Regular Council Agenda Agenda published September 24,2026
Addendum published September 25,2026
Revised addendum published September 28,2026
Revised agenda published September 28,2026

Date: September 29, 2026
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. National Anthem

4. Roll Call

5. Approval of the Agenda

6. Declarations of Interest

7. Proclamations

7.1 National Dental Care Day: October 10, 2026

7.2 Child Care Worker and Early Childhood Educator Appreciation Day: October 21, 2026

7.3 International Stuttering Awareness Day: October 22, 2026

8. Recognition and Achievements

8.1 Bicycle Friendly Communities Award

9. Presentations

10. Motion to approve Council Minutes

Confirm the minutes of the following meeting of Council:

10.1 Regular Council meeting of July 21, 2026

11. Delegations

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

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

11.1 Jim Thomson will speak regarding Motion memorandum regarding Electric Kick Scooters & Powered Personal Transportation Devices – Public Awareness, Injury Prevention, Point of Sale Education, Enforcement and Legislative Action (ADM-09-26)

12. Petitions

13. Recommendations from Standing Committees:

13.1 Committee of the Whole meeting of September 14 and 15, 2026

a. Operating budget performance report as of June 30, 2026 (FIN-25-26) (CCS)

Receive for information finance department report FIN-25-26 regarding the operating budget performance as at June 30, 2026; and

Direct the Chief Financial Officer to report back on the City's 2026 year-end results upon completion of the 2026 year-end.

b. Municipal Consent By-law update (PWS-25-26) (PW)

Enact a by-law substantially in the form attached as Appendix A to public works report PWS-25-26, being a by-law to repeal and replace By-law 65-2021, The City of Burlington Municipal Consent By-law, with a new Municipal Consent By-law.

c. Spruce Avenue area renewal – road closure extension (PWS-33-26) (PW)

Authorize the extension of the approved road closure on Spruce Avenue between Shoreacres Road and Goodram Drive (ES-26-05) until completion of the trenchless watermain construction, anticipated to be December 2026, as outlined in public works report PWS-33-26.

d. Aldershot GO Transit Oriented Community (TOC) update (DGM-50-26) (GM)

Receive for information development and growth management report DGM-50-26 regarding Aldershot GO Transit Oriented Community (TOC) update.

e. Housing Community Improvement Plan update (DGM-53-26) (GM)

Receive for information development and growth management report DGM-53-26, regarding an update on the uptake of the Burlington Housing Community Improvement Plan (CIP) Temporary Programs and the subsequent program funding allocation status of the Housing Accelerator Fund (HAF).

f. Motion memorandum regarding proposed Roseland Heritage Conservation District Study (COW-20-26)

Direct the Director of Community Planning to research the budget required for a heritage conservation district study of over 300 properties and report back to Council in Q1 2027.

g. Motion memorandum regarding upholding Council decision concerning food truck event in BIA (COW-22-26)

That Council direct the Commissioner of Community Services or designate to conduct a review of the July 17 to 19, 2026 Burlington Waterfront Festival, including its approval, final programming, number and proportion of food vendors, consistency with the approved event application, and alignment

with previous Council direction regarding food truck festivals at Spencer Smith Park; and

That the review include formal and meaningful engagement with the Burlington Downtown Business Association, downtown restaurants, local business stakeholders, event organizers, and relevant City staff to document impacts, identify lessons learned, and recommend improvements to the Festivals and Events approval and post-event evaluation processes; and

That staff report back to Council by Q4 2026 with findings and recommendations, including whether the Burlington Waterfront Festival should be renewed at Spencer Smith Park in its current format, whether a maximum number or proportion of food trucks should be established for events in or adjacent to the downtown or defined business area, and whether material changes to an approved event's programming, commercial composition, scale, or character should trigger further staff review or Council approval; and

That The Burlington Waterfront Festival be declared a food truck event and therefore subject to the 2023 decision of Council; and

That no approval or renewal of the Burlington Waterfront Festival at Spencer Smith Park for 2027 be finalized until the review is complete and Council has considered the staff report.

h. Financial status report as at June 30, 2026 (FIN-18-26)

Item 20.2 provides supplemental information regarding this item.

Receive for information finance department report FIN-18-26, financial status report as at June 30, 2026.

i. Official Plan and Zoning By-law Amendments for 235 Plains Road East and 1022 Gallagher Road (DGM-57-26)

Approve the applications for Official Plan and Zoning By-law Amendments, as modified by staff, submitted by Weston Consulting on behalf of the property owner for an 8-storey residential building (plus mechanical penthouse); and

Approve Official Plan Amendment No.167 to the City of Burlington Official Plan 1997, as outlined in Appendix D of development and growth management report DGM-57-26, to

amend the designation of the lands located at 235 Plains Road East and 1022 Gallagher Road to “Mixed Use Corridor – General” with site-specific policies; and

Deem that Official Plan Amendment No.167 is consistent with The Planning Act; and

Approve Zoning By-law 2020.527, as modified by staff and attached as Appendix E to development and growth management report DGM-56-26, to rezone the lands at 235 Plains Road East and 1022 Gallagher Road from the existing “H-MXG” zone to a site-specific “H-MXG-580“ zone; and

Deem that Zoning By-law 2020.527, as modified by staff, will conform to the Halton Region Official Plan, the 1997 Official Plan of the City of Burlington and the 2020 Official Plan once Official Plan Amendment No.167 is adopted; and

State that the amending Zoning By-law will not come into effect until Official Plan Amendment No.167 is adopted.

j. Official Plan and Zoning By-law Amendments for 517 Plains Road East (DGM-56-26)

Approve the applications for Official Plan and Zoning By-law Amendments, as modified by staff, submitted by Weston Consulting on behalf of the property owner, for an 11-storey mixed use building (plus mechanical penthouse); and

Approve Official Plan Amendment No.166 to the City of Burlington Official Plan 1997, as outlined in Appendix D of development and growth management report DGM-56-26, to amend the designation of the lands located at 517 Plains Road East to “Mixed Use Corridor – General” with site-specific policies; and

Deem that Official Plan Amendment No.166 is consistent with The Planning Act; and

Approve Zoning By-law 2020.526, as modified by staff and attached as Appendix E to development and growth management report DGM-56-26, to rezone the lands at 517 Plains Road East from the existing “MXG” zone to a site-specific “H-MXG-579“ zone; and

Deem that Zoning By-law 2020.526, as modified by staff, will conform to the Halton Region Official Plan, the 1997 Official

Plan of the City of Burlington and the 2020 Official Plan once Official Plan Amendment No.166 is adopted; and

State that the amending Zoning By-law will not come into effect until Official Plan Amendment No.166 is adopted.

k. Official Plan and Zoning By-law Amendments for 1376 and 1382 Plains Road East (DGM-52-26)

Refuse the applications for Official Plan and Zoning By-law Amendments submitted by Bousfields Inc. on behalf of 2731115 Ontario Inc., F. K Deals on Wheels Inc., 2731119 Ontario Inc., and Manor Care Homes Inc proposing a 25-storey (plus mechanical penthouse) mixed-use building at 1376 and 1382 Plains Road East as well as on three additional parcels of land being conveyed from the abutting lands owned by Canadian National Railway which are without municipal address.

l. Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4136 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

Item 20.1 provides supplemental information regarding this item.

Refuse the application for Official Plan Amendment submitted by Macaulay Shiomi Howson Ltd. on behalf of Millcroft Greens Corporation and 1000835226 Ontario Inc. to change the designation for the subject lands to support the proposed residential subdivision; and

Refuse the application for Draft Plan of Subdivision submitted by Macaulay Shiomi Howson Ltd. on behalf of Millcroft Greens Corporation and 1000835226 Ontario Inc. proposing a residential subdivision with 73 detached dwellings, 65 townhouse dwellings, 6 private roads and blocks for open space, landscape, natural heritage and stormwater management.

m. Confidential legal update on litigation matter regarding Nelson Aggregates appeal (LLS-37-26)

Pursuant to Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and

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

Receive for information confidential Legal report LLS-37-26 providing an update on the Ontario Land Tribunal's decision regarding Nelson Aggregate Co. appeals to permit a proposed quarry expansion.

14. Motion to Approve Standing Committee Minutes

Approve the following minutes:

14.1 Committee of the Whole meeting minutes of September 14 and 15, 2026 — 1 - 13

15. Urgent Business

16. Confidential Items and Closed Meeting

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

16.1 Motion to Confirm Confidential Minutes

Confirm the confidential minutes of the following closed meetings:

a. Confidential closed meeting minutes for Committee of the Whole meeting of September 14, 2026

17. Rise and Report

18. Motions of Members

18.1 Motion memorandum regarding Electric Kick Scooters & Powered Personal Transportation Devices – Public Awareness, Injury Prevention, Point of Sale Education, Enforcement and Legislative Action (ADM-09-26) — 14 - 16

That Burlington City Council endorse a multi-agency and multi-government approach to e-scooters, with device safety and injury prevention as the key outcome; focusing on prevention, public awareness, safety strategies, business point-of-sale education, and enforcement; and

That Burlington City Council request the Provincial government,

including the Ministries of Transportation, Education, Health and Solicitor General, work with local police, school boards, businesses, public health and other community partners and agencies to review current regulations, licensing, retailer & point of sale regulation for opportunities to ensure public awareness and safety; and

That Burlington City Council request the Province to collect and publish standardized provincial data on e-bike and e-scooter collisions, injuries and fatalities to support evidence-based policy and enforcement; and

That Burlington City Council request Transport Canada to federally regulate micromobility vehicle safety and battery safety requirements, standards, testing and labelling, for point of sale and importation; and in creating those regulations, to consult with key interested and affected parties with expertise in micromobility vehicle design and safety, and universal accessibility; and

That Burlington City Council support and adopt the motion of the Halton Regional Police Board of Sept. 24 to ensure public and youth safety and coordinated action among Halton Regional Police Services, Halton District School Board & Halton Catholic District School Board; Ministry of Education, Halton Municipalities (City of Burlington, Town of Halton Hills, Town of Milton, Town of Oakville) to review local response capabilities, including:

- Updating municipal bylaws, public signage, and municipally owned property policies for clearer restrictions and enforcement mechanisms; and
- Authorizing Municipal Enforcement Officers to enforce local rules, document violations, and coordinate referral protocols with police; and
- Harmonizing definitions, restrictions, and joint enforcement initiatives across Halton while identifying municipal/provincial authority gaps; and

That this resolution be forwarded to the federal Minister of Transportation, Premier of Ontario, the Solicitor General, provincial Ministers of Transportation, Education, and Health, the local Members of Parliament and Members of Provincial Parliament representing ridings in the City of Burlington; Halton Region; Halton Municipalities and School Boards; Federation of Canadian Municipalities; Association of Municipalities of Ontario (AMO), Ontario’s Big City Mayors; Halton Regional Police Services Board; Ontario Association of Police Service Boards (OAPSB).

19. Council Information Package

19.1 Council Information Package July 24, 2026

19.2 Council Information Package July 31, 2026

19.3 Council Information Package August 14, 2026

19.4 Council Information Package August 21, 2026

19.5 Council Information Package August 28, 2026

19.6 Council Information Package September 4, 2026

19.7 Council Information Package September 11, 2026

19.8 Council Information Package September 18, 2026

19.9 Council Information Package September 25, 2026

20. Motion to Receive and File Information Items

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

20.1	Supplemental staff memo regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4136 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26) This item provides supplemental information regarding item 13.1 l.	17 - 38
20.2	Supplemental staff memo regarding Financial status report as at June 30, 2026 (FIN-18-26) This item provides supplemental information regarding item 13.1 h.	39 - 41
20.3	Public comments regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4136 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)	42 - 48
20.4	Public comments regarding Confidential legal update on litigation matter regarding Nelson Aggregates appeal (LLS-37-26)	49 - 69
20.5	*Supplemental staff memo regarding Millcroft Minister Zoning Order Request Update regarding DGM-55-26, (CS-07-26)* This item provides supplemental information regarding item 13.1 l	*70 - 75*

21. Notice of Motion

22. Motion to Approve By-Laws

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

22.1	52-2026: A by-law to regulate (including requiring municipal consent permits) construction, road cuts and occupancies on City rights-of-way and other City property and to repeal By-law 65-2021, The City of Burlington Municipal Consent By-law. Report PWS-25-26, Committee of the Whole September 14 and 15, 2026	76 - 91
22.2	53-2026: A by-law to adopt Official Plan Amendment No. 167 to permit an eight (8) storey mixed use building consisting of ground floor non-residential uses and 140 residential units in the storeys above. 235 Plains Road East and 1022 Gallagher Road Report DGM-57-26, Committee of the Whole September 14 and 15, 2026	92 - 94
22.3	54-2026: A by-law to adopt Official Plan Amendment No. 166 to permit an eleven (11) storey mixed use building consisting of ground floor non-residential uses and 179 residential units in the storeys above. 517 Plains Road East. Report DGM-56-26, Committee of the Whole September 14 and 15, 2026	95 - 97
22.4	2020.526: A by-law to amend Zoning By-law 2020, as amended, for 517 Plains Rd. E. Report (DGM-56-26), Committee of the Whole September 14 and 15, 2026	98 - 105
22.5	2020.527: A by-law to amend Zoning By-law 2020, as amended, for 235 Plains Rd. E and 1022 Gallagher Rd. Report DGM-57-26, Committee of the Whole September 14 and 15, 2026	106 - 113
22.6	*55-2026: A by-law to amend By-law 86-2007, as amended, being a by-law for the regulation of traffic.* Delegated Authority	*114 - 116*

23. Confirmatory By-law

117 - 118

Enact and pass By-law Number 56-2026 being a by-law to confirm the proceedings of Council at its meeting held September 29, 2026 being read a first, second and third time.

24. Statements by Members and Staff

25. Motion to Adjourn

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

Committee of the Whole

Minutes

Date:	September 14, 2026
Time:	9:30 am
Location:	Council Chambers, City Hall, second floor

Members Present:	Councillor Shawna Stolte (Chair) Councillor Kelvin Galbraith Councillor Lisa Kearns Councillor Rory Nisan Councillor Paul Sharman Councillor Angelo Bentivegna Mayor Marianne Meed Ward
Staff Present:	Curt Benson, Chief Administrative Officer Blake Hurley, Commissioner, Legal and Legislative Services/City Solicitor Scott Hamilton, Commissioner, Public Works Craig Millar, Chief Financial Officer Stephen Robichaud, Commissioner, Development and Growth Management Andrew Scott, Commissioner of Corporate Services Emilie Cote, Director, Recreation Community and Culture Jo-Anne Rudy, Committee Clerk Suzanne Gillies, Committee Clerk

1. Call to Order

The Chair called the meeting to order.

2. Land Acknowledgement

The Chair read the Land Acknowledgement.

3. Approval of the Agenda

Moved by Councillor Galbraith

Councillor Galbraith withdrew Item 8.3 motion memorandum regarding Sign By-law Amendment (ADM-08-26).

Approve the agenda as amended.

CARRIED

Moved by Councillor Bentivegna

Motion to add a delegation to the agenda after the agenda has been approved.

CARRIED

Moved by Councillor Nisan

Suspend the rules for Section 46.1 of the Procedure By-law 59-2024, as amended, to permit an unregistered delegate Patricia McGorman to speak to Item 9.1 confidential legal update on litigation matter regarding Nelson Aggregates appeal (LLS-37-26).

CARRIED

4. Declarations of Interest

None

5. Presentations

None

6. Delegations

6.1 Brian Dean, Steve Hewson and Stephen Bell, Burlington Downtown Business Association, spoke regarding motion memorandum regarding upholding Council decision concerning food truck event in BIA (COW-22-26)

6.2 Roger Goulet, PERL Executive Director, spoke regarding confidential legal update on litigation matter regarding Nelson Aggregates appeal (LLS-37-26)

6.3 Gord Pinard, CORE Burlington, spoke regarding confidential legal update on litigation matter regarding Nelson Aggregates appeal (LLS-37-26)

6.4 Patricia McGorman spoke regarding confidential legal update on litigation matter regarding Nelson Aggregates appeal (LLS-37-26)

7. Consent Items

7.1 Financial status report as at June 30, 2026 (FIN-18-26) (CCS)

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

7.2 Operating budget performance report as of June 30, 2026 (FIN-25-26) (CCS)

Moved by Councillor Kearns

Receive for information finance department report FIN-25-26 regarding the operating budget performance as at June 30, 2026; and

Direct the Chief Financial Officer to report back on the City's 2026 year-end results upon completion of the 2026 year-end.

CARRIED

7.3 Municipal Consent By-law update (PWS-25-26) (PW)

Moved by Councillor Kearns

Enact a by-law substantially in the form attached as Appendix A to public works report PWS-25-26, being a by-law to repeal and replace By-law 65-2021, The City of Burlington Municipal Consent By-law, with a new Municipal Consent By-law.

CARRIED

7.4 Spruce Avenue area renewal – road closure extension (PWS-33-26) (PW)

Moved by Councillor Kearns

Authorize the extension of the approved road closure on Spruce Avenue between Shoreacres Road and Goodram Drive (ES-26-05) until completion of the trenchless watermain construction, anticipated to be December 2026, as outlined in public works report PWS-33-26.

CARRIED

7.5 Aldershot GO Transit Oriented Community (TOC) update (DGM-50-26) (GM)

Moved by Councillor Kearns

Receive for information development and growth management report DGM-50-26 regarding Aldershot GO Transit Oriented Community (TOC) update.

CARRIED

7.6 Housing Community Improvement Plan update (DGM-53-26) (GM)

Moved by Councillor Kearns

Receive for information development and growth management report DGM-53-26, regarding an update on the uptake of the Burlington Housing Community Improvement Plan (CIP) Temporary Programs and the subsequent program funding allocation status of the Housing Accelerator Fund (HAF).

CARRIED

8. Community and Corporate Services

8.1 Motion memorandum regarding proposed Roseland Heritage Conservation District Study (COW-20-26)

Moved by Mayor Meed Ward

Direct the Director of Community Planning to research the budget required for a heritage conservation district study of over 300 properties and report back to Council in Q1 2027.

CARRIED

8.2 Motion memorandum regarding upholding Council decision concerning food truck event in BIA (COW-22-26)

Moved by Councillor Kearns

THAT Council direct the Commissioner of Community Services or designate to conduct a review of the July 17 to 19, 2026 Burlington Waterfront Festival, including its approval, final programming, number and proportion of food vendors, consistency with the approved event application, and alignment with previous Council direction regarding food truck festivals at Spencer Smith Park; and

THAT the review include formal and meaningful engagement with the Burlington Downtown Business Association, downtown restaurants, local

business stakeholders, event organizers, and relevant City staff to document impacts, identify lessons learned, and recommend improvements to the Festivals and Events approval and post-event evaluation processes; and

THAT staff report back to Council by Q4 2026 with findings and recommendations, including whether the Burlington Waterfront Festival should be renewed at Spencer Smith Park in its current format, whether a maximum number or proportion of food trucks should be established for events in or adjacent to the downtown or defined business area, and whether material changes to an approved event's programming, commercial composition, scale, or character should trigger further staff review or Council approval; and

THAT The Burlington Waterfront Festival be declared a food truck event and therefore subject to the 2023 decision of Council; and

THAT no approval or renewal of the Burlington Waterfront Festival at Spencer Smith Park for 2027 be finalized until the review is complete and Council has considered the staff report.

CARRIED

8.3 Motion memorandum regarding Sign By-law Amendment (ADM-08-26)

Note: this item was withdrawn by Councillor Galbraith

8.4 Financial status report as at June 30, 2026 (FIN-18-26)

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

Moved by Councillor Nisan

Receive for information finance department report FIN-18-26, financial status report as at June 30, 2026.

CARRIED

9. Confidential Items and Closed Meeting

Moved by Councillor Sharman

Proceed into closed session on Monday September 14, 2026 at 1:01 p.m. in accordance with the following provisions under the Municipal Act:

Pursuant to Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and

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

CARRIED

9.1 Confidential legal update on litigation matter regarding Nelson Aggregates appeal (LLS-37-26)

Moved by Councillor Nisan

Receive for information confidential Legal report LLS-37-26 providing an update on the Ontario Land Tribunal's decision regarding Nelson Aggregate Co. appeals to permit a proposed quarry expansion.

