permitting processes to balance the responsibilities and rewards of designation. Please see the full McMaster Study here:

<https://macsphere.mcmaster.ca/bitstream/11375/28406/1/McMaster%20Research%20Shop%20Report%20-%20City%20of%20Hamilton%20Heritage%20Properties.pdf>

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### 4.5. Property Insurance

A common misconception about heritage designation is that it automatically increases property insurance costs. In reality, insurance premiums are typically based on a property's age, condition, construction materials, and replacement costs, not its heritage status. While designated heritage properties may require more specialized materials or craftsmanship for repairs, this does not necessarily translate to higher insurance rates. In fact, some insurers view designated properties as lower risk due to the regular maintenance and oversight they receive. Owners are encouraged to shop around and speak directly with brokers familiar with heritage properties to ensure they are properly and fairly insured.

The Province of Ontario states specifically that insurance premiums should not go up because of a heritage designation. Insurance companies may increase premiums for older buildings for a variety of reasons such as outdated wiring, old heating systems, etc. Some companies do not insure buildings over a certain age, but designation itself does not place additional requirements on the insurer and should not affect premiums.

Heritage planners in Ontario play an important role in supporting property owners by offering guidance, clarification, and practical advice about the implications of heritage designation. When concerns arise, such as the fear that designation will increase insurance premiums, heritage planners can help homeowners understand what designation does and does not mean, including the fact that it does not mandate full restoration or require period-specific reconstruction after damage. They can provide resources, case studies, and referrals to insurance providers familiar with heritage buildings. Many municipalities also offer dedicated heritage staff who can help navigate repair or alteration processes, provide guidance on conservation best practices, and explain available financial incentives such as grants or tax relief programs. In some cases, municipalities may also provide formal letters clarifying the designation status of a property and its implications, which homeowners can share with insurance companies to help avoid misunderstandings.

#### Property Insurance Risk Prospectus

The Insurance Bureau of Canada (IBC) encourages heritage homeowners to complete a *Property Risk Prospectus*, a tool used to document the condition of key building

systems like wiring, plumbing, roofing, and heating. This helps insurers assess actual risk rather than relying on assumptions about older or designated properties. The prospectus can also highlight safety upgrades and clarify the scope of heritage designation, which can help prevent misunderstandings and potentially lower insurance premiums. Heritage homeowners are also advised to shop around for coverage, maintain clear records, and ensure they have adequate replacement-cost insurance. Please see an example of Property Risk Prospectus below.

For more information and resources from the Insurance Bureau of Canada, please see <https://www.ibc.ca/insurance-basics/home/types-of-home-insurance-coverage>

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# Heritage Property Risk Prospectus

Owner occupied: YES ☐ NO ☐

Owner name(s): \_\_\_\_\_

Property address: \_\_\_\_\_

Lender/mortgagee (if applicable): \_\_\_\_\_

Heritage designation/bylaw: \_\_\_\_\_

## PROPERTY DETAILS

Item	Description	Additional comments
Property type		
Year of construction		
Dwelling History: Please describe the historical significance, if known. (Attach a separate document if more space is required).		
Construction type (wood-frame, brick, other) or style		
Occupancy (e.g. single family, duplex, triplex, etc.)		
Services (water/sewer)		
Detached structures on the property		
Foundation type		
Private Protection	Fire detection: Yes <input type="radio"/> No <input type="radio"/> Monitored off site: Yes <input type="radio"/> No <input type="radio"/> Service provider Burglar detection: Yes <input type="radio"/> No <input type="radio"/> Monitored off site: Yes <input type="radio"/> No <input type="radio"/>	
Public Protection:	Distance to responding fire hall: _____ Distance to nearest fire hydrant: _____	

**EXTERIOR PROPERTY FEATURES OR UPGRADES**

Item	Feature	Year upgraded/updated (Attach invoices/contractor name)
Roofing (metal, slate, cedar, asphalt, other)		
Exterior cladding		
Windows (style)		
Distinctive architectural details and other unique exterior features		

**INTERIOR FINISHES AND MECHANICAL DETAILS**

Item	Description	Year upgraded/updated (Attach invoices/contractor name)
Electrical		
Heating/ventilation		
Plumbing		
Appliances		
Other unique features (mantle, lighting fixtures, millwork)		
Wood-burning units/fireplace		
Fire/smoke & CO detectors		

## OTHER INFORMATION

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### Include recent property photos:

- ☐ Exterior front, sides and back, outbuildings, general exterior of property, and close-ups of any distinctive architectural details
  - ☐ Neighbourhood, if a heritage district
  - ☐ Interiors of all rooms, basement, oil tank, furnace, fireplace(s), electrical panel, hot water tanks and other infrastructure
- 

### Include documentation (if available):

- ☐ Heritage bylaw for property and/or conservation district, noting any restrictions or requirements
- ☐ Recent provincial tax assessment
- ☐ Lot survey
- ☐ Old photos of exterior
- ☐ Other relevant documentation
- ☐ Contractor invoices
- ☐ Recent Replacement Cost appraisal by qualified appraiser (AACI or CRA)
- ☐ WETT Survey on Wood-burning units/fireplaces

Notes:

**Disclaimer:** This document is meant for illustration purposes only and is not a definitive list of items needed to qualify for insurance coverage. Individual insurance representatives may have restrictions on binding authority that may or may not include heritage properties.