CARRIED

10. Rise and Report

Committee reconvened into open session on September 14, 2026 at 1:51 p.m.

In closed session Committee discussed the following item:

9.1 Confidential legal update on a litigation matter regarding Nelson Aggregates appeal (LLS-37-26)

11. Public Works

None

12. Growth Management

None

13. Statutory Public Meetings

Note: view September 15, 2026 video for discussion of Items 13.1 to 13.4

13.1 Official Plan and Zoning By-law Amendments for 235 Plains Road East and 1022 Gallagher Road (DGM-57-26)

The Committee of the Whole, in accordance with the Planning Act, held Public Meeting No. 12-26 on September 15, 2026, regarding Official Plan and Zoning By-law Amendments for 235 Plains Road East and 1022 Gallagher Road. Having considered the oral and written comments received from staff and the public, the Committee of the Whole approved

the recommendation contained in development and growth management report DGM-57-26.

Moved by Councillor Galbraith

Approve the applications for Official Plan and Zoning By-law Amendments, as modified by staff, submitted by Weston Consulting on behalf of the property owner for an 8-storey residential building (plus mechanical penthouse); and

Approve Official Plan Amendment No.167 to the City of Burlington Official Plan 1997, as outlined in Appendix D of development and growth management report DGM-57-26, to amend the designation of the lands located at 235 Plains Road East and 1022 Gallagher Road to “Mixed Use Corridor – General” with site-specific policies; and

Deem that Official Plan Amendment No.167 is consistent with The Planning Act; and

Approve Zoning By-law 2020.527, as modified by staff and attached as Appendix E to development and growth management report DGM-56-26, to rezone the lands at 235 Plains Road East and 1022 Gallagher Road from the existing “H-MXG” zone to a site-specific “H-MXG-580“ zone; and

Deem that Zoning By-law 2020.527, as modified by staff, will conform to the Halton Region Official Plan, the 1997 Official Plan of the City of Burlington and the 2020 Official Plan once Official Plan Amendment No.167 is adopted; and

State that the amending Zoning By-law will not come into effect until Official Plan Amendment No.167 is adopted.

CARRIED

a. Martin Quarcoopome, Weston Consulting, spoke regarding Official Plan and Zoning By-law Amendments for 235 Plains Road East and 1022 Gallagher Road (DGM-57-26)

b. Staff presentation regarding Official Plan and Zoning By-law Amendments for 235 Plains Road East and 1022 Gallagher Road (DGM-57-26)

c. Delegation material from Martin Quarcoopome, Weston Consulting, regarding Official Plan and Zoning By-law Amendments for 235 Plains Road East and 1022 Gallagher Road (DGM-57-26)

d. Correspondence from Chris McKhool regarding Official Plan and Zoning By-law Amendments for 235 Plains Road East and 1022 Gallagher Road (DGM-57-26)

13.2 Official Plan and Zoning By-law Amendments for 517 Plains Road East (DGM-56-26)

The Committee of the Whole, in accordance with the Planning Act, held Public Meeting No. 13-26 on September 15, 2026, regarding Official Plan and Zoning By-law Amendments for 517 Plains Road East. Having considered the oral and written comments received from staff and the public, the Committee of the Whole approved the recommendation contained in development and growth management report DGM-56-26.

Moved by Councillor Galbraith

Approve the applications for Official Plan and Zoning By-law Amendments, as modified by staff, submitted by Weston Consulting on behalf of the property owner, for an 11-storey mixed use building (plus mechanical penthouse); and

Approve Official Plan Amendment No.166 to the City of Burlington Official Plan 1997, as outlined in Appendix D of development and growth management report DGM-56-26, to amend the designation of the lands located at 517 Plains Road East to “Mixed Use Corridor – General” with site-specific policies; and

Deem that Official Plan Amendment No.166 is consistent with The Planning Act; and

Approve Zoning By-law 2020.526, as modified by staff and attached as Appendix E to development and growth management report DGM-56-26, to rezone the lands at 517 Plains Road East from the existing “MXG” zone to a site-specific “H-MXG-579“ zone; and

Deem that Zoning By-law 2020.526, as modified by staff, will conform to the Halton Region Official Plan, the 1997 Official Plan of the City of Burlington and the 2020 Official Plan once Official Plan Amendment No.166 is adopted; and

State that the amending Zoning By-law will not come into effect until Official Plan Amendment No.166 is adopted.

CARRIED

a. Martin Quarcoopome, Weston Consulting, spoke regarding Official Plan and Zoning By-law Amendments for 517 Plains Road East (DGM-56-26)

b. Andy Tiwari spoke regarding Official Plan and Zoning By-law Amendments for 517 Plains Road East (DGM-56-26)

c. Darshan Kakadiya spoke regarding Official Plan and Zoning By-law Amendments for 517 Plains Road East (DGM-56-26)

d. Sherine Farid Said spoke regarding Official Plan and Zoning By-law Amendments for 517 Plains Road East (DGM-56-26)

e. Staff presentation regarding Official Plan and Zoning By-law Amendments for 517 Plains Road East (DGM-56-26)

f. Delegation material from Martin Quarcoopome, Weston Consulting, regarding Official Plan and Zoning By-law Amendments for 517 Plains Road East (DGM-56-26)

g. Additional public comments regarding Official Plan and Zoning By-law Amendments for 517 Plains Road East (DGM-56-26)

13.3 Official Plan and Zoning By-law Amendments for 1376 and 1382 Plains Road East (DGM-52-26)

The Committee of the Whole, in accordance with the Planning Act, held Public Meeting No. 14-26 on September 15, 2026, regarding Official Plan and Zoning By-law Amendments for 1376 and 1382 Plains Road East. Having considered the oral and written comments received from staff and the public, the Committee of the Whole approved the recommendation contained in development and growth management report DGM-52-26.

Moved by Councillor Kearns

Refuse the applications for Official Plan and Zoning By-law Amendments submitted by Bousfields Inc. on behalf of 2731115 Ontario Inc., F. K Deals on Wheels Inc., 2731119 Ontario Inc., and Manor Care Homes Inc proposing a 25-storey (plus mechanical penthouse) mixed-use building at 1376 and 1382 Plains Road East as well as on three additional parcels of land being conveyed from the abutting lands owned by Canadian National Railway which are without municipal address.

CARRIED

a. David Falletta, Bousfields Inc., spoke regarding Official Plan and Zoning By-law Amendments for 1376 and 1382 Plains Road East (DGM-52-26)

b. Staff presentation regarding Official Plan and Zoning By-law Amendments for 1376 and 1382 Plains Road East (DGM-52-26)

c. Delegation material from David Falletta, Bousfields Inc., regarding Official Plan and Zoning By-law Amendments for 1376 and 1382 Plains Road East (DGM-52-26)

13.4 Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

The Committee of the Whole, in accordance with the Planning Act, held Public Meeting No. 15-26 on September 15, 2026, regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026). Having considered the oral and written comments received from staff and the public, the Committee of the Whole approved the recommendation contained in development and growth management report DGM-55-26.

Moved by Councillor Bentivegna

Refuse the application for Official Plan Amendment submitted by Macaulay Shiomi Howson Ltd. on behalf of Millcroft Greens Corporation and 1000835226 Ontario Inc. to change the designation for the subject lands to support the proposed residential subdivision; and

Refuse the application for Draft Plan of Subdivision submitted by Macaulay Shiomi Howson Ltd. on behalf of Millcroft Greens Corporation and 1000835226 Ontario Inc. proposing a residential subdivision with 73 detached dwellings, 65 townhouse dwellings, 6 private roads and blocks for open space, landscape, natural heritage and stormwater management.

CARRIED

a. Omar Khan spoke regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4292 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

b. Don May spoke regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

c. Isabel Zulian spoke regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

d. Mehreen Alavi withdrew their delegation. (DGM-55-26)

e. Rowen Fraser spoke regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

f. Cynthia Shanahan spoke regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4292 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

g. Daintry Klein, Millcroft Greenspace Alliance, spoke regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

h. John and Linda Truman spoke regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

i. Osob Adus withdrew their delegation (DGM-55-26)

j. Terence Young spoke regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

k. Staff presentation regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

l. Correspondence from Patrick Harrington, Aird & Berlis, regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

m. Additional public comments regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 MIllcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

n. Correspondence from Darcy & Brenda Chisamore regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

o. Delegation material from Omar Khan spoke regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

p. Delegation material from Don May regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

q. Delegation material from Daintry Klein regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

14. Information Items

Moved by Mayor Meed Ward

Receive and file the following 5 items, having been given due consideration by the Committee of the Whole.

CARRIED

14.1 Legislative Services forecast for standing committee reports (COW-21-26)

14.2 Public comments regarding confidential legal update on litigation matter regarding Nelson Aggregates appeal (LLS-37-26)

14.3 Delegation material from Brian Dean, Steve Hewson and Stephen Bell, Burlington Downtown Business Association, regarding motion memorandum regarding upholding Council decision concerning food truck event in BIA (COW-22-26)

14.4 Delegation material from Roger Goulet, PERL Executive Director, regarding confidential legal update on litigation matter regarding Nelson Aggregates appeal (LLS-37-26)

14.5 Delegation material from Gord Pinard, CORE Burlington, regarding confidential legal update on litigation matter regarding Nelson Aggregates appeal (LLS-37-26)

15. Staff Remarks

16. Committee Remarks

17. Adjournment

11:05 a.m. (recessed), 11:11 a.m. (reconvened), 11:56 a.m. (recessed), 1:00 p.m. (reconvened), 1:01 p.m. (closed), 1:51 p.m. (open), 2:32 p.m. (recessed)

Meeting was reconvened on September 15, 2026 at 9:30 a.m.

10:17 a.m. (recessed), 10:23 a.m. (reconvened), 11:04 a.m. (recessed), 11:10 a.m. (reconvened), 11:57 a.m. (recessed), 1:00 p.m. (reconvened), 1:53 p.m. (recessed), 2:00 p.m. (reconvened), 3:45 p.m. (recessed), 3:55 p.m. (reconvened)

Chair adjourned the meeting at 4:41 p.m.

Motion Memorandum

SUBJECT: Electric Kick Scooters & Powered Personal Transportation Devices – Public Awareness, Injury Prevention, Point of Sale Education, Enforcement and Legislative Action

From: **Mayor Marianne Meed Ward**

Seconded by (for Council only): Councillor Kelvin Galbraith

Date to Committee: N/A

Date to Council: September 29, 2026

CIP Date: N/A

Motion for Council to Consider:

Whereas the province has embarked on a pilot project to November 2029 for electric mobility devices that allows municipalities to participate to collect data and information to inform provincial policy; and

Whereas the significant increase in electric kick scooters and powered personal transportation devices, especially among children and youth, presents serious road safety, community safety, and injury prevention concerns; and

Whereas pediatric hospitals and trauma centres across Canada report a sharp rise in severe, preventable pediatric injuries and brain trauma linked to powered personal mobility devices; and

Whereas provincial law (Ontario Regulation 389/19) prohibits underage riders (under 16) and municipal bylaws restrict operation to specific authorized areas (currently banned in Oakville, Milton, and Halton Hills, and restricted in Burlington to Centennial Trial); but these regulations are not well understood nor easily enforced; and

Whereas e-scooters are used for transportation to school but due to safety concerns storage and use of electric scooters are not permitted on school property within the Halton District School Board and Halton Catholic District School Board; and

Whereas e-scooters are legally sold, including in jurisdictions that prohibit their use, without requirement for point-of-sale education to ensure consumers are informed of the appropriate regulations and operate these devices within the legislation; and

Whereas municipal, school board and police enforcement alone cannot resolve unlawful use without multi-sector provincial, federal, regional and business collaboration and education;

Therefore be it resolved;

That Burlington City Council endorse a multi-agency and multi-government approach to e-scooters, with device safety and injury prevention as the key outcome; focusing on prevention, public awareness, safety strategies, business point-of-sale education, and enforcement; and

That Burlington City Council request the Provincial government, including the Ministries of Transportation, Education, Health and Solicitor General, work with local police, school boards, businesses, public health and other community partners and agencies to review current regulations, licensing, retailer & point of sale regulation for opportunities to ensure public awareness and safety; and

That Burlington City Council request the Province to collect and publish standardized provincial data on e-bike and e-scooter collisions, injuries and fatalities to support evidence-based policy and enforcement; and

That Burlington City Council request Transport Canada to federally regulate micromobility vehicle safety and battery safety requirements, standards, testing and labelling, for point of sale and importation; and in creating those regulations, to consult with key interested and affected parties with expertise in micromobility vehicle design and safety, and universal accessibility; and

That Burlington City Council support and adopt the motion of the Halton Regional Police Board of Sept. 24 to ensure public and youth safety and coordinated action among Halton Regional Police Services, Halton District School Board & Halton Catholic District School Board; Ministry of Education, Halton Municipalities (City of Burlington, Town of Halton Hills, Town of Milton, Town of Oakville) to review local response capabilities, including:

- Updating municipal bylaws, public signage, and municipally owned property policies for clearer restrictions and enforcement mechanisms; and
- Authorizing Municipal Enforcement Officers to enforce local rules, document violations, and coordinate referral protocols with police; and

- Harmonizing definitions, restrictions, and joint enforcement initiatives across Halton while identifying municipal/provincial authority gaps; and

That this resolution be forwarded to the federal Minister of Transportation, Premier of Ontario, the Solicitor General, provincial Ministers of Transportation, Education, and Health, the local Members of Parliament and Members of Provincial Parliament representing ridings in the City of Burlington; Halton Region; Halton Municipalities and School Boards; Federation of Canadian Municipalities; Association of Municipalities of Ontario (AMO), Ontario's Big City Mayors; Halton Regional Police Services Board; Ontario Association of Police Service Boards (OAPSB).

Outcome Sought:

Public awareness, injury prevention, point-of-sale education, enforcement and legislative action on e-scooters.

References:

Halton Police Services. Notice of Motion – Electric Kick Scooters and Powered Personal Transportation Devices. August 31, 2026.

City of Burlington Report PWS-45-25 Amendment to Traffic By-law 86-2007 to permit electric kick-scooters on Centennial Trail December 9, 2025

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

Approved as per form by the City Clerk

Supplemental Staff Memo

SUBJECT: Conservation Halton Comments on Official Plan Amendment and Draft Plan of Subdivision Applications for 2155 Country Club Drive, 4135 Millcroft Park Drive, and 4291 Couples Crescent

TO: Council

FROM: Development and Growth Management

Community Planning

Report Number: DGM-55-26

Wards Affected: 6

Date to Council: September 29, 2026

On September 15, 2026, a Statutory Public Meeting was held where staff report DGM-55-26 was considered by the Committee of the Whole. Included in the report was the following overview of the comments from Conservation Halton:

Conservation Halton staff advise that site visits have not been conducted of the subject lands with Conservation Halton and City staff to delineate the flood and erosion hazards or wetland confirmation and delineation. Without the completion of this fieldwork, CH and City staff are unable to determine the limits of the hazards and conclude if the proposed lot pattern can be supported. Additional information is also required to determine if the proposed access for Area J can provide safe access to the proposed development.

For added clarity, the following excerpt from the comments letter dated August 7, 2026 states:

Updated plans and supporting technical materials and modelling are needed to confirm if the applications are consistent with the natural hazards policies of the PPS, and if the proposed watercourse and hazard alterations and development activities can meet regulatory requirements. Further, these updates are needed to demonstrate that hazardous lands will be outside residential lots and blocks, flood storage and conveyance is maintained any risks mitigated and safe access is provided.

During the question period, Committee requested information related to the input from Conservation Halton in response to the subject applications.

In response, planning staff have attached the Conservation Halton comments dated August 7, 2026 to this memo. Further, planning staff contacted Conservation Halton staff subsequent to the Committee meeting who advised that their comments dated August 7, 2026 remain applicable and are based on a full technical review of all relevant information submitted as part of the subject applications.

Conservation Halton has indicated that updated plans, supporting technical materials and modelling (i.e., flood hazard modelling) are needed in order to determine if the applications are consistent with the natural hazards policies of the Provincial Planning Statement (2024) and if the proposed watercourse and hazard alterations and development activities can meet regulatory requirements. Furthermore, updates are needed to demonstrate that hazardous lands will be outside the proposed residential lots and blocks, flood storage and conveyance is maintained, risks mitigated and safe access is provided.

Conservation Halton staff confirmed that a site visit was conducted on September 14, 2026 to determine if the creeks are considered confined or unconfined and if the wetland features identified in the proponent's studies are regulated. Conservation Halton staff have confirmed that the creeks are considered unconfined and did not require staking. Additional technical information is required from the proponents in order to confirm if the existing wetland features are regulated; however, Conservation Halton staff do not anticipate that this will substantively impact proposed development limits.

Author:

Benjamin Kissner, MCIP, RPP
Senior Planner, Community Planning Department
905-335-7600 Ext. 7913
Benjamin.Kissner@burlington.ca

Elyse Meneray, MCIP, RPP
Planner, Community Planning Department
905-335-7600 Ext. 7462
Elyse.Meneray@burlington.ca

Attachments:

A. Letter from Conservation Halton, dated August 7, 2026

Memo Approval:
Supplemental staff memos are reviewed and approved by the Commissioner.

Conservation Halton

Planning & Regulations
905.336.1158
2596 Britannia Road West
Burlington, Ontario L7P 0G3
conservationhalton.ca

August 7, 2026

Benjamin Kissner, Senior Planner and Elyse Meneray, Planner
Community Planning Department, City of Burlington
426 Brant Street, P.O. Box 5013
Burlington, ON L7R 3Z6

BY E-MAIL ONLY (Benjamin.Kissner@burlington.ca & Elyse.Meneray@burlington)

To Benjamin Kissner & Elyse Meneray:

Re: Official Plan Amendment and Draft Plan of Subdivision Applications
File Numbers: 505-11/26 and 510-02/26 – First Submission
CH File Numbers: POPG-410 & PSDG-1429 (X-REF PZBA-526)
2155 Country Club Drive, Burlington (Millcroft Greens Phase 2)
Applicant: Macaulay Shiomi Howson Ltd. (MSH) c/o Elizabeth Howson
Owner: Millcroft Greens Corporation

Conservation Halton (CH) staff has reviewed the above-noted applications and provides the following comments based on our responsibilities under Ontario Regulation 686/21. This includes managing risks related to natural hazards through our permitting and regulatory responsibilities under the *Conservation Authorities Act* (CA Act) and Ontario Regulation 41/24, ensuring decisions under the *Planning Act* are consistent with the natural hazards policies of the Provincial Planning Statement (PPS, Sections 5.1.1-5.2.8 and/or provincial plans), and providing advice and technical support to the Province and municipality, as requested.

Documents reviewed as part of this submission, received on July 3, 2026, are listed in Appendix A. Key Comments are included below and detailed comments are included in Appendix C.

Proposal

The proposal is to develop six (6) areas with 138 residential lots (73 single detached homes and 65 townhouse units), and blocks for landscaped areas, open space, private roads, natural areas and stormwater management. The Official Plan Amendment (OPA) and Draft Plan of Subdivision (DPS) applications are to facilitate the proposed development. With respect to a rezoning of the subject lands, a request for a Minister's Zoning Order has been filed by the applicant with the Province (ERO number 026-0551).

Regulatory Comments (Conservation Authorities Act and Ontario Regulation 41/24) & Provincial Planning Statement Natural Hazards Comments (PPS, Sections 5.1.1-5.28)

CH regulates all watercourses, valleylands, wetlands, Lake Ontario Shoreline, hazardous lands (e.g. flooding and erosion hazards, dynamic beaches, unstable soil and bedrock), as well as

lands adjacent to these features. Based on CH's Approximate Regulation Limit (ARL) mapping, portions of the six (6) proposed development areas contain and/or are adjacent to tributaries of Appleby Creek and associated flooding and erosion hazards (Appendix B). The Environmental Evaluation Report (EER) submitted with the applications identifies wetland features on and/or adjacent to the subject lands. A site visit is needed to confirm if the features are regulated. CH regulates 15 metres from the limit of the greatest hazard associated with the watercourses and 30 metres from the limit of wetlands. Permits are required prior to undertaking proposed watercourse and hazard alterations and development activities within CH's regulated area.

Key Comments

Outlined below are our key comments on the above-referenced applications, as well as a summary of key items to be addressed for Areas F-K.

1. **Flood hazard (i.e., flood plain) delineation**: Updates to the existing and proposed conditions hydraulic modelling and associated flood hazard mapping are needed to address the uncertainties identified with the existing 1D hydraulic modelling and to confirm the flood plain limits to ensure that no new residential lots are proposed within hazardous lands.

   We recommend that the applicant consider using a 2D hydraulic modelling approach to provide greater certainty on hazard limits and given the scope of the proposed flood plain alterations and the systems' hydraulic complexity. If a 2D hydraulic modelling approach is used, we recommend that the applicant consult with CH staff before the model is developed.

2. **Erosion hazard (i.e., valleylands) delineation**: A site visit with CH staff is needed to determine whether any portions of East and West Appleby Creek are considered confined. If confined, the limits of the physical top of valley slope will need to be staked by CH staff. Please refer to CH's Physical Top of Bank Staking Protocol.

3. **Wetland confirmation and delineation**: A site visit with CH staff is needed to determine whether the wetland features identified in the studies within or adjacent to Areas F, H, I, J and K are regulated by CH. If regulated, the wetland(s) will need to be staked by CH staff. The site visit will need to occur during the appropriate growing season (generally June to September).

4. **Watercourse and Flood Hazard Alterations**: Updates to the existing and proposed conditions modelling and associated technical materials are required to determine if the flood hazard alterations proposed for all areas can meet regulatory requirements, including maintaining or improving flood storage and conveyance and mitigating potential risks.

5. **Safe access**: Updates to the flood hazard modelling are needed to confirm that Area J will have safe access based on Provincial technical guidelines.

6. **Stormwater Management Strategy**: Updated technical analysis is needed to determine if regulatory storm controls are required to address expected peak flow rate increases under the regulatory storm (i.e., the greater of the 1:100 Year or Regional). Please refer to CH's Guidelines for Stormwater Management Engineering Submissions regarding additional requirements for such controls to be considered.

Summary of key items to be addressed for Areas F-K

AREA - 'F'

Residential land use proposed [i.e., 14 single detached condominium homes and associated natural heritage system (NHS), landscape, and road blocks]

Flood Hazard

- Proposed flood hazard limits to be contained in Blocks 500 and 501 and adjacent golf course lands; flood plain alterations are proposed
- Updates to the existing and proposed condition modelling and associated technical materials are needed to confirm flood plain limits, demonstrate that the proposed flood hazard will be contained within the NHS blocks and adjacent golf course lands, and ensure that flood storage and conveyance will be maintained and any risks mitigated.
- If not addressed, proposed residential Lots 1-3 and associated Block 400 (i.e., private condominium road) may be in hazardous lands

Wetlands

- A site visit is needed to determine whether the wetland features identified in the studies within or adjacent to Area F are regulated by CH. If regulated, the wetland(s) will need to be staked by CH staff. The site visit will need to occur during the appropriate growing season (generally June to September). We do not anticipate that any staking would substantively impact development limits.

AREA - 'G'

Residential land use proposed [i.e., 42 condominium townhouse units and associated NHS, stormwater management (SWM), landscape, amenity, and road blocks]

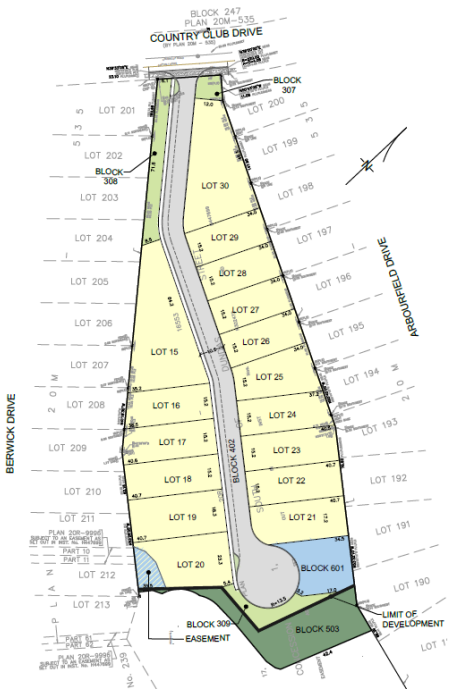
Flood Hazard

- Proposed flood hazard limits to be contained in Block 502 and adjacent golf course lands; watercourse and flood plain alterations are proposed.
- Updates to the existing and proposed condition modelling and associated technical materials are needed to confirm the flood plain limits, demonstrate that the flood hazard will be contained within NHS blocks and adjacent golf course lands, and ensure that flood storage and conveyance will be maintained and any risks mitigated.
- If not addressed, proposed residential Blocks 204 and 205 may be in hazardous lands.

Erosion Hazard

- A site visit is needed to determine whether portions of East Appleby Creek are considered confined. If confined, the limits of the physical top of valley slope will need to be staked by CH staff. Please refer to CH's Physical Top of Bank Staking Protocol. We do not anticipate that any staking would substantively impact development limits.

AREA - 'H'



Residential land use proposed (i.e., 16 single detached condominium homes and associated NHS, SWM, landscape, and road blocks)

Flood Hazard

- Proposed flood hazard limits to be contained in Blocks 503 and associated golf course lands; flood plain and watercourse alterations are proposed.
- Updates to the existing and proposed condition modelling and associated technical materials are needed to confirm the flood plain limits, demonstrate that the proposed flood

hazard will be contained within NHS blocks and adjacent golf course lands, and ensure that flood storage and conveyance will be maintained and any risks mitigated.

- If not addressed, proposed Blocks 309, 402, and 601 may be in hazardous lands.

Erosion Hazard

- A site visit is needed to determine whether portions of West Appleby Creek are considered confined. See additional comments under Area G.

Wetlands

- A site visit is needed to determine whether the wetland features identified in the studies within or adjacent to Area H are regulated by CH. See additional comments under Area F.

AREA - 'I'

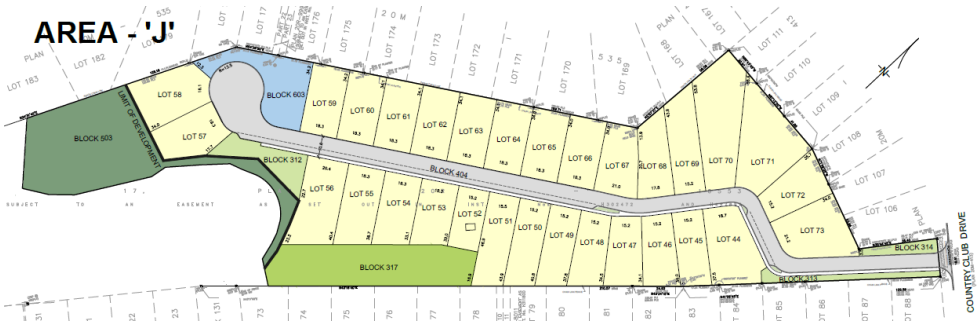
Residential land use proposed (i.e., 13 single detached condominium homes and associated SWM, landscape, and road blocks)

Flood Hazard

- Proposed flood hazard limits to be contained in the adjacent golf course lands; watercourse and flood plain alterations are proposed adjacent to Area I.
- Updates to the existing and proposed conditions modelling and associated technical materials are needed to confirm flood plain limits and that flood storage and conveyance will be maintained and any risks mitigated.
- Proposed flood plain alteration is considered minor. If not addressed, small portions of proposed residential lot 37 and stormwater block 602 may be located within CH's regulatory allowance.

Wetlands

- A site visit is needed to determine whether the wetland features identified in the studies within or adjacent to Area I are regulated by CH. See additional comments under Area F.



Residential land use proposed (i.e., 30 single detached condominium homes and associated NHS, open space, SWM, landscape, and road blocks)

Flood Hazard

- Proposed flood hazard limits to be contained in Blocks 503 and adjacent golf course lands; flood plain alteration is proposed.
- Updates to the existing and proposed condition modelling and associated technical materials are needed to confirm the flood plain limits, demonstrate that the proposed flood hazard will be contained within the NHS block and adjacent golf course lands, ensure that flood storage and conveyance will be maintained any risks mitigated, and demonstrate that proposed Area J has safe access according to Provincial technical guidelines.
- If not addressed, proposed Blocks 312, 404, 603 and Lots 54-56 and 59-61 may be in hazardous lands and the site may not have safe access.

Erosion Hazard

- A site visit is needed to determine whether portions of West Appleby Creek are considered confined. See additional comments under Area G.

Wetlands

- A site visit is needed to determine whether the wetland features identified in the studies within or adjacent to Area J are regulated by CH. See additional comments under Area F.

AREA - 'K'

Residential land use proposed (i.e., 23 condominium townhouse units and associated NHS, landscape, and road blocks)

Flood Hazard

- Proposed flood hazard limits to be contained in Blocks 504 and 315 and adjacent golf course lands; watercourse and flood plain alterations proposed.
- Updates to the existing and proposed condition modelling and associated technical materials are needed to confirm the flood plain limits, demonstrate that the proposed flood hazard will be contained within the NHS block and adjacent golf course lands, and ensure that flood storage and conveyance will be maintained and any risks mitigated.
- If not addressed, proposed residential Blocks 211, 212, and Block 405 may be in hazardous lands.

Erosion Hazard

- A site visit is needed to determine whether portions of West Appleby Creek are considered confined. See additional comments under Area G.

Wetlands

- A site visit is needed to determine whether the wetland features identified in the studies within or adjacent to Area K are regulated by CH. See additional comments under Area F.

<u>Summary</u>

Updated plans and supporting technical materials and modelling are needed to confirm if the applications are consistent with the natural hazards policies of the PPS, and if the proposed watercourse and hazard alterations and development activities can meet regulatory requirements. Further, these updates are needed to demonstrate that hazardous lands will be outside residential lots and blocks, flood storage and conveyance is maintained, any risks mitigated, and safe access is provided.

CH recommends that the Key Comments above and the associated Detailed Comments in Appendix C be addressed in a revised submission. To facilitate CH's review, the following should be included in the resubmission:

1. Consolidated response table (word format preferred) addressing Key Comments and Detailed Comments;
2. Cover letter listing all documents submitted; and
3. A digital copy of all resubmission materials in reduced file size format for fast loading and viewing (digital download preferred). Redlined drawings and reports with tracked changes are also appreciated.

Please note that a resubmission fee will apply on third and subsequent resubmissions in accordance with CH's applicable fee schedule.

We trust the above is of assistance. Please contact the undersigned with any questions.

Sincerely,

Matthew Howatt, MCIP, RPP
Manager, Environmental Planning
905-336-1158 ext. 2311
mhowatt@hrca.on.ca

Encl: Appendix A: Materials/Technical Reports Reviewed
Appendix B: CH Approximate Regulation Limit Mapping, 2155 Country Club Drive, City of Burlington (Areas F-K)
Appendix C: Detailed Comments

Appendix A: Materials/Technical Reports Reviewed

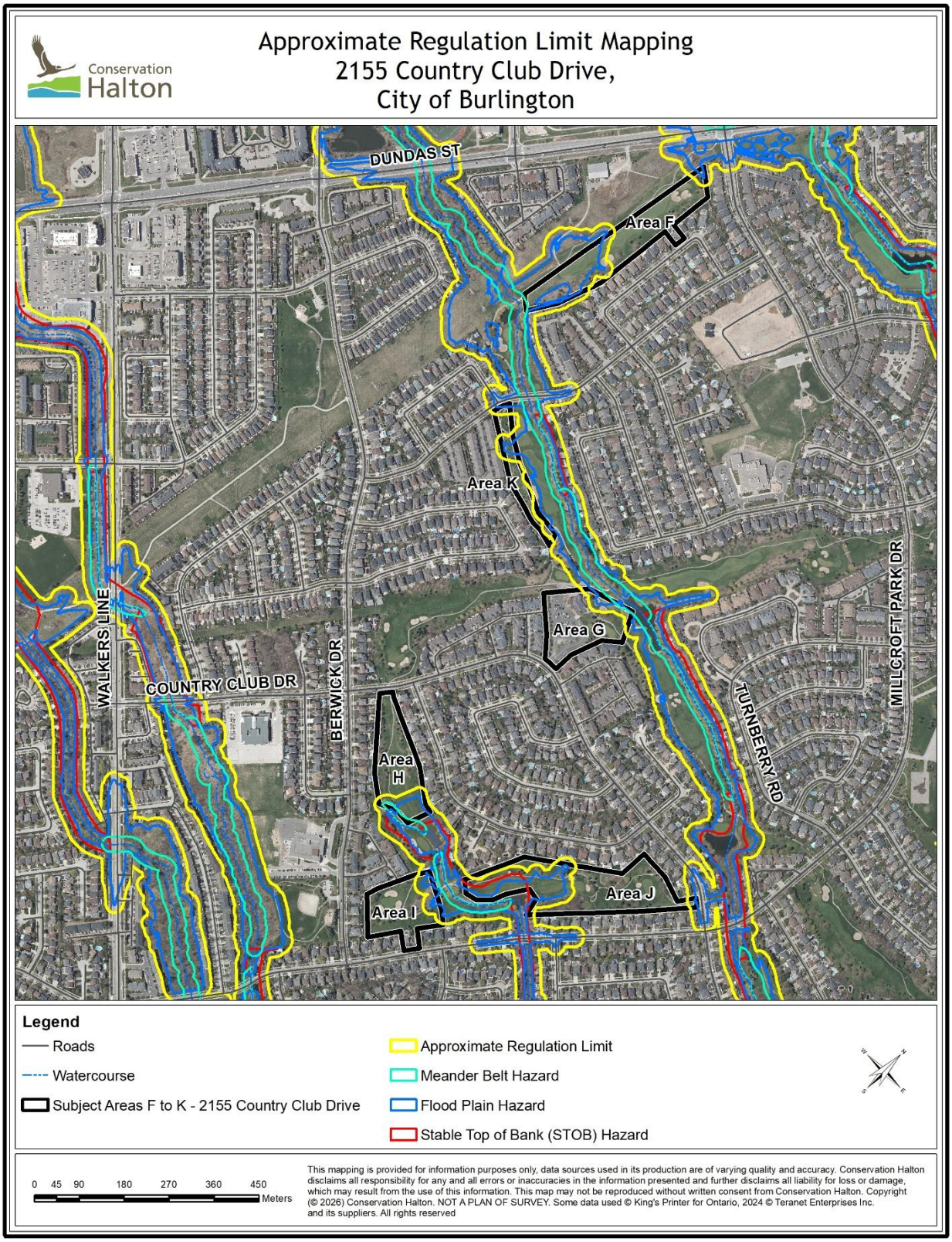
CH staff has reviewed the following first submission materials received on July 3rd and July 9th, 2026:

- Cover Letter, prepared by Millcroft Greens Corporation, dated June 2026;
- Application Forms (Official Plan Amendment and Draft Plan of Subdivision), prepared by Millcroft Greens Corporation, dated June 2026;
- Planning Justification Report, prepared by (consultant team), dated June 2026;
- Draft Plan of Subdivision – Areas F & G, prepared by R-PE Surveying Ltd. for Millcroft Greens Corporation, dated June 2026;
- Draft Plan of Subdivision – Areas H & I, prepared by R-PE Surveying Ltd. for Millcroft Greens Corporation, dated June 2026;
- Draft Plan of Subdivision – Areas J & K, prepared by R-PE Surveying Ltd. for Millcroft Greens Corporation, dated June 2026;
- Official Plan Amendment – 1997 Figures (Schedule A), prepared for Millcroft Greens Corporation, dated June 2026;
- Official Plan Amendment – 2020 Figures (Schedules B, B-1, C), prepared for Millcroft Greens Corporation, dated June 2026;
- Official Plan Amendment – 1997 (Text and Schedule A), prepared for Millcroft Greens Corporation, dated June 2026;
- Official Plan Amendment – 2020 (Text and Schedules 1–3), prepared for Millcroft Greens Corporation, dated June 2026;
- Topographic and Boundary Surveys – Areas F–J, prepared by R-PE Surveying Ltd., dated March–May 2025;
- Topographic and Boundary Survey – Area K, prepared by R-PE Surveying Ltd., dated 2025;
- Landscape Plans – Areas F–K (Conceptual Landscape & Restoration Plans), prepared by NAK Design Strategies, dated January 2026;
- Civil Drawing Set, prepared by Urbantech Consulting, dated 2026;
- Arborist Report and Tree Protection Plan, prepared by Terrastory, dated December 22, 2025;
- Restoration Plans 1-3 (Conceptual Restoration Planting Plans), prepared by NAK Design Strategies, dated January 2026;
- Appendix H: Naturalized Channel Design, prepared by GeoMorphix, dated June 1, 2026;
- Functional Servicing Report – Millcroft Golf Course Phase 2, prepared by Urbantech Consulting, dated 2026;
- Scoped Subwatershed Study – Millcroft Golf Course Phase 2, prepared by Urbantech Consulting, dated 2026;
- Environmental Evaluation Report, prepared by Terrastory, dated June 5, 2026;
- Benefit Analysis Report, Millcroft Phase 2 Areas F to K, prepared by Jennifer Lawrence and Associates Inc. et. al, dated January 2026;
- Appleby Creek and Tributary Fluvial Geomorphological Assessment, Phase 2 Millcroft Green, Burlington, Ontario, prepared by GeoMorphix, dated February 3, 2026;
- Report on Geotechnical Investigation Proposed Residential Subdivision Areas ‘F’ to ‘K” – Millcroft Golf Club 2155 Country Club Drive, Burlington, Ontario, prepared by DS Consultants Ltd., dated October 8, 2025; and
- Millcroft Hydrogeological Assessment and Water Balance – Phase 2 City of Burlington, Millcroft Green Corporation, prepared by R.J. Burnside, dated December 2025.

CH has also reviewed the following additional documents that were received on July 14, 2026:

- Updated existing and proposed modelling; and
- Drawing No. 3-502, Millcroft Green Corporation Block J, Proposed Flood Plain Plan, prepared by Urbantech Consulting, dated July 2025, Revision #1 dated January 15, 2026.