# Burlington Avenue – Ontario Street Heritage Conservation District Plan

## Appendix





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# 1. Glossary of Terms

Addition	New construction beyond an existing building's envelope that increases the building's volume in any direction.
Adjacent	Lands, buildings or structures that are directly across from and near to the property in question.
Alteration	To change or to alter a property within the District by means of restoration, repair or removal that may result in a change to a property.
Character Sub-Area	A geographic area within the District whose grouping of properties contributes to the District's Cultural Heritage Value. Each Sub-Area reflects a distinct character.
Compatible	Compatibility refers to the physical and visual impacts of new development, additions and alterations that have low impacts to properties within the District. Visual compatibility refers to designing while complimenting existing forms, scale that does not detract or negatively impact the property's heritage attributes.
Conservation	The identification, protection, management and use of built heritage resources that ensures its heritage value is retained under the Ontario Heritage Act. Conservation includes preservation, rehabilitation, restoration or a combination of these treatments.
Conservation Treatments	Under the Standards and Guidelines for Conservation of Historic Places in Canada, the act of preserving, rehabilitating or restoring heritage fabric when undertaking conservation projects.
Contributing property	A property, structure, landscape or other feature that supports the identified cultural heritage value and heritage attributes of the District.

Cultural Heritage Landscape	A defined geographical area that may have been modified by human activity and has been identified as having cultural heritage value or interest, by the community. The area may include buildings, structures, important views, plant species or bodies of water that hold value or meaning as a collective.
Cultural heritage value	The aesthetic, historic, scientific, cultural, social or spiritual significance of a place that holds importance or significance. Cultural heritage value is embodied in its heritage attributes or character defining elements such as materials, forms, locations, cultural affiliations or spatial configurations.
Demolition	The complete destruction of a heritage structure or property from its site. This includes demolition for reassembly.
Distinguishable	The visual contrast of an element being different from an existing structure, building or cultural heritage landscape.
District	The short form of the Heritage Conservation District, as defined by this Plan and previous Study, designated under Part V of the Ontario Heritage Act.
Guideline	Guidelines included in this document are not mandatory, but rather provide suggestions for how the plan's policies may be achieved. There may be other means of satisfying related policies otherwise not included as a guideline.
Heritage attributes	Heritage attributes are the principal features that contribute to their cultural heritage value as described in the Statement of Significance of this Plan or within the bylaw of individual properties designated under Part IV of the Ontario Heritage Act. Heritage attributes may be built or manufactured elements, natural landforms, vegetation, landscapes, forms, materials or spatial configurations that contribute to cultural heritage value.
Integrity	Integrity measures wholeness and intactness of cultural heritage values and heritage attributes of a contributing property or the District as a whole. Examining integrity

	requires examination to ensure the property retained all elements that contribute to its cultural heritage value and its features convey its significance. Integrity may be assessed within a Heritage Impact Assessment (HIA).
New development	The construction of additions or new construction to properties within the boundaries of the District.
Non-Contributing Property	A property, structure, building or landscape element that does not support the overall cultural heritage value, heritage attributes and integrity of the District.
Ontario Heritage Act	The Ontario Heritage Act (OHA) empowers municipalities and the Minister of Citizenship and Multiculturalism to designate property of cultural heritage value or interest.
Policy	As it relates to this document, policies refer to the bylaw requirements for managing change within the boundaries of the District. Policies use direct language such as “shall” or “should” to be interpreted accordingly.
Public Realm	Spaces intended for public use, including but not limited to streets, sidewalks, laneways, parks, publicly accessible open spaces, walkways or easements.
Rehabilitation	The action or process of making a compatible use of a historic place. As defined under the Standards and Guidelines for the Conservation of Historic Places in Canada, rehabilitation shall be the primary treatment when i) repair or replacement of deteriorated features is necessary, ii) alterations or additions to the historic place are planned for a new or continued use; and, iii) depiction during a particular period in its history is not appropriate.
Relocation	The removal and reinstatement of a building or structure from one portion of a property to another within the same or different property. Relocation and relocate have corresponding meanings.

Removal	The permanent act of removing or dislocating a building, structure or heritage attribute from its site or property. Removal and Remove have corresponding meanings.
Repair	Is maintenance work that does not require a change to material or form and therefore has no negative impact on the property's integrity.
Restoration	Entails accurately revealing, recovering or representing the state of a historic element or heritage attribute, as it appeared at a particular period in history, while protecting heritage value. Restoration must be based on clear evidence and detailed knowledge of earlier forms and materials being recovered. Restoration and restored have corresponding meaning.
Setback	A horizontal distance measured at a right angle from any lot line to the nearest part of the main wall of a building or structure.
Stepback	The measure by which a portion of a building mass above grade level is recessed from the wall of the mass directly below.
Streetwall	The portion of a building immediately fronting onto a mainstreet, forming a built wall adjacent to the right of way.
Subordinate	Subordinate entails that the new development must not detract from the historic place or impair its heritage value. Subordination does not exclusively include size.
Three-dimensional integrity	A building in three dimensions, on all its sides including its roof plane.