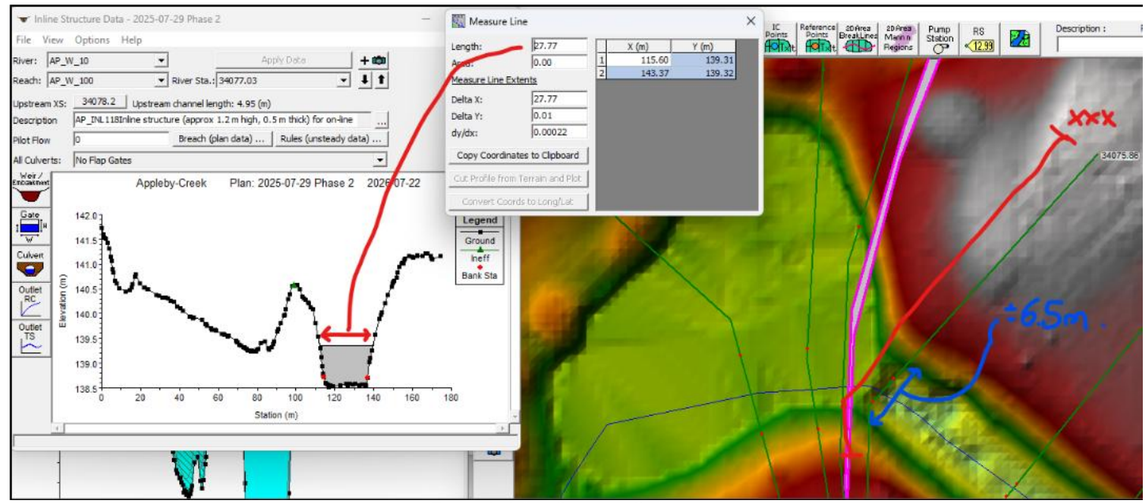
Appendix B: Approximate Regulation Limit Mapping, 2155 Country Club Drive, City of Burlington (Areas F to K)

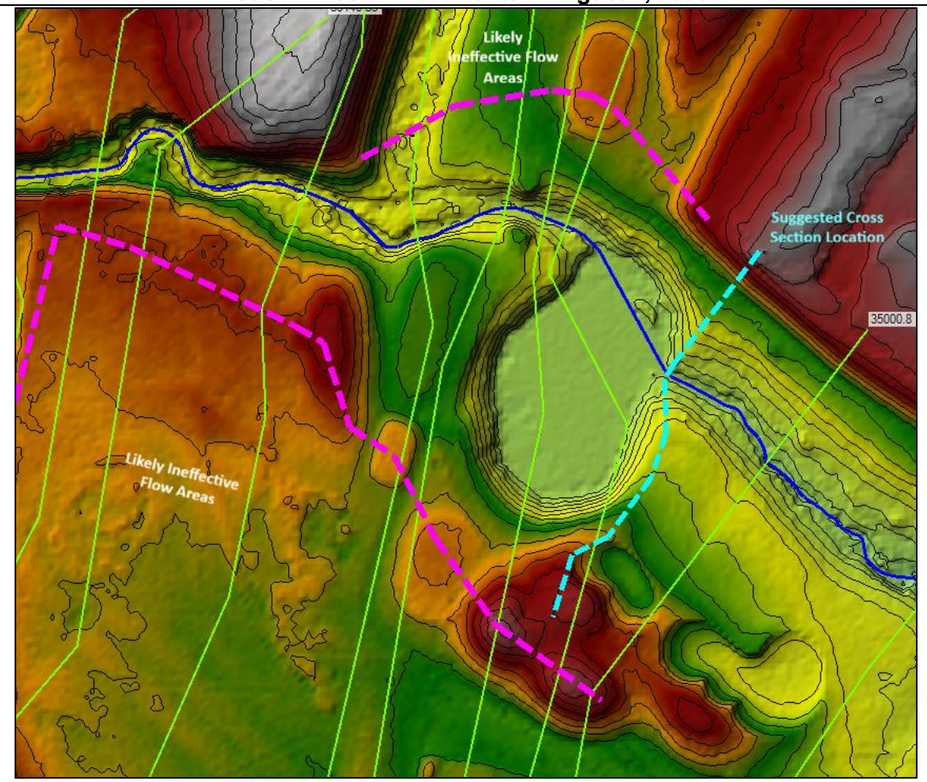


Appendix C: Detailed Comments

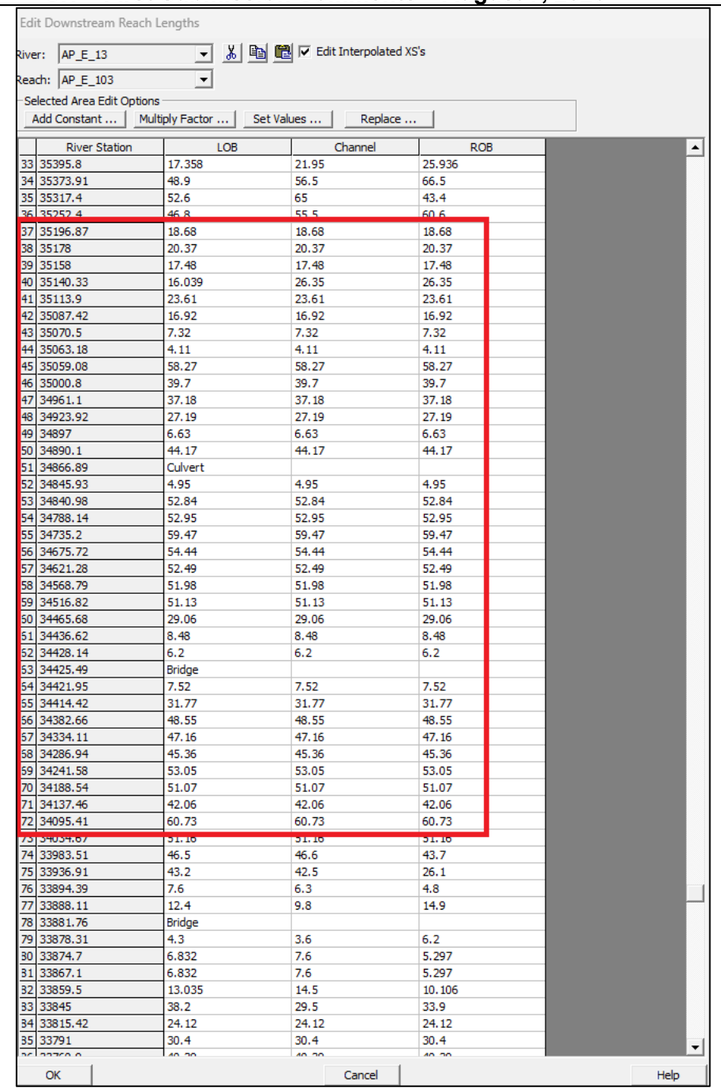
CH provides the following detailed comments regarding the first submission of the materials and technical information that are recommended to be addressed as part of the next submission.

#	Topic/ Section	CH – First Submission Comments – August 7, 2026
Scoped Subwatershed Study		
1.	General	The Scoped Subwatershed Study (SSWS) will need to be updated once the hydraulic and hydrologic models have been revised to address CH staff's comments. This includes updates to various tables etc. which include model outputs (see Hydraulic Modelling comments below).
2.	Section 3 Existing Hazards	Based on CH's ARL mapping, the proposed access to **Area J** is within the regulatory flood plain associated with East Appleby Creek. Provincial safe access requirements must be met for all proposed development areas and will need to be confirmed once updates are made to the hydraulic and hydrologic models including the associated flood hazard mapping.
3.	Section 5.5 Hydrologic Impact Assessment – Tables 14 & 15	The proposed development and/or stormwater management strategy will need to be revised to mitigate the peak flow rate increases identified along the West Branch of Appleby Creek, and/or anywhere else increase peak flow rates are identified in the updated modelling. Regulatory storm controls may be required to address increases identified for the Regional Storm. Further discussions with City staff, the applicant, and CH staff will be required if regulatory storm controls are determined to be necessary; as additional requirements apply for such controls.
4.	Section 6.3 Flood Storage and Riparian Storage	The flood storage analysis must be updated to include an incremental evaluation of each modified reaches' stage-storage-discharge relationship under both existing and proposed conditions, and it must be demonstrated that proposed modifications maintain or otherwise improve the system (i.e., proposed must match or exceed existing flood storage for each stage). This evaluation is typically completed using 0.30 m or smaller increments.
Hydraulic Modelling (Urbantech, received July 14, 2026)		
5.	Hydraulic Modelling	**a) General Comment:** Add descriptions into applicable sections of the modelling to summarize pertinent details such as updates made, modelers' responsible for the work, explanation of each plan's use, specifics on flow data used, etc. **b) General Comment:** Combine the existing and proposed conditions models into a single model for subsequent submissions to support CH staff's review. **c) General Comment:** Provide existing and proposed conditions terrain data used for modelling with subsequent submission **d) General Comment:** Blending or integrating terrain datasets from different sources (e.g., field survey and LiDAR) is only supported if the horizontal and vertical accuracy of each dataset has been appropriately assessed and demonstrated to be compatible. At a minimum, the vertical accuracy on hard surfaces of the dataset being integrated should be within ±5 cm of the dataset into which it is being incorporated. The methodology used to reconcile, adjust, and merge the elevation data must be thoroughly documented. Documentation shall include the methods used to evaluate dataset compatibility, any adjustments applied, and a comparison against independent survey checkpoints (e.g., road crest elevations and other surveyed control points) to demonstrate that the integrated terrain surface meets the required accuracy.
6.	Existing Hydraulic Modelling - West Appleby Creek	**a) General Comment** Use of a 2D hydraulic modelling approach with different flow states may more effectively address the concerns and uncertainties identified with the existing 1D hydraulic modelling, as outlined below. Use of a 2D hydraulic modelling approach is recommended to best understand the flood hazards and assess the proposed alterations through this reach, given the complexity of hydraulics being encountered, the proximity of existing developments, and the types of alterations being proposed. Further, an assessment which considers both quasi-steady and dynamic flows is recommended to demonstrate that the flooding hazards have been appropriately mapped and managed considering scope of proposed alterations. If proceeding with a 2D hydraulic modelling approach, it is recommended that model development be discussed and agreed to prior to proceeding. **b) River: AP_W_10 - Reach: AP_W_100 - River Station: 34459.25** Replace the levee included at station 65.77 with an ineffective flow area. This is required as it is expected that backwater would be able to access this area under flood conditions. **c) River: AP_W_10 - Reach: AP_W_100 - River Station: 34412.72 to 34356** Add ineffective flow areas where conveyance is not expected to be effective (e.g., stations 0 to 55 for R.S. 34412.72) **d) River: AP_W_10 - Reach: AP_W_100 - River Station: 34092.11 to 34078.2** Add blocked obstructions or ineffective flow areas to remove potential conveyance below the inline structure's weir (i.e., below 139.35 m). **e) River: AP_W_10 - Reach: AP_W_100 - River Station: 34081.2 and 34078.2** Extend the ineffective flow area to approximately station 110 and raise its elevation to approximately 141.5 m based on staff's understanding of terrain of the left overbank area. **f) River: AP_W_10 - Reach: AP_W_100 - River Station: 34078.2**

#	Topic/ Section	CH – First Submission Comments – August 7, 2026
		Add an additional cross section immediately upstream of the inline structure (R.S. 34077.03) or adjust cross section 34078.2 such that its generally parallel to the inline structure (perpendicular to flow direction). Note: As currently coded, the width of the inline structure is being over-estimated (i.e., ±28 m versus ±6.5 m) which is expected to overestimate structure conveyance; refer to **Figure 1** for reference below.  *Figure 1: Inline Structure Coding* **g) River: AP_W_10 - Reach: AP_W_100 – Bridge/Culvert: 34020.38** Confirm and update the sizing of this culvert via survey or record drawings. CH staff's review of available record drawings (MCB-288-D, Millcroft Phase 1 Part 1, West Appleby Culvert at Millcroft Drive, Structural Details, dated September 1987) shows this culvert is only 2.4 m wide by 1.8 m tall. Further, review of topographic data shows the model's road/deck elevation may need to be raised to capture the crest elevation at-which overtopping can be expected to occur (approximately ±140.30 m).
7.	Existing Hydraulic Modelling - East Appleby Creek	**a) General Comment** Please refer to Detailed Comment 6. a) which also applies to Existing Hydraulic Modelling - East Appleby Creek. **b) River: AP_E_13 – Reach: AP_E_103 – River Stations: 35178 to 35000.8** Levees included in the right (looking downstream) overbank areas should be replaced with ineffective flow areas as it appears flows can be expected to access these overbank areas based on upstream flood conditions. **c) River: AP_E_13 – Reach: AP_E_103 – River Stations: 35113.9 to 35059.08** Crop these cross sections near/close to the left bank station or add ineffective flow areas for portions of the cross section located slightly left (looking downstream) of the left bank station, as inundation in this area cannot be expected to provide effective downstream conveyance; see **Figure 2** below as a reference.

#	Topic/ Section	CH – First Submission Comments – August 7, 2026
		 *Figure 2: East Appleby Creek - Conceptual Ineffective Flow Area* **d) River: AP_E_13 – Reach: AP_E_103 – River Stations: Between 35059.08 to 35000.08** Shift Cross Section 35059.08, or add a new cross section, to capture the constraining area downstream of the pond feature in this area; see **Figure 2** as a reference. **e) River: AP_E_13 – Reach: AP_E_103 – River Stations: 35000.08 to 34923.92** The topographic data coded into these cross sections does not align with the data CH has available; update the cross-section's coding based on best available topographic data or provide justification (e.g., St. 0 – 77.70 for XC 35000.08). **f) River: AP_E_13 – Reach: AP_E_103 – River Stations: 35196.87 to 34095.41** Update modelling requires to properly consider downstream reach lengths; it appears all sections have applied the same channel reach length for LOBs and ROBs; see **Figure 3** below as a reference.

#	Topic/ Section	CH – First Submission Comments – August 7, 2026



	River Station	LOB	Channel	ROB
33	35395.8	17.358	21.95	25.936
34	35373.91	48.9	56.5	66.5
35	35317.4	52.6	65	43.4
36	35252.4	46.8	55.5	60.6
37	35196.87	18.68	18.68	18.68
38	35178	20.37	20.37	20.37
39	35158	17.48	17.48	17.48
40	35140.33	16.039	26.35	26.35
41	35113.9	23.61	23.61	23.61
42	35087.42	16.92	16.92	16.92
43	35070.5	7.32	7.32	7.32
44	35063.18	4.11	4.11	4.11
45	35059.08	58.27	58.27	58.27
46	35000.8	39.7	39.7	39.7
47	34961.1	37.18	37.18	37.18
48	34923.92	27.19	27.19	27.19
49	34897	6.63	6.63	6.63
50	34890.1	44.17	44.17	44.17
51	34866.89	Culvert		
52	34845.93	4.95	4.95	4.95
53	34840.98	52.84	52.84	52.84
54	34788.14	52.95	52.95	52.95
55	34735.2	59.47	59.47	59.47
56	34675.72	54.44	54.44	54.44
57	34621.28	52.49	52.49	52.49
58	34568.79	51.98	51.98	51.98
59	34516.82	51.13	51.13	51.13
60	34465.68	29.06	29.06	29.06
61	34436.62	8.48	8.48	8.48
62	34428.14	6.2	6.2	6.2
63	34425.49	Bridge		
64	34421.95	7.52	7.52	7.52
65	34414.42	31.77	31.77	31.77
66	34382.66	48.55	48.55	48.55
67	34334.11	47.16	47.16	47.16
68	34286.94	45.36	45.36	45.36
69	34241.58	53.05	53.05	53.05
70	34188.54	51.07	51.07	51.07
71	34137.46	42.06	42.06	42.06
72	34095.41	60.73	60.73	60.73
73	34034.67	51.18	51.18	51.18
74	33983.51	46.5	46.6	43.7
75	33936.91	43.2	42.5	26.1
76	33894.39	7.6	6.3	4.8
77	33888.11	12.4	9.8	14.9
78	33881.76	Bridge		
79	33878.31	4.3	3.6	6.2
80	33874.7	6.832	7.6	5.297
81	33867.1	6.832	7.6	5.297
82	33859.5	13.035	14.5	10.106
83	33845	38.2	29.5	33.9
84	33815.42	24.12	24.12	24.12
85	33791	30.4	30.4	30.4

Figure 3: Downstream Reach Lengths

g) River: AP_E_13 – Reach: AP_E_103 – River Station: 34788.14
Adjust the alignment of this cross section to ensure it is generally perpendicular to flow direction.

h) River: AP_E_13 – Reach: AP_E_103 – River Stations: 34788.14 to 34621.28
The topographic data coded into the left overbank areas for these cross section does not align with the data CH has available; update the cross-section's coding based on best available topographic data or justify.

i) River: AP_E_13 – Reach: AP_E_103 – River Station: 34568.79
The topographic data coded into this cross section does not align with the data CH has available; update the cross-section's coding based on best available topographic data or justify.

#	Topic/ Section	CH – First Submission Comments – August 7, 2026

This topographic data also appears to have a datum adjustment error as there appears to be a consistent vertical difference of approximately 0.40 m between it and the topographic data being referenced by CH. Confirm the datum and any conversion adjustment applied.

j) River: AP_E_13 – Reach: AP_E_103 – River Stations: 34516.82, 34465.68, and 34436.62
The topographic data coded into these cross sections does not align with the data CH has available; update the cross-section's coding based on best available topographic data or provide justification for the use of the provided topographic data. Further, adjust the alignment of cross section 34436.62 to ensure it is generally perpendicular to flow direction.

k) River: AP_E_13 – Reach: AP_E_103 – Between River Stations: 34286.94 and 34241.58
Add an additional cross section at the outlet of the existing pond/feature or shift cross section 34241.58 such that it picks up conveyance constraints imposed at the outlet. Addition of a in-line structure at this location may be warranted.

l) River: AP_E_13 – Reach: AP_E_103 – River Stations: 34137.46, 34095.41, and 34034.67
The topographic data coded into these cross sections does not align with the data CH has available; update the cross-section's coding based on best available topographic data or provide justification for the use of the provided topographic data.

m) River: AP_E_13 – Reach: AP_E_103 – River Station: 33720.51
Add an ineffective flow area in the right overbank area, from approximately station 40 onwards, as flows are not expected to be effective in this area based on topography; see **Figure 4** below as a reference.

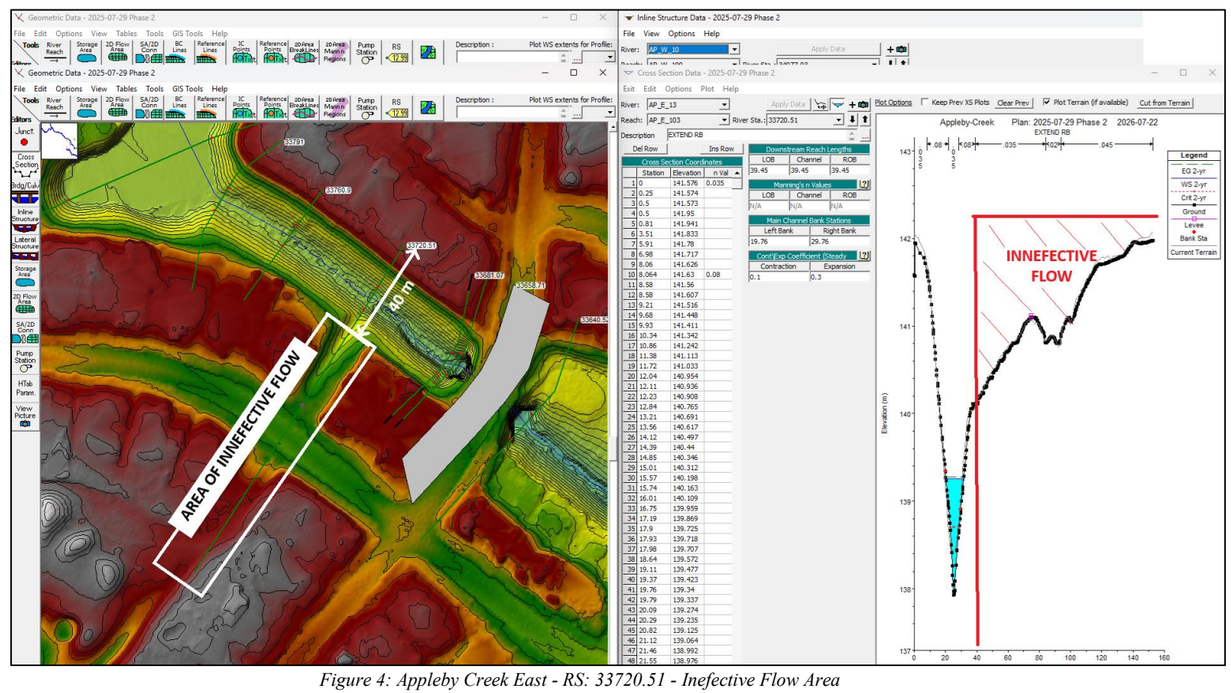
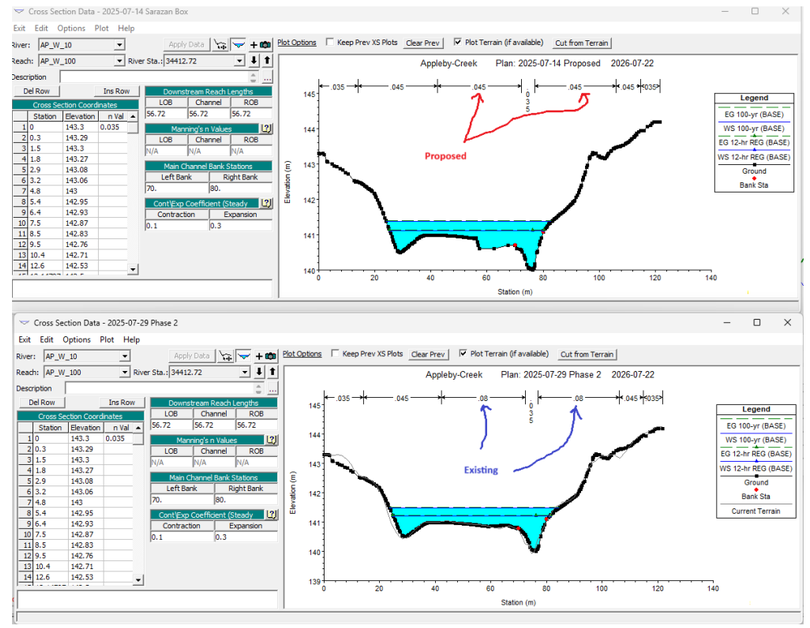
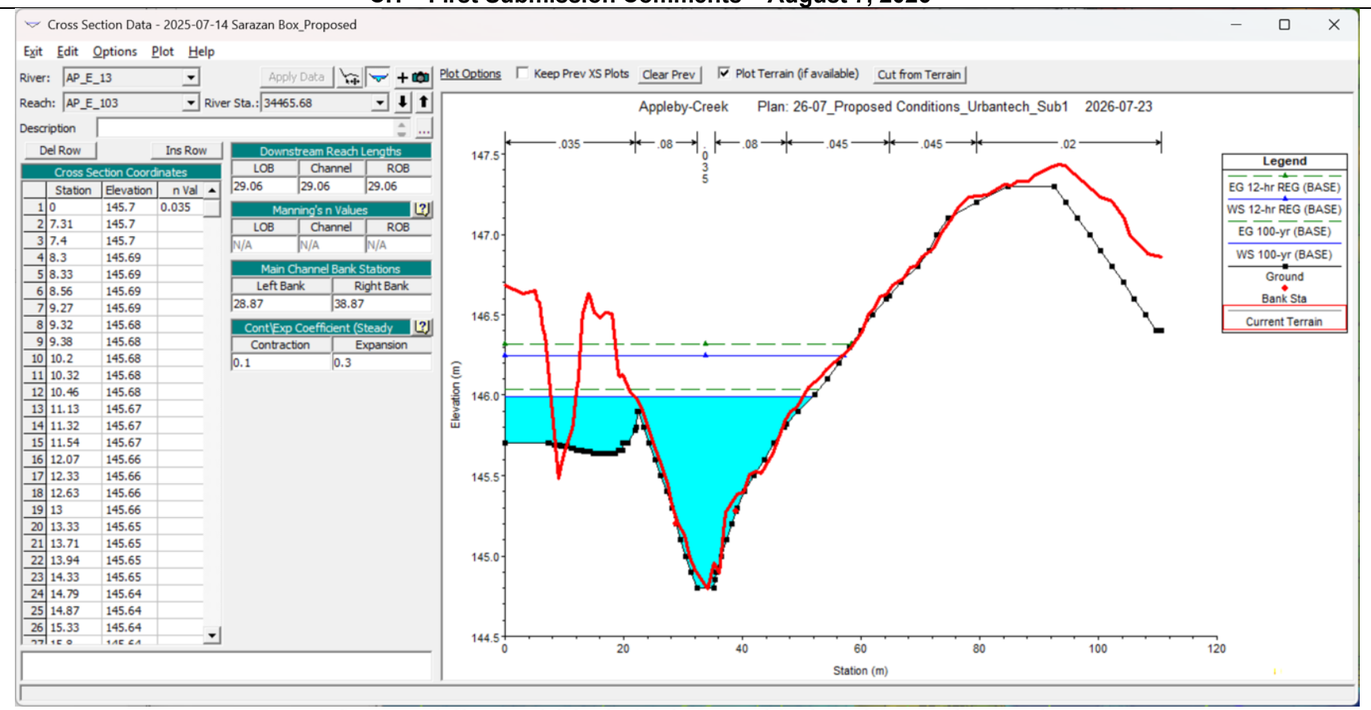


Figure 4: Appleby Creek East - RS: 33720.51 - Inefective Flow Area

n) River: AP_E_13 – Reach: AP_E_103 – River Station: 33791
The topographic data coded into this cross section does not align with the data CH has available; update the cross-section's coding based on best available topographic data or provide justification for the use of the provided topographic data.

#	Topic/ Section	CH – First Submission Comments – August 7, 2026
8.	Proposed Conditions Hydraulic Modelling	**a) Mannings N – General Comment** Various cross sections in the proposed conditions model apply a different manning's n than that which was applied for the existing condition, even in areas where changes are not being proposed. Revise these cross sections to ensure the existing and proposed manning's n are aligned, except where a change is justified. An example of this is shown in **Figure 5**. Note: These differences appear related to the proposed conditions model **<u>not</u>** applying a manning's n adjustment for the areas adjacent to watercourses which presumably could become densely vegetated in future; as was done as part of the East Burlington Creeks Flood Hazard Mapping Study (WSP, 2023).  *Figure 5: Differences in existing versus proposed geometries' Mannings 'n'* **b) Cross Section Geometry – General Comment** Resolve differences between the existing and proposed conditions geometries for areas where alterations are not being contemplated. For example, at cross section 34465.68 (Reach: AP_E_103) significant changes to the left overbank are apparent, despite this being an existing development area with no grading being contemplated; see **Figure 6** as a reference.

#	Topic/ Section	CH – First Submission Comments – August 7, 2026
		 *Figure 6: Concerns with Changes in left Overbank under Proposed Condition, CH terrain shown in red* **c) Further Review Required After Existing Updates** Many of the comments provided on the existing conditions modelling similarly apply to the proposed conditions modelling and will also need to be addressed. CH staff recommend re-constructing the proposed conditions modelling from the revised existing conditions model in order to accomplish this. CH staff will complete further review of the revised proposed conditions modelling once the models (existing and proposed) have been updated to address comments.
Flood Hazard Mapping		
9.	General	All flood hazard mapping will need to be updated pending resolution of concerns regarding hydraulic modelling.
10.	Drawing No. J-501 West Appleby Creek	**a) AP_W_10 - Upstream of X.C. 34459.25** Extend the flood hazard mapping upstream of cross section 34459.25 to include the full extent of potential backwatering predicted for this area under the regulatory flood. Refer to **Figure 7** below as a reference.

#	Topic/ Section	CH – First Submission Comments – August 7, 2026

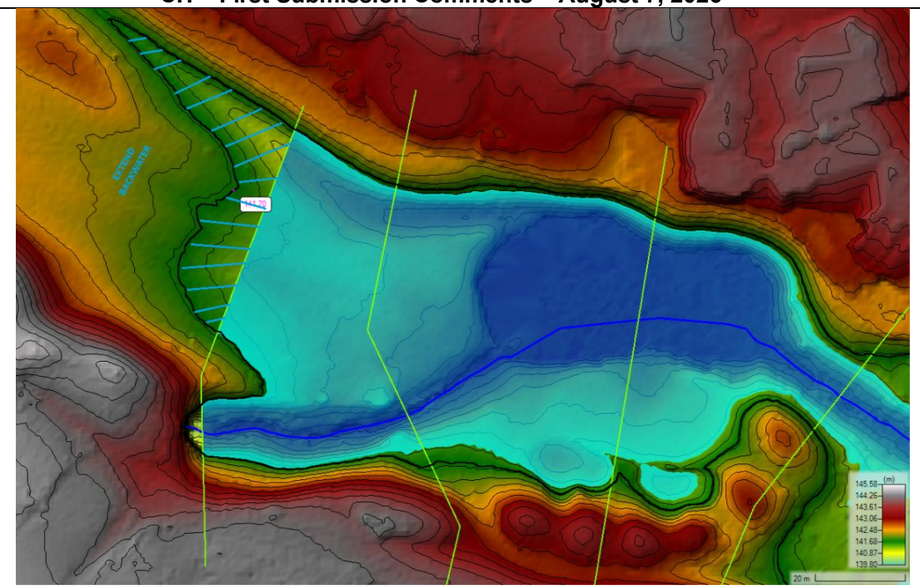


Figure 7: Flood Hazard Limit Requiring Extension (CGVD 2013)

b) AP_W_10 - Upstream of X.C. 34459.25

Extend the flood hazard mapping between cross sections 34078.2 and 34075.86 to include the full extent of potential backwatering predicted for this area under the regulatory flood. Refer to **Figure 8** below as a reference.

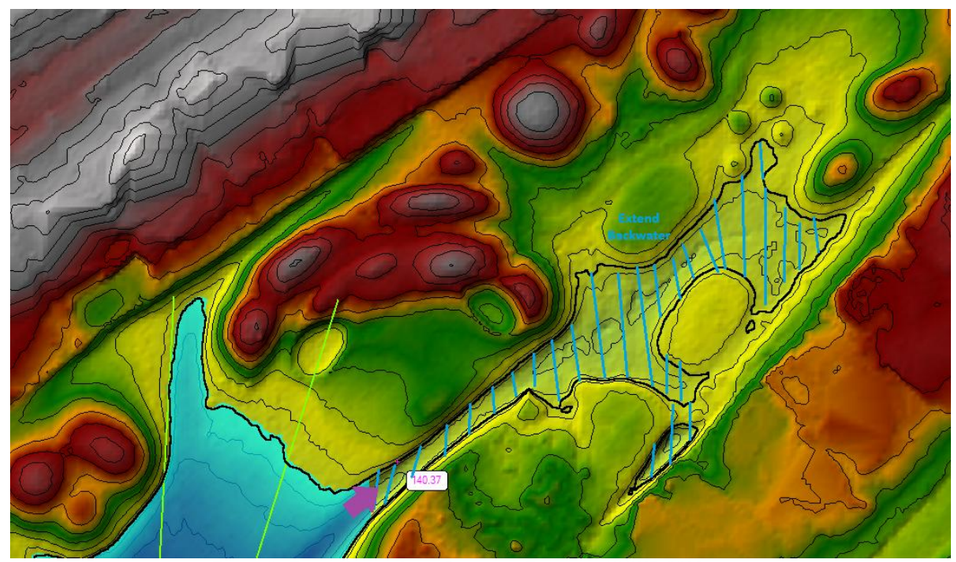


Figure 8: Flood Hazard Limit Requiring Extension (CGVD 2013)

c) AP_W_10 – Downstream of X.C. 34036.95

Update the flood hazard mapping to conceptually show the overtopping which is expected to occur at Millcroft Park Drive based on detailed output from the hydraulic modelling.

#	Topic/ Section	CH – First Submission Comments – August 7, 2026
Benefit Analysis Report		
11.	Section 1 Introduction	Staff understands that lowering and widening of East Appleby Creek is also being proposed in **Area G**. The report's text only presents the removal of the interlocking brick as an enhancement to support fish passage, but does not address the proposed lowering and widening, which alters existing flood hazards and facilitates the proposed development. CH staff recommends revising report text to clarify the full scope of the proposed changes to watercourses and associated hazards. Revise references from "regional storm flood plain" to "regulatory flood plain" to account for any areas where the 1:100 Year flood plain may also need to be considered. Note that if CH staff determine that the wetlands on and adjacent to the proposed areas are regulated through a site visit, any development activities (i.e. proposed grading) within 30 metres from the limit of the wetlands will require a CH permit. Revise the text to state that CH permits will also be required for any proposed channel outlets within the regulated area in accordance with CH's regulatory requirements.
12.	Section 2.1 Conservation Halton Regulation and Policies and Section 2.2.1 Flood and Erosion Hazards	A site visit with CH staff is required to confirm if there is a top of valley slope along the East and West Appleby Creeks If determined to be a confined/apparent valley system, the top of valley slope will need to be staked and referenced in the list of regulated hazards (in addition to being identified on proposed plans). CH may also have additional comments as it relates to development setbacks. In addition, this section identifies that storm sewer outlets are proposed in **Areas F, H, I, and K**. However, the Fluvial Geomorphic Assessment, the Functional Servicing Report and Civil Drawings all show a proposed outlet to **Area J** too. Future CH permits are required for any SWM outlets within the regulated area, and they would need to meet CH's regulatory policies. Update the text in this section accordingly.
13.	Section 2.2.2.1 - Area F	Please include the small area of existing flood plain hazard in the north easterly corner of the block (**Area F**).
14.	Section 2.2.1.5 – Area J	Based on CH's mapping, the proposed access to **Area J** from Country Club Drive is within the regulatory flood plain associated with East Appleby Creek. Provincial safe access requirements must be met for all proposed development areas and will need to be confirmed once updates are made to the hydraulic and hydrologic models including the associated flood hazard mapping.
15.	Section 2.2.2 Wetlands	A site visit with CH staff during the appropriate growing season (generally June to September) is required to evaluate the regulatory status of the wetland features identified in **Areas F, H, I, J and K.**
16.	Section 2.3.1 Flooding Hazard	Outstanding technical matters related to existing and proposed hydraulic modelling and associated flood hazard mapping for each of the proposed development areas must be addressed to confirm CH staff's support of the conclusions in this section.
17.	Section 2.3.2 Erosion Hazard	Please refer to Detailed Comment 12 regarding the need for a site visit to help confirm erosion hazard limits.
18.	Section 2.3.3 Wetland and Section 2.3.5.3 - Development and Grading	These sections note that grading is proposed within 1 to 10 m of wetlands. Should it be determined by CH staff through the site visit that these wetlands are regulated, a wetland water balance assessment completed in accordance with CH's Guidelines for Wetland Water Balance Assessments (June 2024) may be required to determine potential impacts on the hydrological function of a wetland, as well as appropriate mitigation measures.
Environmental Evaluation Report		
19.	General Comment	Please see Detailed Comments 15 and 18 above which also apply to the Environmental Evaluation Report.
Fluvial Geomorphological Assessment		
20.	Section 3.2 General Reach Observations	Update section describing the general approach for designating valley reaches' as confined, unconfined, or partially confined, from the fluvial perspective. Please refer to Detailed Comment 12 regarding the need for a site visit with CH staff.
21.	Section 3.3.1	Please clarify within the reporting whether the 'berm' described on Reach AC-4 is the pond's outlet control structure (i.e., an inline structure or a weir?) and consider including a diagram, figure, or referencing a site photo, for clarity.

#	Topic/ Section	CH – First Submission Comments – August 7, 2026
22.	Section 4 Erosion Hazard Assessment	CH staff understand that reaches through the existing golf course were historically modified and have generally been manicured to maintain the golf course's aesthetic. We suggest that direct observations and measurements which consider existing planform (i.e., width, area, etc.) be weighed less in the determination of meander belt width, as the watercourses' existing planform may not be indicative considering past modifications and maintenance practices.
23.	Section 6.1 Results	Though below the 5% threshold, the results suggest that the proposed condition could increase erosion threshold exceedances and that the increases identified are more pronounced for the smaller storm events assessed. As refinements to the stormwater management strategy may be required to address other comments, we recommend reducing these increases as part of future stormwater management strategy refinements/updates.
24.	Section 6.1.1	Please clarify the second sentence on Page 18 with respect to the 'frequent erosive events and flooding of the channel' described.
25.	Section 7.1	Please clarify the rationale for proposing works at the inlet and outlet of the pond near **Area G**, including figures highlighting concerns, etc. It is not clear why those areas were selected; where other similar areas were not. For example, works are not proposed to address the concrete weir on Reach AC-4 (Photo 27), or to address active bank erosion or other issues identified on Reach AC-6 (Photo 36), etc.
26.	Appendix B	Please add a map showing Photo locations and approximate direction for clarity.
Restoration Plans 1 - 3 (Conceptual Restoration Planting Plan), Landscape Plans – Areas F–K (Conceptual Landscape & Restoration Plans), Appendix H: Naturalized Channel Design Civil Drawing Set Functional Servicing Report		
27.	General	Updates to these detailed design components may be required as a result of addressing CH's Key Comments and Detailed Comments and subsequent review.
Official Plan Amendment – 1997 (Text and Schedule A), 1997 Figures (Schedule A), Official Plan Amendment – 2020 (Text and Schedules 1–3), 2020 Figures (Schedules B, B-1, C)		
28.	General	Outstanding technical matters will need to be addressed before CH can confirm the limit of the CH regulated area and provide detailed comments on the draft OPAs. We provide the following preliminary comments: **OP 1997:** Proposed OPA shows the entirety of each area re-designated from "Major Parks and Open Space" to a "Residential Medium Density" designation. CH generally recommends that the portions of the proposed development areas that contain CH regulated area be designated for protection (e.g. Greenlands designation). **OP 2020:** Proposed OPA shows the entirety of each area to be re-designated from "Major Parks and Open Space" and "Natural Heritage System" to "Low-Rise Residential Neighbourhoods II" designation. CH generally recommends that the portions of the proposed development areas that contain CH regulated area be designated for protection (e.g. Natural Heritage System designation). At minimum, and for consistency with the PPS, all lands up to and including the 6 metre access allowance from the greater of the flooding and erosion hazards associated with the watercourses and at least 15 metres from the limits of regulated wetlands should be designated for protection.
Draft Plans of Subdivision – Areas F & G, H & I, J & K		
29.	General	Outstanding technical matters will need to be addressed before CH can confirm whether the limit of the "Natural Areas" Blocks as shown on the Draft Plans of Subdivision (DPS) contain all hazardous lands. CH staff generally recommend that the full extent of CH's regulated area be placed in a "Natural Areas" Block. This is to minimize the amount of privately-owned lots with regulated areas and to reduce future administrative, regulatory, and municipal by-law burden on the City, CH, and future property owners. At minimum, all lands up to and including the 6 metre access allowance from the greater of the flooding and erosion hazards associated with the tributaries and at least 15 metres from the limits of regulated wetlands should be contained in a "Natural Areas" Block.

Supplemental Staff Memo

SUBJECT: Reserve Funds – Additional information regarding balances and commitments

TO: Council

FROM: Finance

N/A

Report Number: FIN-18-26

Wards Affected: All

Date to Council: September 29, 2026

The purpose of this memo is to provide additional information in response to questions posed by Council at the Committee of the Whole Meeting on September 14, 2026, and provide context in advance of the City's Long-Range Financial Plan. Staff will be bringing forward a Long-Range Financial Plan in Q2 2027 to provide a strategic framework for the City's long-term financial decision making and sustainability. The plan will assess the City's current financial condition and existing financial policies, consider long-range financial projections, and establish updated key financial targets to guide future budgeting, investment, and service delivery decisions.

As requested, two measures have been provided. These measures relate to different scopes of reserve funds:

1. **Stabilization Reserve Fund Balance** – This measure relates specifically to the Stabilization Reserve Funds. The Cash Balance represents the total cash held in the Stabilization Reserve Funds as of June 30 of each year. The Uncommitted Balance represents the portion of the Stabilization Reserve Fund balance that is not committed or otherwise designated for specific purposes and is therefore available to address future financial pressures.

2. **Total Reserve Fund Balance** – This measure encompasses all the City's reserves and reserve funds, including the Stabilization Reserve Funds. The Cash Balance represents the total cash held across all reserves and reserve funds as of June 30 of each year. The Uncommitted Balance represents the portion of the total balance that is not committed or otherwise designated for specific purposes and is therefore available to address future financial pressures.

Accordingly, the first table provides information specifically on Stabilization Reserve Funds, while the second table provides information on the municipality's total reserve fund portfolio.

Stabilization Reserve Funds as a percentage of net revenues

Year	Net Revenues	Stabilization Reserve Fund – Cash Balance	Cash Balance as % of Net Revenues	Stabilization Reserve Fund – Uncommitted Balance	Uncommitted Balance as % of Net Revenues
2022	238,400,337	35,706,014	**14.98%**	21,710,050	**9.11%**
2023	261,881,991	29,818,265	**11.39%**	22,937,340	**8.76%**
2024	301,335,690	28,200,574	**9.36%**	20,268,918	**6.73%**
2025	329,641,672	25,174,479	**8.35%**	18,957,215	**6.29%**
2026	377,739,596	23,775,929	**6.29%**	20,047,431	**5.31%**

The 2022–2026 trend reflects a gradual decline in Stabilization Reserve Fund balances and their percentages of net revenues. This reflects a combination of factors, including the use of the Planning Fee Stabilization Reserve Fund to support revenue stability during periods of changing housing market conditions, as well as a decline in the Contingency Reserve cash balance due to legal obligations. The growth in net revenues over the period has also contributed to lower reserve balances as a percentage of net revenues.