## 2. Ontario Heritage Toolkit 2025 Compliance Checklist

Below is a Heritage Conservation District (HCD) Compliance Checklist modeled on the 2025 Ontario Heritage Toolkit's recommendations and aligned with *Ontario Heritage Act*, Part V requirements. It's structured so municipalities, consultants, and property owners can verify that both the process and the plan content meet legislative and best practice standards.

### A. Study Phase (s. 40.1 OHA)

Requirement	Yes/No	Notes / Evidence
<b>Council Authorization</b> – By-law passed to authorize HCD study, identifying boundaries and interim protection measures.		
<b>Interim Protection in Effect</b> – Council approval required for alterations/demolitions during study period.		
<b>Heritage Research Completed</b> – Historical, architectural, and contextual analysis undertaken for all properties in study area.		
<b>Evaluation Criteria Applied</b> – Ontario Regulation 9/06 (and/or 10/06 for provincial property) applied consistently to determine cultural heritage value.		
<b>Mapping Prepared</b> – Study area boundaries and contributing/non-contributing resources clearly mapped.		
<b>Public Consultation Held</b> – Minimum one public meeting; records of stakeholder input documented.		
<b>Study Report Completed</b> – Includes findings, evaluation, and recommendation on whether to proceed to HCD Plan.		
<b>Council Decision</b> – Resolution to proceed (or not) with HCD Plan preparation.		

## B. Plan Phase (s. 41–41.1 OHA)

Requirement	Yes/No	Notes / Evidence
<b>Plan Objectives Defined</b> – Statement of purpose and goals for the HCD.		
<b>Statement of Cultural Heritage Value or Interest</b> – Clear description of heritage attributes at district level.		
<b>Boundaries Confirmed</b> – Final HCD boundaries set and justified.		
<b>Heritage Attributes Listed</b> – Physical, spatial, and associative attributes identified and mapped.		
<b>Policies for Conservation</b> – Preservation, rehabilitation, and restoration policies included.		
<b>Alteration Guidelines</b> – Clear criteria for assessing alterations, additions, and infill.		
<b>New Construction Guidelines</b> – Scale, massing, materials, and siting guidance provided.		
<b>Demolition &amp; Removal Policies</b> – Conditions and review process outlined.		
<b>Public Realm &amp; Landscape Policies</b> – Streetscape, open space, and landscaping guidance included.		
<b>Implementation Tools</b> – Heritage permit process, maintenance requirements, incentives, and enforcement measures detailed.		
<b>Public Consultation</b> – At least one public meeting on draft plan; feedback documented and incorporated where appropriate.		
<b>Council Adoption</b> – By-law passed designating HCD and adopting Plan.		

Requirement	Yes/No	Notes / Evidence
<b>Registration on Title</b> – HCD by-law registered on all affected properties.		
<b>Notice &amp; Appeal Process</b> – Notice given to property owners and Ontario Heritage Trust; appeals managed via Ontario Land Tribunal.		

### C. Ongoing Management (s. 42 OHA)

Requirement	Yes/No	Notes / Evidence
<b>Heritage Permit Process Operational</b> – All alterations, new construction, and demolitions reviewed under HCD Plan.		
<b>Monitoring &amp; Enforcement</b> – Regular review of compliance; enforcement actions taken where necessary.		
<b>Periodic Review</b> – HCD Plan reviewed periodically to ensure relevance and alignment with policy changes.		
<b>Community Engagement Maintained</b> – Ongoing communication with property owners and stakeholders.		



### 3. Schedule of Properties

Please see the Schedule of Properties for the Burlington Avenue – Ontario Street HCD.

Properties noted as Contributing meet at least 2 of 9 criteria under the *Ontario Heritage Act*, while Non-Contributing properties meet less than 2. For more information on the *Act* and the criteria please consult Part 2 of the Plan and Guidelines Document.

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Burlington Avenue HCD  
**1393 Elgin St.**

**Non-contributing Property**

**General Information**

Property Address: 1393 Elgin St.

Property Name: N/A

**Heritage Designation**

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

**Property Description**

Builder/Architect: N/A

Date of Construction: N/A

Architectural Style: N/A

Property Type: Empty lot, parking

Cladding: N/A

N/A

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	N	N	N	N	N	N

Aerial view of 1393 Elgin St.



Street view of 1393 Elgin St.



## 1401 Elgin St.

### Non-contributing Property

#### General Information

Property Address: 1401 Elgin St.