Total Reserve Fund Balance

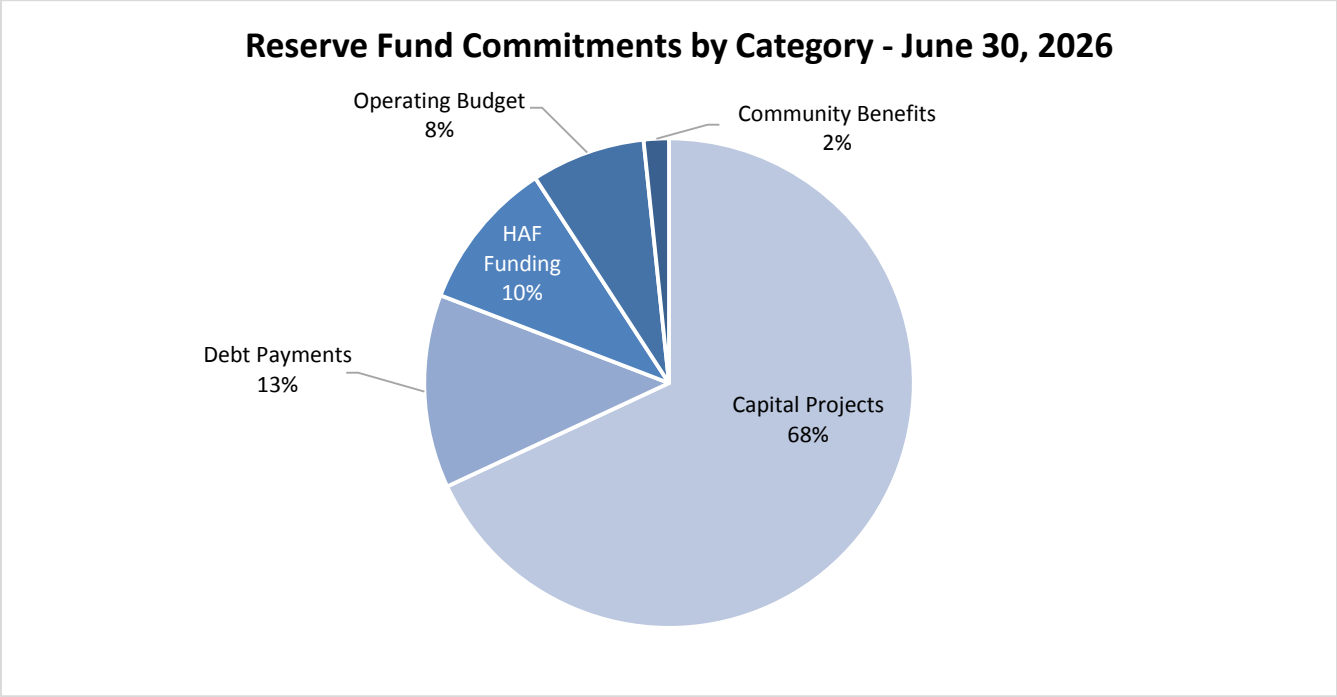
	2026	2025	2024	2023	2022
Cash Balance	286,454,668	217,373,834	228,541,960	168,172,184	178,251,696
Uncommitted Balance	122,951,210	126,683,437	123,590,917	103,888,626	114,496,879

The increase in the 2026 cash balance reflects revised timing for capital funding transfers, with projects now funded based on expenditures incurred rather than through an annual advance-funding allocation. This approach will allow for a more efficient utilization of the City's cash balances and reserves in support of Councils strategic plan.

<u>Current Commitments</u>

As of June 30, 2026, commitments across the reserve funds totaled $163,503,458. These commitments represent amounts that have been identified for specific purposes and approved by Council.

The commitments have been categorized by purpose, as illustrated in the chart below.



A significant portion of the commitments relate to capital projects due to their complexity and muti-year timelines. Of the amount committed to capital projects, approximately 65% has either already commenced or has progressed through the procurement process.

The remaining capital project commitments relate to projects that have been identified and approved but have not yet commenced or entered the procurement process. These commitments remain designated for their intended purposes and are therefore not considered available to address other future financial pressures.

Author:

Michelle Moore
Controller & Manager, Financial Services
Michelle.Moore@burlington.ca

Memo Approval:
Supplemental staff memos are reviewed and approved by the Commissioner.

Public comments regarding Official Plan Amendment and Draft Plan of Subdivision for 2155 Country Club Drive, 4136 Millcroft Park Drive and 4291 Couples Crescent (Millcroft Greens Current Proposal 2026) (DGM-55-26)

From: Mackay, Leslie
To: Mailbox, Clerks
Subject: RE: Agenda item: 13.4 report: DGM-55-26 Greens Current proposal 2026
Date: Monday, September 14, 2026 12:40:40 PM

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

Dear Mayor Meed Ward and Members of Burlington City Council,

Our names are Leslie and Jeff Mackay, and we are writing regarding the Millcroft Greens Phase 2 official plan amendment and draft plan of subdivision applications for 2155 Country Club Drive, 4135 Millcroft Park Drive and 4291 Couples Crescent.

Having now reviewed the City's September 4 Recommendation Report DGM-55-26, we strongly support the recommendation of City Planning Staff to **refuse both applications**.

The proposed development would create 138 residential units — 73 detached homes and 65 townhouses — on approximately 11.6 hectares of land that is currently designated **Major Parks and Open Space**, identified within the **City's Natural Heritage System**, and zoned **Open Space O1**.

What is particularly compelling to us is that the City's recommendation for refusal is not simply based on community opposition or a disagreement over density. City Planning Staff have identified fundamental planning and technical concerns.

Specifically:

• **The application is premature.**
There is currently no City Zoning By-law Amendment application, while the Province is considering competing MZO requests from the City and the developer. Staff conclude that the underlying policy and regulatory framework remains uncertain and that the applications are therefore premature.

• **Critical flood, erosion and wetland information remains unresolved.**
Conservation Halton has not yet conducted the necessary site visits with City staff to delineate flood and erosion hazards or confirm and delineate wetland boundaries. As a result, the City and Conservation Halton cannot yet determine the limits of the hazards or whether the proposed lot pattern can be supported.

• **Safe access remains a concern.**
Additional information is required to determine whether the proposed access for **Area J** can provide safe access to the development. This is very concerning to us because of the direct impact on the existing neighbourhood and kiddie corner to our home. This would introduce a new residential street immediately into the existing neighbourhood and create a significant increase in traffic in an area already impacted by school-zone activity. Thei City's own report acknowledges that additional information is required to determine whether safe access to Area J

can be achieved, and City Transportation Planning has indicated that safe access may not be achievable. We are very concerned about the resulting impacts on pedestrian safety, congestion and traffic movements during school events, pick up/drop off. Council should not establish residential development rights at this location until the safety, access and traffic implications have been fully demonstrated and resolved to all neighbours, community members, and council.

• **Transportation Planning does not support the Official Plan Amendment.**
The City's Transportation Planning staff specifically state that safe access may not be achievable.

• **Stormwater and servicing matters remain outstanding.**
City Stormwater and Development Engineering has requested updated supporting information before determining whether it could support the Official Plan Amendment. Halton Region has also requested revisions to the Functional Servicing Report and Traffic Impact Study and confirmation of sanitary servicing for Blocks H and K.

Most importantly, City Planning Staff have concluded that the proposed applications are **not consistent with the Provincial Planning Statement (2024), do not have regard for the applicable Planning Act matters, and do not comply with Zoning By-law 2020.**

I believe Council should follow the recommendation of its professional planning staff and **refuse both the Official Plan Amendment and Draft Plan of Subdivision**.

This is not an argument against housing or responsible development. It is an argument that residential development should not proceed on these lands until the fundamental planning framework and outstanding technical issues have been properly resolved.

Once land is redesignated and residential lots are created, that decision is effectively permanent. We therefore believe Council should exercise caution and protect the integrity of Burlington's planning process.

We respectfully ask that Council:

1. **Accept staff's recommendation to refuse both applications;**
2. **Not direct staff to continue processing the applications at this time;** and
3. **Maintain the existing Major Parks and Open Space/Natural Heritage System framework for these lands unless and until a compelling planning case for change has been established.**

On a personal note, we chose to live in this neighbourhood in part because of its established residential character, green space, and the safe environment is

provides for our family and young children. We understand that the province needs to accommodate growth, but we believe growth should occur in locations and in a manner that goes not compromise the safety and livability of existing neighbourhoods.

Thank you for your consideration and for the work of City staff in reviewing this application.

Sincerely,

Leslie and Jeff Mackay

Meneray, Elyse

From: Millcroft Against Bad Development <admin@millcroftagainstbaddevelopment.ca>
Sent: Sunday, September 13, 2026 10:55 PM
To: Meed Ward, Marianne
Cc: Bentivegna, Angelo; Nisan, Rory; Kearns, Lisa; Galbraith, Kelvin; Stolte, Shawna; Sharman, Paul; effie.triantafilopoulos@pc.ola.org; Carr, Gary; Natalie.Pierre@pc.ola.org; Meneray, Elyse
Subject: John Buskermolen - I'm Against Development on Golf Course

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

Dear Burlington Mayor Meed Ward, Councillors, City officials, Premier, Ministers & MPPs
Reference: Millcroft Greens' proposal to redesign the existing Millcroft Golf Course and introduce select parcels of residential development.

I write in connection with the subject proposal. This development has the potential to disrupt ecosystems and wildlife, reduce green space, overburden infrastructure, lead to the rezoning of existing school districts, significantly decrease existing property values, increase traffic, and alter the character of one of Burlington's most iconic neighbourhoods. I wholeheartedly and vehemently object to the proposed development.

The Millcroft neighbourhood is unique in that, rather than including a golf course as a feature, it was built around the golf course as THE feature - the epicenter; the heart of the community. Millcroft is synonymous with the golf course. The street names feature famous golfers and allusions to green space - several including the words "field" or "park." Moreover, the golf course is home to many species of wildlife. It is not unusual to find turtles emerging from the pond located on the 6th hole, families of ducks waddling along the footpaths, swans swimming in the ponds, and fox darting through the trees. Millcroft's signature feature - the golf course - provides green space and a wildlife haven in the predominantly concrete-laden north Burlington.

I have reviewed the City's Official Plan, in conjunction with the golf course's current zoning of O1 (Open Space), with most sections designated as part of the Natural Heritage System. Section 2.3.5 of the Official Plan states that: "Lands identified as Natural Heritage System, Major Parks, and Open Space, include the City's Natural Heritage System and lands designated for Major Parks and Open Space.
Together they are essential components of a healthy and sustainable urban area and are intended to be protected in accordance with the policies of this Plan." This is in line with the City's January Private Tree By-law, which has an objective "to protect, prohibit and regulate the injury or destruction of trees and encourage the preservation and planting of trees within the Urban Planning Area Boundary of the municipality."

The first phase of the proposed development eliminates a staggering
411 mature trees from an area designated as part of the Natural Heritage System. In an era where citizens are begging governments to take decisive, urgent, and exhaustive action in the global climate crisis, the thought of destroying an established, mature ecosystem and displacing or destroying precious wildlife is unfathomable. I trust that you are of the same mindset, given that the City Council unanimously passed a motion to declare a climate emergency. This proposed development exacerbates an already dire circumstance.
I urge you to be mindful of all the numerous detrimental effects that accompany the proposed development, most notably, building homes on a flood plain, disrupting ecosystems and wildlife, reducing green space, and defiling the character of the neighbourhood I chose to call home.

Burlington was recently voted Canada's best place to live. I believe the Millcroft neighbourhood epitomizes this honourable accolade. I zealously oppose any change to the golf course's current zoning and implore you to protect the green space that defines our beloved community.

Stop the development of Millcroft Golf Course

Sincerely,
John Buskermolen

Stonebridge Crescent, Burlington, Ontario

I support Millcroft Against Bad Development in fighting this new development

Meneray, Elyse

From: JOE KAWALIT
Sent: Monday, September 14, 2026 9:47 PM
To: Mailbox, Millcroft Greens Phase 2
Subject: Millcroft Phase 2

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

Dear City of Burlington Planning Department,
I am writing to express my strong concern and objection to the proposed development of the existing green space in our neighbourhood. This area is already densely populated, and increasing traffic is becoming a serious concern for residents. I live on Country Club Drive, and every morning it can already take a considerable amount of time just to exit my driveway and reach the main road due to heavy traffic. Adding more homes to this area will only increase the pressure on our roads and infrastructure. More importantly, I am deeply concerned about the environmental impact of removing this green space and the trees that currently contribute to the character and natural environment of our neighbourhood. Once these trees and natural areas are removed, they cannot be simply replaced by new landscaping. I respectfully ask the City planners to carefully reconsider this proposal and give serious consideration to the impact this development would have on traffic, the existing community, the loss of trees and green space, and the overall environmental character of Millcroft. Thank you for taking the concerns of local residents into consideration.

Sincerely, Joe Kawalit
Country Club Dr.
Burligton, ON,

DISCLAIMER: *This e-mail message is intended only for the named recipient(s) above and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If you have received this message in error, or not the named recipient(s), please immediately notify the sender and delete this e-mail message*

From: Kelly
To: Mailbox, Clerks
Subject: Please refuse Phase 2 development at Millcroft Golf Course
Date: Sunday, September 27, 2026 10:53:55 AM

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

Dear Mayor Meed Ward and members of Burlington City Council,

I'm writing as a resident of Millcroft to urge you to refuse Phase 2 of the golf course development.

I recently moved here with my fiancé. I didn't see what the neighbourhood was like before the trees were chopped down and the fences went up, but seeing the land left in poor condition, with dead branches scattered all over, I can imagine it was once charming and welcoming. This development takes away part of that legacy. It takes away the charm and uniqueness of the neighbourhood in favour of luxury homes, which leaves a bad taste in my mouth.

If you haven't come to see what it looks like, you should. People are still golfing there every day. I imagine there are many retired couples in the neighbourhood who have made golfing a hobby and something that brings them joy. They may teach their grandchildren to golf there, too.

The fact that Phase 2 is still unapproved gives me hope that Council can protect the remaining lands. I'm worried that if the developer appeals Council's refusal to the Ontario Land Tribunal, the Tribunal could still approve the development. Please stand by the recommendation to refuse and defend it if it is appealed.

Please share this email with all members of Council and confirm that it has been received. I would also appreciate knowing how Council intends to address the environmental, infrastructure and community impacts raised by residents.

Sincerely,

Kelly Ingram

Millcroft resident, Burlington

From: Aaron Laing
To: Mailbox, Clerks
Subject: Support for the appeal of the OLT decision on Nelson Aggregates quarry
Date: Friday, September 11, 2026 6:26:05 PM

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

We would like to voice our support for an appeal of the OLT decision regarding the expansion of the Nelson Aggregates quarry on No 2 Sideroad in North Burlington.

As residents living near Mount Nemo, we are concerned by the Ontario Land Tribunal's decision to approve extensions to the below-water-table crushed limestone quarry on the plateau.

The existing quarry has already caused real harm to our community, wells have gone dry, blasting has sent rocks onto lawns, roofs, and public green space, and dust continues to settle on our homes and in our lungs.

Despite this track record, and despite testimony from an independent air quality scientist who said he would not live beside the quarry due to health risks, the OLT sided with the company, which presented no health impact evidence of its own.

The tribunal even acknowledged that Ontario's own 2023 Auditor General report found the provincial ministries responsible for regulating gravel mining are doing a neglectful job, yet it still placed all future oversight of this expanded, engineering-intensive operation in those same ministries' hands. Perhaps most alarming, the approved project depends entirely on "perpetual water pumping" to protect wells and provincially protected wetlands, meaning the company must run pumps indefinitely just to prevent the harm this expansion would otherwise cause.

Rather than stopping the source of the risk, the decision puts the burden on the City of Burlington to evacuate residents if air quality proves carcinogenic. Mount Nemo sits atop dozens of creek systems that feed the water table for the entire plateau and everyone downstream, and it is part of a UNESCO World Biosphere.

Regards,
Aaron Laing & Tara Spearin
[redacted], Burlington, ON

-----Original Message-----
From: Allison Shea <
Sent: Friday, September 11, 2026 1:59 PM
To: Mailbox, Clerks <Clerks@burlington.ca>
Subject: OLT decision

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

Hello my name is Allison. I was unable to attend the meeting on Wednesday but am a continued supporter of CORE and the fight against the quarry. I live on xxxxxxx Rd close to destructive nature of Nelson Quarry.

I would like to send my support to the City of Burlington to continue its appeal against OLT decision.

Regards,
Allison and Trevor Shea

Sent from Allison's iPhone

From: Caleb Caunce <
Sent: Friday, September 11, 2026 12:11 PM
To: Mailbox, Clerks <Clerks@burlington.ca>
Subject: Appeal the OLT Decision

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

Good morning,

I'm writing to show my support for an appeal to OLT with regards to expanding Nelson quarry.

I live in the Mount Nemo area which is an unique part of the city of Burlington. I oppose the expansion of the quarry in this designated World Biosphere Reserve.

I fully support the city's efforts to appeal the OLT decision.

Thank you

-----Original Message-----
From: Chelsea Evershed <
Sent: Friday, September 11, 2026 2:13 PM
To: Mailbox, Clerks <Clerks@burlington.ca>
Subject: No Quarry!

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

As a residents living near Mount Nemo, and directly across the street from the new proposed quarry I am deeply concerned by the Ontario Land Tribunal's decision to approve two new below-water-table crushed limestone quarries on the plateau.

The existing 500+ acre quarry has already caused real harm to our community, wells have gone dry, blasting has sent rocks onto lawns, roofs, and public green space, and dust continues to settle on our homes and in our lungs.

Despite this track record, and despite testimony from an independent air quality scientist who said he would not live beside the quarry due to health risks, the OLT sided with the company, which presented no health impact evidence of its own.

The tribunal even acknowledged that Ontario's own 2023 Auditor General report found the provincial ministries responsible for regulating gravel mining are doing a neglectful job, yet it still placed all future oversight of this expanded, engineering-intensive operation in those same ministries' hands. Perhaps most alarming, the approved project depends entirely on "perpetual water pumping" to protect wells and provincially protected wetlands, meaning the company must run pumps indefinitely just to prevent the harm this expansion would otherwise cause.

Rather than stopping the source of the risk, the decision puts the burden on the City of Burlington to evacuate residents if air quality proves carcinogenic. Mount Nemo sits atop dozens of creek systems that feed the water table for the entire plateau and everyone downstream, and it is part of a UNESCO World Biosphere.

This not a place where "build, build, build" should override safe drinking water, clean air, and irreplaceable natural infrastructure.

Thank you,

Chelsea

From: Dan Heculuck
To: Mailbox, Clerks
Subject: Please allow an appeal
Date: Friday, September 11, 2026 3:54:42 PM

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

Hi there !

To whom it may concern :

I ask, as an environmentalist, seeking to be a steward of our land use and concerned citizen, and one of many spokespersons for all the creatures and inhabitants who will be affected by the decision of recent by the OLT to allow further expansion of the quarries in Mount Nemo to allow an appeal of that decision, as myself and many others feel that it is the wrong decision and NOT in the best interests of the people and all other inhabitants.

Dan Heculuck,
St. Catharines, Ontario

From: Deb Fester
To: Mailbox, Clerks
Subject: Nelson Aggregates application for expansion on Mount Nemo Burlington, Ontario
Date: Saturday, September 12, 2026 10:37:01 PM

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

I firmly oppose Nelson Aggregates expansion application on Mount Nemo .
Originally the Nelson Aggregate mining operation on Mount Nemo was to be temporary. Over 50 years later the open pit mine is still in operation.

Before I was born our family built a home at [redacted] North Shore Blvd. West, Burlington, Ontario. We were one of the first homes on that Blvd..

I raised my family at [redacted] Milburough Line, Burlington, Ontario. A small farm of 24.93 acres. I was thrilled to raise our children in rural Burlington.
On quarry blasting days our house shook. You could feel it and we were not living in close proximity to the quarry.

Burlington deserves to save its green space for future generations.

The headwaters flowing off the Mount Nemo Plato must be protected

The city of Burlington needs to stand strong and oppose applications for open pit mining on Mount Nemo. Save Burlington's green spaces for future generations to enjoy.

When I used to drive up Brant Street away from the lake I would see beautiful green from the trees above highway 5. Keep it that way.

Deb Fester

From: William McIlveen
To: Mailbox, Clerks
Subject: Comments re Mount Nemo
Date: Sunday, September 13, 2026 5:47:37 PM

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

I understand that the area of Mount Nemo is under pressure to extend quarrying in that area. I also understand that the proposed development is contrary to the wishes of the Town of Burlington. I must say that I do not want to see the expansion of any quarries on the Niagara Escarpment. While I understand the need for limestone for various purposes, that stone should not come from the Escarpment lands.

I have been to Mount Nemo many times and know how ecologically important that geological formation is. In the simplest terms, it needs to be protected to protect the many plants and animals that live there.

I am a resident of Halton. Specifically, I live in Milton but my address is in Acton. That location offers me an opportunity to visit natural sites all over Halton and in nearby natural areas in Peel. I have written many articles about many different natural topics because I have acquired extensive knowledge of the nature in the area. I am therefore pleased to be able to tell Burlington City Council and CORE that I support their efforts to protect the Escarpment in the vicinity of Mount Nemo.

Dr. William McIlveen
[redacted]
Acton, Ontario
[redacted]

From: Ella <
Sent: Thursday, September 10, 2026 11:01 PM
To: Mailbox, Clerks <Clerks@burlington.ca>
Cc: Mailbox, Office of the Mayor <mayor@burlington.ca>
Subject: Mt Nemo quarry

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

To whom it may concern,

I was so disappointed to hear about the OLT decision about the quarry expansion. It's a bad decision that is not in the best interest of the people, animals, and environment of Burlington.

The provincial government has overreached and taken away our ability to govern our own city.

I strongly urge you to do that you can to appeal this dangerous decision. The negative impacts of this quarry are so numerous that it would be a huge disservice to the city if you didn't do everything possible to block it.

Ella Myers

From: Ernest Perron **Sent:** Friday, September 11, 2026 12:53 PM
To: Mailbox, Clerks <Clerks@burlington.ca>
Subject: Quarry

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

My Name is Ernest Perron and reside at and would like to continue my support for this fight against this expansion,

From: Graham MacIsaac
To: Mailbox, Clerks
Subject: Enviromental Disaster
Date: Saturday, September 12, 2026 9:35:25 AM

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

My name is Graham MacIsaac. I am the homeowner at 4480 Guelph Line. (Mount Nemo) Regularly I am required to clean Quary sand from my Driveway, my Patio and off my Cars. My son and his wife once lived here after my Grandson was born, but felt they had to move, the baby had respiratory issue and believed living on Mount Nemo next to an Open Quarry. Since moving, my Grandson's condition has greatly improved. Do we need an "Erin Brockovich" saviour to rescue us from this Enviromental danger. Get these profit seeking, Community hazard, enviroment destroyers. out of our Community.
Graham MacIsaac
[redacted]
Burlington, Ont.

From: Greg McCamus
To: Mailbox, Clerks
Subject: OLT appeal
Date: Friday, September 11, 2026 6:50:16 PM

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

I'm a resident of Burlington in Lowville and a supporter of the CORE/PERL initiatives to fight this expansion of the Nelson quarry. I was appalled by the decision by the OLT and I'm even more incensed after the review on Wednesday with the legal staff and supporters from the city at the CORE meeting. I am extremely impressed with the ongoing support and commitment of the Burlington Council and in particular mayor Meed Ward. I'm extremely concerned and disappointed with this decision and I urge council to approve an appeal of this decision and to continue to do everything to support the community in fighting this outrageous and unnecessary expansion that creates risks for the community and the environment. Given that the OLT ignored key evidence and demonstrated extreme naïveté in relying on Nelson to police themselves I can only conclude that the OLT is either incompetent or has been co-opted by moneyed interests. The fact that Nelson has shown blatant disregard for the community by failing to implement measures that they committed to put in place to mitigate existing operations is an indication that we can't trust them to keep the community safe. I urge council to do everything in their power to address this injustice.

Greg McCamus
[redacted]
Burlington, L7P0G3
[redacted]

Sent from my iPhone

From: Kate Welland <
Sent: Friday, September 11, 2026 3:09 PM
To: Mailbox, Clerks <Clerks@burlington.ca>
Subject: OLT decision re Nelson Aggregates

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

Hello.
I'm very concerned that the OLT has decided to give Nelson Aggregates a permit to continue to destroy the limited lands on Burlington's escarpment.
I don't believe they will be held accountable for the control of dust, keeping the roads safe from increased dump trucks traffic, preventing flyrocks from damaging nearby properties or hitting people, and more.
This quarry should be shut down now that surrounding areas have been built up with housing. There are enough quarries in southern Ontario to supply needs.

Thank you.
Kate Welland

-----Original Message-----
From: Lauren Walker < >
Sent: Friday, September 11, 2026 1:22 PM
To: Mailbox, Clerks <Clerks@burlington.ca>
Subject: Mayor Meed Support

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

Good afternoon

I am writing in strong support of Mayor Meed Ward's work to appeal the OLT decision regarding the expansion of Nelson Aggregate quarry on the Mount Nemo plateau.

We back onto xxxx Road and we understand the environmental importance of this specific region and the need to protect it rather than slowly allowing it to be dug up and sold off bit by bit.

When does it stop? I would suggest now would be a good time.

Thank you.

Lauren Walker

-----Original Message-----
From: Linda Tilton <
Sent: Friday, September 11, 2026 12:53 PM
To: Mailbox, Clerks <Clerks@burlington.ca>
Subject: Mount Nemo quarry expansion

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

As a residents living near Mount Nemo, I am are deeply concerned by the Ontario Land Tribunal's decision to approve two new below-water-table crushed limestone quarries on the plateau.

The existing 500+ acre quarry has already caused real harm to our community, wells have gone dry, blasting has sent rocks onto lawns, roofs, and public green space, and dust continues to settle on our homes and in our lungs.

Despite this track record, and despite testimony from an independent air quality scientist who said he would not live beside the quarry due to health risks, the OLT sided with the company, which presented no health impact evidence of its own.

The tribunal even acknowledged that Ontario's own 2023 Auditor General report found the provincial ministries responsible for regulating gravel mining are doing a neglectful job, yet it still placed all future oversight of this expanded, engineering-intensive operation in those same ministries' hands. Perhaps most alarming, the approved project depends entirely on "perpetual water pumping" to protect wells and provincially protected wetlands, meaning the company must run pumps indefinitely just to prevent the harm this expansion would otherwise cause.

Rather than stopping the source of the risk, the decision puts the burden on the City of Burlington to evacuate residents if air quality proves carcinogenic. Mount Nemo sits atop dozens of creek systems that feed the water table for the entire plateau and everyone downstream, and it is part of a UNESCO World Biosphere.

This not a place where "build, build, build" should override safe drinking water, clean air, and irreplaceable natural infrastructure!!!!

Richard and Linda Tilton

From: Liz Pearlman <
Sent: Friday, September 11, 2026 1:08 PM
To: Mailbox, Clerks <Clerks@burlington.ca>
Subject: Stop the Nelson Aggregate Quarry!!!!

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

I am writing in strong support of Mayor Meed Ward's recommendation to appeal the OLT decision regarding the expansion of the Nelson Aggregate quarry on the Mount Nemo plateau.

Our family lives in Cedar Springs Community in North Burlington and we know and understand the beauty and environmental importance of this unique natural area.

We must all speak out to protect forests, farmland and water of the Mount Nemo plateau within the Niagara Escarpment, a UNESCO Biosphere Reserve, which is a global recognition of this natural environment and critical ecosystems.

It is worth the fight to continue to protect it!

Liz Pearlman

From: Margaret Beaudette
To: Mailbox, Clerks
Subject: Community engagement
Date: Sunday, September 20, 2026 2:36:23 PM

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

I am aware that I missed the cut-off date for this letter (Core), I feel I need to say my piece! It is unfortunate that the needs for a healthy environment, and thus a healthy population, are ignored by the Ontario government. The appeal always seems to be in favour of developers and gravel companies, thus overturning the community choices. The people who live there are the most important people to consult and then vote in their favour.

An annoyed resident of Halton Region and southern Ontario!

Margaret Beaudette

Guelph Line, Campbellville

From: Marinko Saric <
Sent: Friday, September 11, 2026 12:45 PM
To: Mailbox, Clerks <Clerks@burlington.ca>
Subject: Mount Nemo quarry expansion

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

Dear City Clerk,

I was very disappointed to hear about the OLT decision regarding the Mount Nemo quarry expansion. It is difficult to understand how further industrial activity can be allowed in such an important natural area when there are so many concerns about what it could mean for the surrounding community.

The people who live around Mount Nemo deserve to feel confident that the air they breathe and the water they rely on will remain clean and safe. Increasing quarry activity raises very real concerns about dust, air quality, groundwater and the potential long-term effects on nearby residents and the natural environment.

Mount Nemo is also so much more than a resource to be extracted. It is an important part of Burlington's landscape, with tremendous ecological, recreational and community value. Once that landscape is permanently altered, it cannot simply be put back the way it was.

I am grateful that CORE Burlington continues to advocate for the protection of Mount Nemo, and I hope the City will continue to pursue every option available to protect the area and the people who call it home.

I sincerely hope this decision will not be the end of the effort to preserve Mount Nemo for future generations.

Sincerely,

Marinko Saric

Marinko Saric | President

From: ML
To: Mailbox, Clerks
Cc: [redacted]
[redacted] Request for OLT Appeal regarding Nelson Quarry Expansion
Date: Sunday, September 13, 2026 11:20:56 AM

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

Dear City of Burlington,

On the heels of the OLT's decision and our subsequent disappointment, my husband and I are appealing to you in a bid to have you continue to protect our precious health and safety and that of our neighbours and community, as well as the unique heritage land that we're so privileged to live on.

We fully recognize your contribution to date and we're so very appreciative of it, thank you. That said, in our continuing efforts, we please ask that you continue to help us with our fight to suppress Nelson's quarry expansion by way of an appeal of the OLT's decision. We would be most grateful.

Thank you kindly for your consideration,

Roy Wright and Mary-Lynn Scott
[redacted], Burlington

From: Sharlane Cosentino < >
Sent: Friday, September 11, 2026 12:08 PM
To: Mailbox, Clerks <Clerks@burlington.ca>; Sharlane Cosentino < **Subject:** Protect Mount Nemo

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

As a residents living near Mount Nemo, I am are deeply concerned by the Ontario Land Tribunal's decision to approve two new below-water-table crushed limestone quarries on the plateau.

The existing 500+ acre quarry has already caused real harm to our community, wells have gone dry, blasting has sent rocks onto lawns, roofs, and public green space, and dust continues to settle on our homes and in our lungs.

Despite this track record, and despite testimony from an independent air quality scientist who said he would not live beside the quarry due to health risks, the OLT sided with the company, which presented no health impact evidence of its own.

The tribunal even acknowledged that Ontario's own 2023 Auditor General report found the provincial ministries responsible for regulating gravel mining are doing a neglectful job, yet it still placed all future oversight of this expanded, engineering-intensive operation in those same ministries' hands. Perhaps most alarming, the approved project depends entirely on "perpetual water pumping" to protect wells and provincially protected wetlands, meaning the company must run pumps indefinitely just to prevent the harm this expansion would otherwise cause.

Rather than stopping the source of the risk, the decision puts the burden on the City of Burlington to evacuate residents if air quality proves carcinogenic. Mount Nemo sits atop dozens of creek systems that feed the water table for the entire plateau and everyone downstream, and it is part of a UNESCO World Biosphere.

This not a place where "build, build, build" should override safe drinking water, clean air, and irreplaceable natural infrastructure!!!!

Sincerely,
Sharlane and Joe Cosentinos

From: Esther Allen
To: Mailbox, Clerks
Subject: SGCC Support for an Appeal of the OLT Decision
Date: Sunday, September 13, 2026 8:28:06 AM

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

Dear Mayor Meed Ward and Members of Burlington City Council,

On behalf of the **Springwater Green Community Coalition (SGCC)**, we are writing to express our strong support for the City of Burlington appealing the recent Ontario Land Tribunal (OLT) decision.

SGCC is a community-based organization that has experienced firsthand the challenges that can arise when decisions involving development, environmental protection, and community well-being are made without sufficient consideration of their long-term impacts.

We believe municipalities have an important responsibility to protect the health, safety, environment, and quality of life of the communities they represent. When there are legitimate concerns regarding an OLT decision and its potential impacts on a community, we believe those decisions should be carefully reviewed and, where appropriate, challenged through the proper legal process.

We therefore encourage Burlington City Council to support an appeal of the OLT decision and to ensure that the concerns of Burlington residents are fully heard and considered.

Communities should have confidence that environmental protection, public health, planning principles, and the interests of existing residents are given meaningful consideration when development decisions are made.

SGCC stands in support of the Burlington community and encourages Council to take the necessary steps to appeal this decision.

Thank you for your consideration and for your commitment to protecting the interests of Burlington residents.

Sincerely,

Springwater Green Community Coalition (SGCC)
Springwater Township, Ontario

Staff Memo

SUBJECT: Millcroft Minister Zoning Order Request Update

TO: Regular Council

FROM: Community Services

Government Relations

Report Number: CS-07-26

Wards Affected: Ward 6

Date to Committee: N/A

Date to Council: September 29, 2026

CIP Date: N/A

This staff supplemental memo provides an update on the status of the City of Burlington's Minister's Zoning Order (MZO) request to preserve open space uses in the Millcroft community.

The Ministry of Municipal Affairs and Housing (MMAH) received a request from the City of Burlington on April 13, 2026, to make a MZO to maintain the current recreational and open space uses and prohibit development on lands at 2155 Country Club Drive, in the City of Burlington, that are currently zoned (O1) Open Space in the City of Burlington Zoning By-law, 2020, as amended.

MMAH hosted a 30-day public consultation through the Environmental Registry of Ontario (ERO) from June 22, 2026, to July 22, 2026, seeking input on whether this request should be considered and any additional information that may help inform the Minister's decision-making.

Concurrently, MMAH also received a request from Millcroft Greens Corporation to make a Minister's Zoning Order for lands at 2155 Country Club Drive and 4274 Dundas Street, in the City of Burlington. This request had written support from the Minister of Seniors and Accessibility and the Minister of Environment, Conservation and Parks, and MMAH hosted a 30-day public consultation through the ERO from June 5, 2026, to July 5, 2026.

The City of Burlington's comments to ERO #: 026-0551 – Request for a Minister's Zoning Order for Residential Uses in the City of Burlington – can be found appended to this Memo.

Government Relations staff maintain frequent contact and professional relationships with all local Members of Parliament (MPs) and Members of Provincial Parliament (MPPs) and their staff teams. City of Burlington staff meet monthly with each of the local MP and MPP Offices to discuss local priorities and advance advocacy objectives. To this end, Millcroft remains a standing item of discussion and both city staff and provincial officials maintain frequent points of contact to ensure timely information exchange, as needed.

Through these conversations, Government Relations has sought updates on the Minister's decision to the two respective MZO requests. To date, the City of Burlington and local MPP Offices have not received a decision from the Minister of Municipal Affairs and Housing on Burlington's MZO request to preserve open space uses, or Millcroft Greens' MZO request for residential uses.

Government Relations will continue to monitor and seek updates on the Minister's final decision and provide timely updates to Council accordingly.

Memo Details

Author:

Paul Szachlewicz
Corporate Strategic Lead, Government Relations
paul.szachlewicz@burlington.ca

Attachments:

A. Environmental Registry of Ontario (ERO) #026-0550: Request for a Minister's Zoning Order to Preserve Open Space Uses in the City of Burlington.

B. Environmental Registry of Ontario (ERO) #026-0551: Request for a Minister's Zoning Order for Residential Uses in the City of Burlington.

C. ERO #026-0551: City of Burlington Submission (attached)

Memo Approval:

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

Re: ERO #026-0551 - Request for a Minister's Zoning Order for Residential Uses in the City of Burlington

Thank you for the opportunity to provide comments on ERO #026-0551.

Based on the information available within the Environmental Registry of Ontario Posting #026-0551, municipal staff have the following general comments that form the basis of this submission on behalf of the Community Planning Department at the City of Burlington.

Conflicting Ministerial Zoning Order Requests

On April 13, 2026, a Ministerial Zoning Order (MZO) Framework Request was submitted by the City to the Minister of Municipal Affairs and Housing. The requested MZO would apply to all remaining lands in the Millcroft Golf Course outside of the 2025 Ontario Land Tribunal (OLT) decision. Specifically, the City's request would prohibit every use of land and every erection, location or use of any building or structure except those specifically permitted by the current O1 Open Space Zone in Zoning By-law 2020. This would align with the City's land use vision for these lands, as identified in the City of Burlington Official Plan, for open space uses.

To date, no decision has been issued on the City's April 2026 MZO request, however, ERO #026-0550 – Request for a Minister's Zoning Order to Preserve Open Space Uses in the City of Burlington, has been posted and is open for public comment until July 22, 2026. This request seeks to maintain the open space uses on the lands and is fundamentally incompatible with the current requests made by Millcroft Greens Corporation (the applicant), which are premature until a decision has been made on the City's MZO application.

At the same time, the City must make a decision on the new applications within its legislated development processing timelines. It is staff's view that separately processing the Planning Act applications and the MZO request by Millcroft Greens Corporation, especially while the City's MZO request remains open, creates confusion and contradictions in the land use planning process for these lands.

The City's vision for these lands, as articulated in the Official Plan, is for open space. It is the City's position that the MZO request by Millcroft Greens Corporation should be refused, the Official Plan Amendment (OPA) and draft plan applications withdrawn, and the City's MZO application approved.

In the absence of clarity regarding the City's MZO application, staff offer the following supplementary comments on the MZO request made by Millcroft Greens Corporation.

2155 Country Club Drive

Burlington municipal staff recommend a refusal of the MZO request made by Millcroft Greens Corporation for lands at 2155 Country Club Drive.

The majority of the proposed development is within or adjacent to Conservation Halton Regulated Areas. Other than a location map, the MZO has no supporting materials to understand the developable area or to demonstrate that the proposed residential development will not be located in a hazard area in accordance with the Provincial Planning Statement (PPS).

It is understood that an MZO is exempt from compliance with provincial policy including the PPS. However, given the potential health, safety, financial, and environmental risk for residential development within flood hazard areas, along with any downstream flooding impacts, it would not be in the public interest to ignore provincial policy including the PPS.

Housing Unit Potential

The City of Burlington is a built out municipality and is expected to grow significantly through infill within the current Urban boundary. The City has examined residential intensification potential throughout the City as part of a recent population and employment forecasting exercise based on the Official Plan framework.

The City's Official Plan establishes a Growth Framework within the Urban Area. The growth framework, along with the Urban Structure and land use policies, together describe where significant change and growth is expected as well as where long term protection is key. Areas like the City's Natural Heritage System, natural hazards and major parks and open spaces are identified to be protected over the long term. Alternatively, the areas that are identified for change and growth are well aligned with provincial and other levels of goverment investments in transit and existing community infrastructure like schools and hospitals.

Analysis on residential intensification potential considered the Established Neighbourhood Area, Primary and Secondary Growth Areas and new Designated Growth Areas. When taken together these areas were identified to have a potential housing unit supply estimated at approximately 106,000 units. This potential far exceeds the anticipated housing growth of 35,400 units forecast from 2021 to 2051. Please refer to this link for more details on the City's Growth Analysis Review. The significant housing unit supply potential in those areas identified for change will support housing unit growth beyond 2050.