Property Name: N/A

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: Unknown

Date of Construction: N/A

Architectural Style: Contemporary Revival

Property Type: 1.5 Storey, single-detached

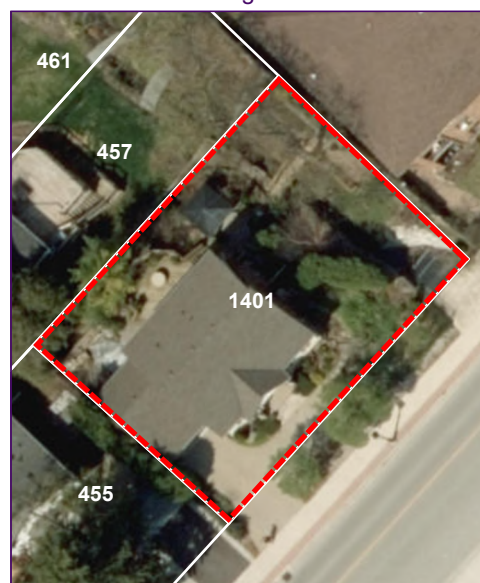
Cladding: Stucco

One-and-a-half storey symmetrical gable roof structure with centrally placed portico and pediment, and british-style half timbering detailing. Portico supported by two large brick based square columns. Symmetrical double windows with sashed transom windows.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	N	N	N	Y	N	N

Aerial view of 1401 Elgin St.



Street view of 1401 Elgin St.



Burlington Avenue HCD  
**1406 Ontario St.**

**Contributing Property**

**General Information**

Property Address: 1406 Ontario St.

Property Name: The Robert John Allen House

**Heritage Designation**

Property is listed on the Municipal Heritage Register, but is not designated under Part IV of the Ontario Heritage Act

**Property Description**

Builder/Architect: Robert John Allen

Date of Construction: 1884

Architectural Style: Stripped Edwardian Classicism, Craftsman

Property Type: 2 storey, single-detached

Cladding: Brick, cedar shingle siding

One-and-a-half storey stretcher-bond brick structure with Edwardian elements. Front gable and large dormer clad in cedar shakes. Bay window with stone lintel and decorative trim. Double-hung windows with stone sills and brick voussoirs throughout. Large veranda below extended gable supported by brick columns and arched fascias.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	Y	N	Y	N	Y	Y	Y	N

Aerial view of 1406 Ontario St.



Street view of 1406 Ontario St.



Burlington Avenue HCD  
**1410 Ontario St.**

**Contributing Property**

**General Information**

Property Address: 1410 Ontario St.

Property Name: N/A

**Heritage Designation**

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

**Property Description**

Builder/Architect: Unknown

Date of Construction: 1884

Architectural Style: Edwardian Classicism

Property Type: 2 Storey, single-detached

Cladding: Brick

"L" shape footprint, two storey brick structure with a hipped roof and bonnet eaves. Front gable with clapboard pediment above centrally located double window and shutters. Decorative brick string course. Windows adorned by stone lintels and brick voussoirs.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	Y	N	Y	N	N	Y	Y	N

Aerial view of 1410 Ontario St.



Street view of 1410 Ontario St.





Burlington Avenue HCD  
**1414 Ontario St.**

**Contributing Property**

**General Information**

Property Address: 1414 Ontario St.

Property Name: The John Foster House

**Heritage Designation**

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

**Property Description**

Builder/Architect: George Blair

Date of Construction: 1910

Architectural Style: Stripped Edwardian Classicism

Property Type: 2.5 Storey, single-detached

Cladding: Brick

Two-and-a-half storey brick structure with front gable with clapboard siding. Symmetrically placed upper windows with stone sills and brick voussoirs, placed above lower floor openings. Full width veranda with "Tuscan" columns and decorative cornice.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	Y	N	N	N	Y	Y	Y	N

Aerial view of 1414 Ontario St.



Street view of 1414 Ontario St.



Burlington Avenue HCD  
**1418 Ontario St.**

**Contributing Property**

**General Information**

Property Address: 1418 Ontario St.

Property Name: The Ephraim Burns House

**Heritage Designation**

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

**Property Description**

Builder/Architect: Ephram Burns

Date of Construction: 1911

Architectural Style: Edwardian Classicism

Property Type: 2.5 Storey, single-detached

Cladding: Brick

Two-and-a-half storey brick structure with front gable and clapboard siding. Two-storey bay windows with stone sill and brick voussoirs. Third storey arched window with simplified decorative trim. Full width veranda supported by "Tuscan" columns and carved cornice and freize.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	Y	N	N	N	N	Y	Y	N

Aerial view of 1418 Ontario St.



Street view of 1418 Ontario St.



Burlington Avenue HCD  
**1422 Ontario St.**

**Contributing Property**

**General Information**

Property Address: 1422 Ontario St.

Property Name: N/A

**Heritage Designation**

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

**Property Description**

Builder/Architect: Charles Allen

Date of Construction: 1910

Architectural Style: Edwardian Classicism

Property Type: 2.5 Storey, single-detached

Cladding: Brick

Two-and-a-half storey brick structure with two-storey extruded window bay. Hipped roof with front gable with decorative carved trim and cornice. Full-width veranda with pediment above entrance, supported by "Tuscan" columns, a low ballustrade and carved cornice and freize. Second storey oriel.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	Y	N	N	N	N	Y	Y	N

Aerial view of 1422 Ontario St.



Street view of 1422 Ontario St.





Burlington Avenue HCD  
**1426 Ontario St.**

**Contributing Property**

**General Information**

Property Address: 1426 Ontario St.

Property Name: N/A

**Heritage Designation**

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

**Property Description**

Builder/Architect: Ephraim Burns

Date of Construction: 1908

Architectural Style: Edwardian Classicism

Property Type: 2.5 Storey, single-detached

Cladding: Brick

Two-and-a-half storey brick structure with front gable with fish-scale shingles. Extruded two-storey bay with centrally placed windows with stone sills and lintels. Upper storey oriel with carved trim. Full-width veranda with pediment above entrance, supported by "Tuscan" columns and ballustrade, decorative cornice and frieze. Side oval window. windows with stone sills and brick voussoirs throughout.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	Y	N	N	N	N	Y	Y	N

Aerial view of 1426 Ontario St.



Street view of 1426 Ontario St.



## 415 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 415 Burlington Ave.

Property Name: The George & Josephine Noyes House

#### Heritage Designation

Property is not listed on the Municipal Heritage Register, but is designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: A.B. Coleman

Date of Construction: 1895

Architectural Style: Stripped Edwardian Classicism (modified)

Property Type: 2 storey, single-detached

Cladding: Clapboard Siding

Two-storey front gabled frame structure with horizontal clapboard siding, double-hung windows, and bay-window at front. Front porch with decorative wooden posts and brackets (likely non-original). Placement of upper windows likely non-original.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	Y	N	Y	Y	Y	N

Aerial view of 415 Burlington Ave.



Street view of 415 Burlington Ave.



## 418 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 418 Burlington Ave.

Property Name: The John Bell House

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: George Blair

Date of Construction: 1885

Architectural Style: N/A

Property Type: Empty lot,

Cladding: N/A

The property is the former site of the John Bell House, designed by George Blair and built in 1885. The building was demolished between 2019-2020 after years of neglect.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	N	N	Y	Y	Y	N

Aerial view of 418 Burlington Ave.



Street view of 418 Burlington Ave.





## 419 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 419 Burlington Ave.

Property Name: The Bunton-Knife-Flock House

#### Heritage Designation

Property is listed on the Municipal Heritage Register, but is not designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: Unknown

Date of Construction: 1860

Architectural Style: Stripped Edwardian with Craftsman elements

Property Type: 2 storey, single-detached

Cladding: Clapboard, stone

Oldest house on Burlington Avenue.  
Two-storey front-gabled frame structure clad with horizontal clapboard, double hung windows and centrally placed door. The house appears to have been noticeably modified over time. The house was built for George Knife, a painter and wood grainer.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	Y	Y	N	Y	Y	N

Aerial view of 419 Burlington Ave.



Street view of 419 Burlington Ave.



## 422 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 422 Burlington Ave.

Property Name: N/A

#### Heritage Designation

Property is listed on the Municipal Heritage Register, but is not designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: Unknown

Date of Construction: 1920

Architectural Style: Craftsman

Property Type: 1.5 storey, single-detached

Cladding: Stucco

One-and-a-half storey craftsman bungalow characterized by a full width verandah with tuscan columns. Asymmetrical façade with doorway to one side of a set of four six-over-one windows and bay window centrally placed at first storey.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
Y	N	N	N	N	N	Y	Y	N

Aerial view of 422 Burlington Ave.



Street view of 422 Burlington Ave.



## 425 Burlington Ave.

### Non-contributing Property

#### General Information

Property Address: 425 Burlington Ave.

Property Name: N/A

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: Unknown

Date of Construction: 1940

Architectural Style: Stripped Craftsman

Property Type: 2 storey, single-detached

Cladding: Stucco

Two-storey side-gable, front dormer with three asymmetrical windows. Centrally-placed front door with sidelights, entrance portico plain cornice and fluted square columns. Appears to have been heavily modified over time.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	N	N	N	N	Y	N

Aerial view of 425 Burlington Ave.



Street view of 425 Burlington Ave.



## 426 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 426 Burlington Ave.

Property Name: The William Emory House

#### Heritage Designation

Property is listed on the Municipal Heritage Register, but is not designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: Unknown

Date of Construction: 1922

Architectural Style: Craftsman

Property Type: 1.5 storey, single-detached

Cladding: Clapboard

One-and-a-half storey, front gable, craftsman bungalow with front veranda with solid posts and tapered square columns.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
Y	N	N	N	N	N	Y	Y	N

Aerial view of 426 Burlington Ave.



Street view of 426 Burlington Ave.





## 431 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 431 Burlington Ave.

Property Name: The William Graham-Margaret Rutherford House

#### Heritage Designation

Property is listed on the Municipal Heritage Register, but is not designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: George Blair

Date of Construction: 1887

Architectural Style: Queen Anne Revival

Property Type: 2.5 Storey, single-detached

Cladding: Brick

Three original standing gas lamps. Two-and-a-half storey brick structure in Queen Anne Revival style with wrap-around veranda. Bonnet-hipped roof with dormers and widow's walk. Decorative iron ballustrate at widows walk and veranda. Decorative wooden cornice and brackets. The house was built for William Graham, manager of the Merchant's Bank.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
Y	Y	N	Y	Y	Y	Y	Y	N

Aerial view of 431 Burlington Ave.



Street view of 431 Burlington Ave.





## 432 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 432 Burlington Ave.

Property Name: Langhome House

#### Heritage Designation

Property is listed on the Municipal Heritage Register, but is not designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: George Blair

Date of Construction: 1885

Architectural Style: Georgian

Property Type: 2 Storey, single-detached

Cladding: Stucco

Two-storey hipped roof symmetrical structure with 4 sets of windows with arched lintels and extruded sills, a recessed central bay with a centrally placed arched window. Extended portico with double-door and transom. Simplified cornice with decorative brackets placed at corners.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	Y	N	N	N	Y	Y	Y	N

Aerial view of 432 Burlington Ave.



Street view of 432 Burlington Ave.



## 436 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 436 Burlington Ave.

Property Name: The Toronto & Niagara Power Company Office & House

#### Heritage Designation

Property is not listed on the Municipal Heritage Register, but is designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: Unknown

Date of Construction: 1914

Architectural Style: Craftsman

Property Type: 1.5 Storey, single-detached

Cladding: Brick, fish-scale shingles

One-and-a-half storey side-gabled roof with bonnet slope above the full-width porch with tuscan columns. Second storey front-dormer with two double-hung windows with wooden fish-scale shingles and simplified trim. Front facade has two grouped windows at both sides of the centrally-placed entrance.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	Y	Y	N	Y	Y	N

Aerial view of 436 Burlington Ave.



Street view of 436 Burlington Ave.



## 437 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 437 Burlington Ave.

Property Name: Thomas Colling-Susan & Percy Dawson House

#### Heritage Designation

Property is listed on the Municipal Heritage Register, but is not designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: George Blair

Date of Construction: 1885

Architectural Style: Victorian

Property Type: 2 storey, single-detached

Cladding: Brick

Two-and-a-half storey Victorian style with Italianate influence masonry dwelling. Red brick with buff brick accents around the window arches. Full arched windows at second storey with segmental arched windows at the ground-storey. Also features carved Victorian style trim in the main gable and decorative brackets. Inclosed front vestibule with window panes, and decorative cornice.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
Y	Y	N	Y	Y	Y	Y	Y	N

Aerial view of 437 Burlington Ave.



Street view of 437 Burlington Ave.



Burlington Avenue HCD  
**440 Locust St.**

**Non-contributing Property**

**General Information**

Property Address: 440 Locust St.

Property Name: N/A

**Heritage Designation**

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

**Property Description**

Builder/Architect: N/A

Date of Construction: N/A

Architectural Style: N/A

Property Type: Empty lot, parking

Cladding: N/A

N/A

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	N	N	N	N	N	N

Aerial view of 440 Locust St.



Street view of 440 Locust St.





## 446 Burlington Ave.

### Non-contributing Property

#### General Information

Property Address: 446 Burlington Ave.

Property Name: N/A

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: N/A

Date of Construction: N/A

Architectural Style: N/A

Property Type: Empty lot, parking

Cladding: N/A

N/A

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	N	N	N	N	N	N

Aerial view of 446 Burlington Ave.



Street view of 446 Burlington Ave.



## 454 Burlington Ave.

### Non-contributing Property

#### General Information

Property Address: 454 Burlington Ave.

Property Name: N/A

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: Clarence E. Hewitt

Date of Construction: 1942

Architectural Style: Suburban

Property Type: 1 Storey, single-detached

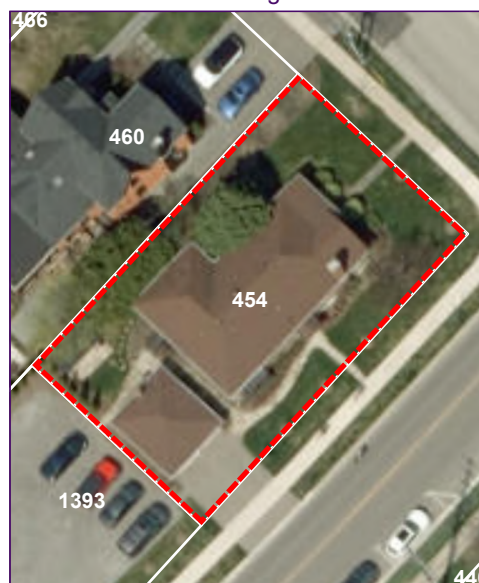
Cladding: Brick

One storey brick structure with a front gable with decorative trim, a set of three double-hung windows with vertical brick decorative lintel. Front veranda enclosed with double-hung windows and window paned door.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	N	N	N	Y	Y	N

Aerial view of 454 Burlington Ave.



Street view of 454 Burlington Ave.



## 455 Burlington Ave.

### Non-contributing Property

#### General Information

Property Address: 455 Burlington Ave.

Property Name: N/A

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: Unknown

Date of Construction: N/A

Architectural Style: Craftsman

Property Type: 1 Storey, single-detached

Cladding: Stucco

One storey stucco "L" footprint structure with a front gable with decorative brackets and centrally placed bay window. Flat roof addition likely non-original.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	N	N	N	Y	N	N

Aerial view of 455 Burlington Ave.



Street view of 455 Burlington Ave.



## 457 Burlington Ave.

### Non-contributing Property

#### General Information

Property Address: 457 Burlington Ave.

Property Name: N/A

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: John Williams

Date of Construction: 1993

Architectural Style: Contemporary Revival

Property Type: 2 Storey, duplex

Cladding: Brick, clapboard

Two-storey likely addition to the property at 461. Brick and capboard structure with front dormers with decorative cornices, lintels and frames. First storey has arched window symmetrically echoed by the open veranda's frieze, held by square columns with "tuscan" capitals.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	N	N	N	Y	Y	N

Aerial view of 457 Burlington Ave.



Street view of 457 Burlington Ave.





## 460 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 460 Burlington Ave.

Property Name: The Henry Foster House

#### Heritage Designation

Property is listed on the Municipal Heritage Register, but is not designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: Unknown

Date of Construction: 1881

Architectural Style: Stripped Victorian

Property Type: 2 Storey, single-detached

Cladding: Brick

Two-storey Victorian vernacular brick "L" footprint structure with front gable and large bay window with decorative cornice. All windows decorated by brick voussoirs and corner quoining with protruding sills. The house was relocated from a property along the Halton Radial Line in the late 1890's to it's current address.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
Y	Y	N	Y	Y	N	Y	Y	N

Aerial view of 460 Burlington Ave.



Street view of 460 Burlington Ave.



## 461 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 461 Burlington Ave.

Property Name: N/A

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: Ephram Burns

Date of Construction: 1905

Architectural Style: Stripped Edwardian Classicism

Property Type: 2 Storey, duplex

Cladding: Brick

Two Storey brick structure with front gable and finial. Second floor symmetrically placed set of arched windows with decorative brick voussoirs. First storey asymmetrical bay window and decorative doorcase with transom.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	Y	N	N	N	N	Y	Y	N

Aerial view of 461 Burlington Ave.



Street view of 461 Burlington Ave.



## 465 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 465 Burlington Ave.

Property Name: N/A

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: Unknown

Date of Construction: 1904

Architectural Style: Edwardian Classicism

Property Type: 2.5 Storey, single-detached

Cladding: Brick

Two-and-a-half storey hipped roof structure with dormer window and front gable with simplified cornice and decorative brackets. Wrap-around veranda with central pediment supported by square columns and decorated doorcase.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	Y	N	N	N	N	Y	Y	N

Aerial view of 465 Burlington Ave.



Street view of 465 Burlington Ave.





## 466 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 466 Burlington Ave.

Property Name: The O.T. Springer House

#### Heritage Designation

Property is listed on the Municipal Heritage Register, but is not designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: George Blair

Date of Construction: 1908

Architectural Style: Queen Anne Revival

Property Type: 2.5 Storey, single-detached

Cladding: Brick, fish-scale shingles

Two-and-a-half storey structure in eclectic Queen Anne Revival style with brick and fish-scale wood shingle cladding. Centrally located grand-dormer at second level with carved decorative trim and pediment. Assymetrical veranda supported by a brick base and ionic short columns. Carved wooden bay-window frame at first storey, centrally-placed front door with carved doorcase and transom. Second storey double-sash window. Most windows have brick voussoirs.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
Y	Y	N	Y	N	Y	Y	Y	N

Aerial view of 466 Burlington Ave.



Street view of 466 Burlington Ave.



## 471 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 471 Burlington Ave.

Property Name: N/A

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: Robert John Allen

Date of Construction: 1904

Architectural Style: Stripped Edwardian Classicism

Property Type: 2.5 Storey, single-detached

Cladding: Brick, fish-scale shingles, clapboard

Two-and-a-half storey hipped roof brick structure with front gable clad in fish-scale shingles. Asymmetrically placed door and protruding porch supported by square columns, decorative frieze, cornice and pediment. Window openings have stone sills and brick soldier-course lintel.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	Y	N	Y	N	N	Y	Y	N

Aerial view of 471 Burlington Ave.



Street view of 471 Burlington Ave.



## 472 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 472 Burlington Ave.

Property Name: The George Blair House

#### Heritage Designation

Property is listed on the Municipal Heritage Register, but is not designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: George Blair

Date of Construction: 1885

Architectural Style: Queen Anne Revival

Property Type: 2.5 Storey, single-detached

Cladding: Brick, fish-scale shingles

Two-and-a-half storey brick structure built by George Blair one of Burlington's most eminent builders, in Queen Anne Style categorized by asymmetrical entrance, and decorative cornice and trim with floral designs. Front and side gables with fish-scale shingles, front dormer with decorative pediment. Grand, decorated bay windows and a front veranda supported by decorative trim, posts and brackets. Carved doorcase with arched transom. Second-storey windows adorned by a painted brick arched lintel.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
Y	Y	N	Y	Y	Y	Y	Y	N

Aerial view of 472 Burlington Ave.



Street view of 472 Burlington Ave.





## 475 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 475 Burlington Ave.

Property Name: The Kitching-Vance House

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: Robert John Allen

Date of Construction: 1910

Architectural Style: Stripped Edwardian Classicism

Property Type: 2.5 Storey, single-detached

Cladding: Brick, clapboard

Two-and-a-half storey brick structure with full-width veranda with pediment, supported by tuscan columns. 3-storey front gable and side dormers with clapboard siding. Second storey windows with stone sills and brick voussoirs. Simplified carved eaves throughout.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	Y	N	N	N	N	Y	Y	N

Aerial view of 475 Burlington Ave.



Street view of 475 Burlington Ave.



## 476 Burlington Ave.

### Non-contributing Property

#### General Information

Property Address: 476 Burlington Ave.

Property Name: N/A

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: Unknown

Date of Construction: 1985

Architectural Style: Contemporary Revival

Property Type: 2 Storey, duplex

Cladding: Brick

Two Storey brick structure, since converted into two dwellings. Front gable, with arched vent. Second storey equally spaced double hung windows, with brick sills. First storey bay windows with a decorative doorcase with carved fluted pilasters. Simplified carved eaves throughout.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	N	N	N	Y	N	N

Aerial view of 476 Burlington Ave.



Street view of 476 Burlington Ave.





## 478 Burlington Ave.

### Non-contributing Property

#### General Information

Property Address: 478 Burlington Ave.

Property Name: N/A

#### Heritage Designation

Property is not listed on Municipal Heritage Register or designated under the Part IV Ontario Heritage Act

#### Property Description

Builder/Architect: Unknown

Date of Construction: 1985

Architectural Style: Contemporary Revival

Property Type: 2 storey, duplex

Cladding: Brick

Two Storey brick structure, since converted into two dwellings. Front gable, with arched vent. Second storey equally spaced double hung windows, with brick sills. First storey bay windows with a decorative doorcase with carved fluted pilasters. Simplified carved eaves throughout.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
N	N	N	N	N	N	Y	N	N

Aerial view of 478 Burlington Ave.



Street view of 478 Burlington Ave.



## 479 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 479 Burlington Ave.

Property Name: The Allen-McIlwain House

#### Heritage Designation

Property is not listed on the Municipal Heritage Register, but is designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: Robert John Allen

Date of Construction: 1914

Architectural Style: Craftsman

Property Type: 1.5 storey, single-detached

Cladding: Brick, cedar shingle siding

One-and-a-half storey structure with side gable and central dormer clad in cedar shakes. Symmetrical double hung windows with extended veranda supported by brick columns and decorative brackets. Windows at first storey adorned by brick voussoirs.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
Y	N	N	N	N	N	Y	Y	N

Aerial view of 479 Burlington Ave.



Street view of 479 Burlington Ave.



## 482 Burlington Ave.

### Contributing Property

#### General Information

Property Address: 482 Burlington Ave.

Property Name: Maplelawn: The Gordon-Smith-Hyslop House

#### Heritage Designation

Property is listed on the Municipal Heritage Register, but is not designated under Part IV of the Ontario Heritage Act

#### Property Description

Builder/Architect: George Blair

Date of Construction: 1905

Architectural Style: Mixed Bungalow

Property Type: 1.5 Storey, single-detached

Cladding: Brick, cedar shingle siding

One-and-a-half storey brick structure with corner turret and dormers. Hipped roof with dormers clad in cedar shakes. Centrally placed front dormer with simplified carved cornice and pediment. Central veranda supported by "Tuscan" columns and wood ballustrade and simplified carved cornice and frieze. First storey double-hung windows with stone sills and brick voussoirs.

OHA 9/06 Reg. Criteria:

1	2	3	4	5	6	7	8	9
Y	Y	N	Y	Y	Y	Y	Y	N

Aerial view of 482 Burlington Ave.



Street view of 482 Burlington Ave.



## OHA Reg. 9/06 Criteria

<b>1</b>	The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
<b>2</b>	The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
<b>3</b>	The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
<b>4</b>	The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
<b>5</b>	The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
<b>6</b>	The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
<b>7</b>	The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
<b>8</b>	The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
<b>9</b>	The property has contextual value because it is a landmark. O. Reg. 569/22, s. 1.

## Committee of the Whole Report Forecast January 12 & 13, 2026

Note: this forecast is subject to change

### Regular Items:

- Burlington Climate Plan: Take Action to Reduce Community Greenhouse Gas Emissions (PWS-XX-26)
- Balancing Value and Access – A Framework for Community Rates and Fees (CSS-01-26)
- City Initiated Official Plan Amendment No. 7, Employment Area (DGM-01-26)