Understanding the City's Pipeline

The City has spent considerable time monitoring its development pipeline. Based on the Pipeline to Permit dashboard as of June, 26,2026 the City currently has:

• 23,471 residential units in pre-application stage
• 13,088 residential units under review
• 2,321 residential units appealed to OLT
• 9,067 residential units waiting to submit for site plan application

The above confirms that there is strong interest from industry for residential development in the City and it has a healthy balance of residential units across the development approval spectrum. Equally important, the above noted residential units are located in areas where the City expects development to occur so that investments in community infrastructure and mobility are optimized.

Development Charges and the City's Housing-related Community Improvement Plan

Burlington has already taken meaningful, Council-approved action to support housing supply, affordability and complete communities. This includes a 28 per cent reduction to residential development charges already in effect. The City of Burlington Housing Community Improvement Plan (CIP) has also been amended to establish a suite of temporary programs with a focus on incentivizing development during a challenging time for the development industry and to support the creation of new housing units aligned with Burlington's housing needs and objectives. The programs include Development Charge grants, fee waivers, tax increment equivalent grants, and other housing-related incentives.

The City received applications for an OPA and Draft Plan of Subdivision (DPS) on June 5, 2026 and has 120 days to meet its legislated timelines and issue a decision. As the closing date for the Millcroft Greens Corporation MZO is July 5, 2026, a minimum of 30 of the 120 days to process the OPA and DPS will have passed without zoning clarity for staff to process the OPA and DPS.

The City's primary position is that Burlington's 2026 MZO request should be approved and the applicant's MZO request refused. The following comments apply only in the event of the refusal of the City's 2026 MZO application.

To ensure the orderly processing of the development applications, a Zoning By-law Amendment (ZBA), including all technical supporting materials, should also be submitted to the City for review. The ZBA will ensure a complete, transparent, and public development review process at the local level and can be considered in an integrated manner with the OPA and DPS.

There is already a provincial appeal mechanism through the OLT for municipal decisions on development applications. An MZO request is not required for the Province to have oversight on the decision-making process for this development.

The legislative processing timelines for the OPA and DPS should restart so that the OPA, ZBA and DPS are reviewed holistically and within the same legislated processing timelines.

4274 Dundas Street

Burlington municipal staff also recommend a refusal of the MZO request by Millcroft Greens Corporation regarding 4274 Dundas Street.

The City does not object to the merits of the proposed changes for 4274 Dundas Street; it does object to the process to implement through an MZO request and recommends refusal.

The request to add a long-term care and retirement home as a permitted use while applying the OLT-approved regulations for an apartment building is appropriate as the built form and intensity of use would not increase.

The MZO request does not, however, provide a parking utilization study or technical materials to support the requested parking rate for the proposed land uses. As a wedge shaped property that is bound by a major arterial road to the north, a major utility corridor to the south, and an established condominium development to the west, it is isolated from the surrounding community. There are no nearby on-street parking options available for this property, so it is critical to ensure that an appropriate parking rate is applied to the development. The proposed parking rate would be best considered as part of the suggested ZBA application identified above, with the appropriate parking utilization and technical materials to support the request. It is not the City's objective to frustrate long-term care and retirerment home developments with excessive parking rates, rather it is to ensure that these important housing projects are carefully considered and set up to function successfully.

Conclusion

Based on the details shared within this submission, the City's vision for the 2155 Country Club Drive lands, as articulated in the Official Plan, is for open space. The proposed additional uses and parking rate for 4274 Dundas Street are best established through a local planning process and supported with appropriate studies and technical materials.

It is the City's position that the MZO request by Millcroft Greens Corporation should be refused, the OPA and draft plan applications withdrawn, and the City's MZO request approved.

The City of Burlington welcomes any opportunities to discuss the future uses of these lands in further detail, regardless of the outcome, to ensure that all parties are working together to advance the collective interests of local residents and businesses.

The Corporation of the City of Burlington

City of Burlington By-law 52-2026

A By-law to regulate (including requiring municipal consent permits) construction, road cuts and occupancies on City rights-of-way and other City property and to repeal By-law 65-2021, The City of Burlington Municipal Consent By-law (PWS-25-26)

Whereas sections 8, 9 and 11 of the *Municipal Act, 2001* authorize a municipality to pass by-laws necessary or desirable for municipal purposes, and in particular, paragraphs 4, 5, 6 and 8 of subsection 11(2) and authorize by-laws respecting public assets of the municipality, the economic, social and environmental well-being of the municipality, the safety and well-being of persons and the protection of persons and property;

And whereas paragraph 1 of subsection 11(3) and section 27 of the *Municipal Act, 2001* authorize a municipality to pass by-laws in respect of the rights-of-way under its jurisdiction;

And whereas section 35 of the *Municipal Act*, *2001* authorizes a municipality to pass by-laws removing or restricting the common law right of passage by the public over a highway and the common law right of access to the highway by an owner of land abutting a highway;

And whereas a municipality is responsible for ensuring that when work is done and equipment is installed on, in or under their rights-of-way and other municipal property,

- persons are protected from injury;
- property is protected from damage; and
- disruption is minimized for those using rights-of-way, other municipal property and abutting properties;

And whereas Part XII of the *Municipal Act, 2001* authorizes a municipality to impose fees or charges on persons;

And whereas Part XIV of the *Municipal Act, 2001* authorizes a municipality to: create offences; establish fines; impose administrative penalties; exercise powers of entry; make orders requiring persons who contravene a by-law to discontinue an activity or to do work; and take remedial action;

Now therefore the Council of the City of Burlington enacts:

PART 1 - DEFINITIONS

1.1 For the purposes of this By-law,

“administrative penalty” means a penalty amount set out in Schedule A of the Administrative Penalties By-law for a contravention of this By-law;

“applicable fees” includes fees set out in the Rates and Fees By-law;

“applicant” means Halton Region, if Halton Region is responsible for the work, or the utility company, commission, agency, or private entity that is responsible for the work;

“authorized agent” means a person authorized in writing by an applicant to act on their behalf, including to apply for a municipal consent permit, apply for an extension, notify the Director and receive notice from the Director;

“City” means The Corporation of the City of Burlington or its geographic boundaries as the context requires;

“City property” means any property owned or otherwise controlled by the City not including a right-of-way;

“City Standards” means standards or other requirements established by the Director under this By-law and any other applicable City specifications and other requirements, including by-laws;

“Council” means the City council;

“Director” means the Director of Engineering Services or their designates;

"emergency work" means work required to reduce or eliminate a situation that is resulting in or an impending situation that could result in serious harm to persons or substantial damage to property, including but not limited to the loss of an essential service or damage to plant;

“essential services” include the supply of natural gas, steam, electricity or water, the disposal of water or sewage, traffic control infrastructure and the provision of communication services for 911, financial transactions, business networks and the internet;

“excavation” means breaking, digging up, tearing up, tunneling, boring, coring, attaching to, cutting into or removing of any portion of the surface or subsurface of a right-of-way or City property, including but not limited to any pavement, sidewalks, curbs, gutters, boulevards or medians;

“municipal consent permit” or **“permit”** means a permit issued by the Director under this By-law authorizing work within a right-of-way or City property;

"Municipal Law Enforcement Officer" means any person authorized by the City or the Director to enforce the City’s by-laws;

“non-compliant plant” means plant that is not installed in accordance with this By-law, City Standards, or the conditions of any approval that applies to the installation, maintenance or removal of the plant;

“penalty order” means a penalty order as defined in the Administrative Penalties By-law;

"permit holder" means an applicant who has been issued a municipal consent permit;

“plant” includes any poles, cables, pipes, conduits, ducts, pedestals, regulators, antennas,

towers, wires, amplifiers, vaults, maintenance holes, hand holes, support structures and/or other appurtenances or ancillary facilities or structures used for the provision of telecommunications, internet, energy, water, wastewater, steam, fuel and/or other materials. Any encasement, steel plating or other non-excavatable material is deemed to be part of the plant;

"right-of-way" means a highway under the jurisdiction of the City in accordance with the *Municipal Act, 2001*, and a right-of-way includes the entire area between the lateral property lines of the highway. The terms "highway", "road", "road allowance" and "street" or any similar term, if used, have the same meaning as "right-of-way";

"travelled portion of the right-of-way" means the part of the right-of-way that is improved for the use of vehicles;

"within" means on, in, over, above, under, across or along, as applicable in the circumstances; and

"work" means activities involving equipment that affect a right-of-way or City property and includes any excavation, construction, or installation, repair, replacement or extension of plant within a City property, unless the context requires otherwise.

PART 2 – GENERAL MATTERS

Short Title

2.1 This By-law may be referred to as the Municipal Consent By-Law.

Application

2.2 This By-law applies to all rights-of-way and City property in the City.

2.3 This By-law does not apply to work done by the City's employees, agents or contractors.

2.4 The Director may waive the application of all or part of this By-law if they are satisfied that the work is adequately regulated by an agreement with the City or another form of approval given by the City.

Access to Information

2.5 Information submitted under this By-law, including all information submitted for any permit, may be made available to any member of the public on request, subject to the *Municipal Freedom of Information and Protection of Privacy Act*.

Administration

2.6(1) The Director is authorized to negotiate and enter into agreements with respect to work as required to ensure compliance with this By-law, City Standards, and to generally protect the City's interests.

(2)(a) The Director is authorized to administer this By-law and establish and administer any practices, policies or procedures necessary to implement this By-law and may amend such practices, policies or procedures from time to time, as the Director deems necessary, without amendment to this By-law.

(b)1. The Director's authority under paragraph 2.6(2)(a) includes but is not limited to establishing and administering a suspension procedure. If the Director determines that a person has failed to comply with this By-law or a municipal consent permit the Director may, in accordance with the suspension procedure, suspend that person from doing work within the right-of-way or other City property for a specified period of time.

2. Under subparagraph 4.5(2)(c)1, an application that is submitted by a person who is suspended or includes a contractor who is suspended may be refused by the Director.

(3) The Director is authorized to prescribe all forms necessary to implement this By-law and may amend such forms from time to time, as the Director deems necessary, without amendment to this By-law.

(4) The Director is authorized to enforce this By-law, including but not limited to arranging for,

(a) the assistance or work of City staff, City agents or the assistance of police officers;

(b) the making of orders or other requirements and the imposition of conditions as authorized under this By-law;

(c) the obtaining of court orders or warrants as may be required; and

(d) the commencement of such actions on behalf of the City to recover costs or restrain contravention of this By-law as they deem necessary.

2.7 The Director may assign Municipal Law Enforcement Officers to enforce this By-law and Municipal Law Enforcement Officers so assigned or appointed by Council to enforce this By-law shall have the authority to,

(1) carry out inspections;

(2) make orders or other requirements as authorized under this By-law and City Standards; and

(3) give immediate effect to any orders or other requirements made under this By-law or City Standards.

2.8 The Director may assign duties or delegate tasks under this By-law to be carried out in the Director's absence or otherwise.

Conflicts

2.9 This By-law does not mitigate any applicable restrictions or regulations imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations.

2.10 If there is a conflict between any provision of this By-law and a provision of another City by-law, the provision that applies is the one that establishes the higher standard,

(1) to protect the health and safety of the public; and/or

(2) to maintain the right-of-way or City property in accordance with all applicable legislation, by-laws or other legal requirements and/or in a clean and tidy condition.

Transition

2.11 By-law 65-2021, The City of Burlington Municipal Consent By-law, is repealed.

2.12 Despite its repeal, By-law 65-2021 continues to apply to, and this By-law does not apply to,

(1) any permit issued under By-law 65-2021 before its repeal;

(2) any contravention of By-law 65-2021 that occurred before its repeal;

(3) any order or other requirement made under By-law 65-2021 before its repeal

(4) any proceeding, including a prosecution, commenced under By-law 65-2021 before its repeal; or

(5) any fee or other cost incurred under By-law 65-2021 before its repeal.

2.13 If a municipal consent permit application has been submitted and the permit has not been issued before By-law 65-2021 is repealed, the permit application shall be processed in accordance with this By-law.

Severability

2.14 If a court of competent jurisdiction declares any provision or part of a provision of this By-law invalid, the provision or part of a provision is deemed severable from this By-law, and it is the intention of Council that the remainder of this By-law shall continue in effect.

Coming into Force

2.15 This By-law comes into force on the date it is passed.

PART 3 – GENERAL RESPONSIBILITIES

3.1(1) No person, including Halton Region, a utility company, commission, agency or private entity or their employee, agent or contractor, shall do or permit any work to be done within a right-of-way or City property without first obtaining a municipal consent permit in accordance with this By-law and City Standards.

(2) Despite subsection 3.1(1), emergency work may be done without first obtaining a municipal consent permit if the person doing the emergency work,

(a) notifies the Director no later than 48 hours after the emergency work has started;

(b) applies for a permit as soon as possible after the Director is notified that the emergency work has started; and

(c) does only the emergency work that is necessary to deal with the emergency.

3.2 No person, including a permit holder or their employee, agent or contractor shall do or permit work to be done that is not in compliance with this By-law, including an order or other requirement made under this By-law, City Standards, and all conditions of a municipal consent permit.

3.3 While the work authorized by a municipal consent permit is being done, the permit holder shall ensure that the permit is readily available at the work site and is produced at the

request of the Director or a Municipal Law Enforcement Officer.

3.4 Every person, including Halton Region, a utility company, commission, agency or private entity or their employee, agent or contractor, doing work shall comply and ensure compliance with all applicable statutes, regulations, standards, codes, by-laws and similar requirements.

3.5 Every person, including Halton Region, a utility company, commission, agency or private entity or their employee, agent or contractor, doing work shall, at all times, maintain and ensure the maintenance of a right-of-way affected by the work in a condition that allows the safe passage of vehicular, pedestrian and cycling traffic.

3.6 Every person, including Halton Region, a utility company, commission, agency or private entity or their employee, agent or contractor, doing work within a right-of-way or City property which requires an excavation shall submit or ensure the submission of a request to Ontario One Call to locate and mark underground infrastructure prior to the start of any work, in accordance with the *Ontario Underground Infrastructure Notification System Act, 2012*.

PART 4 – MUNICIPAL CONSENT PERMIT APPLICATIONS

4.1 An applicant shall submit a completed application for a municipal consent permit to the Director that meets all the requirements of City Standards and includes,

(1) the name, municipal address, telephone number and email address of the Halton Region office or the utility company, commission, agency or private entity that is responsible for the work;

(2) if an authorized agent is applying on behalf of the applicant,

(a) the authorized agent's name, municipal address, telephone number and email address; and

(b) written authority from the applicant authorizing them to make the application;

(3) the name, position, telephone number and email address of an individual contact, available at all times while the municipal consent permit is in effect;

(4) if the individual contact is not the same person as the most senior field personnel assigned to oversee the work, the name(s), telephone number(s) and email address(es) of these personnel;

(5) the name(s), telephone number(s) and email address(es) of the contractors doing the work;

(6) a description of the type, purpose and location of the work including the name(s) of the right(s)-of-way affected, the municipal address(es) of the City property affected and the municipal addresses of any other property(ies) affected;

(7) the scheduled start date of the work and length of time estimated to complete the work;

(8) any proposed partial or full closure of a lane of the travelled portion of a right-of-way, bicycle lane, multi-use path or sidewalk;

(9) the need for any removal or bagging of a parking pay station, prohibition of curb parking, relocation of a bus stop, change to pavement markings or change to a traffic control device, including a temporary adjustment to traffic control signal timing or interference with a traffic signal loop;

(10) whether the work is emergency work and, if it is, the nature of the emergency;

(11) an indemnity and waiver with respect to the work that is satisfactory to the Director;

(12) evidence of insurance coverage and WSIB clearance certificate(s) satisfactory to the Director;

(13) an agreement with the City with respect to the work if required by the Director;

(14) revised or additional information, as required by the Director, to determine if the municipal consent permit should be issued; and

(15) payment of the applicable fees in a manner as required by the Director.

4.2(1) In addition to the items that may be required by the Director under section 4.1, the Director may require the applicant to pay a financial security to secure the satisfactory completion of the work authorized by the municipal consent permit and compliance with the conditions of the permit.

(2) The financial security shall be in an amount determined by the Director, who will consider the costs that may be incurred by the City if the work authorized by the municipal consent permit is not completed as authorized by the permit or the conditions of the permit are not complied with.

(3)(a) If the amount of the financial security exceeds any costs incurred by the City, then, on satisfactory completion of the work authorized by the municipal consent permit and following a warranty period of two years or as determined by the Director, the difference between the financial security and those costs, if any, will be refunded to the permit holder, provided that the permit holder, no earlier than one month before the expiry of the warranty period, submits a request, using the prescribed form, to the Director for the refund.

(b) When the request for a refund is from an authorized agent, it shall include the authorization of the permit holder and the authorization shall indicate whether the permit holder or the authorized agent is to receive the refund.

(4) If the amount of the financial security is less than costs incurred by the City, if any, the permit holder shall pay the difference within 30 days of receipt of an invoice from the City.

(5)(a) A financial security will forfeit to the City if a request for a refund is not submitted to the Director by the permit holder in accordance with subsection 4.2(3).

(b) A financial security that is forfeited to the City will be placed into an account related to right-of-way construction and/or maintenance.

(6) The City will not pay interest on any financial security it holds under this section.

(7) In this section, “costs incurred by the City” may include any costs resulting from the work done or permitted to be done by the permit holder that have not been paid as

determined by the Director.

4.3 The Director may issue a municipal consent permit after receipt of a completed application, including any revised or additional information required by them, and the applicable fees.

4.4 In making their decision to issue or refuse a permit, the Director shall have regard to City Standards.

4.5 The Director may refuse a municipal consent permit including if any one or more of the following circumstances apply,

(1) the application for a permit,

(a) is incomplete or inaccurate;

(b) is not in compliance with this By-law or City Standards; or

(2) one or more of the following circumstances applies,

(a) there is no available space to accommodate the proposed work;

(b) the proposed work conflicts materially with other existing or planned work that has already been approved for another applicant or the City; or

(c) the person who will be responsible for the proposed work or a person who will be doing the proposed work:

1. is suspended in accordance with a suspension procedure established under paragraph 2.6(2)(b); or

2. has not paid any amount owing, including a fine, penalty or court awarded costs resulting from a legal proceeding, related to this By-law or City Standards.

4.6 A municipal consent permit expires,

(1) on the date the work is completed or as set out in the permit, whichever comes first; or

(2) on notice of revocation by the Director.

4.7(1) If the work authorized by a municipal consent permit will not be completed before the permit expires under subsection 4.6(1), the permit holder or their authorized agent may apply for an extension not less than seven days prior to the expiry date.

(2) The Director may approve an application for an extension having regard to,

(a) the work to be completed during the extension;

(b) the progress of the work up until the date of the application;

(c) the performance of the permit holder up to the date of the application;

(d) any potential conflict that may result from the extension with other planned or ongoing work;

(e) the safety and convenience of the public; and

(f) anything else the Director deems to be applicable and appropriate.

(3) A permit holder or their authorized agent cannot apply for more than one extension and shall make a new application under sections 4.1 and 4.2 for any other continuation or resumption of work started under an expired permit.

PART 5 – MUNICIPAL CONSENT PERMIT CONDITIONS

5.1 All municipal consent permits are subject to the following conditions.

Validity, Suspension and Revocation of a Permit

(1) A municipal consent permit is valid only during the dates and times specified in the permit, which shall be determined by the Director.

(2) The Director may immediately suspend or revoke the municipal consent permit when, in their opinion,

(a) the suspension or revocation is necessary in an emergency situation of immediate threat or danger to a right-of-way, a City property, any property abutting a right-of-way or City property, or to any person;

(b) the permit holder or their employee, agent or contractor,

1. has failed to comply with the conditions of a permit, this By-law, including an order or other requirement made under this By-law, or City Standards;

2. has failed to notify the Director immediately of any of the changes referred to in subsection 5.1(8);

3. has failed, within 30 days after the issuance of the permit, to start the work;

4. has substantially discontinued the work for a period of more than 30 days;

5. has provided false or inaccurate information in the application for the permit; or

6. has failed to comply with any applicable statutes, regulations, standards, codes, by-laws, or similar requirements.

(3) The Director may notify a permit holder of the suspension or revocation of a municipal consent permit under subsection 5.1(2) in-person, by telephone or by email in accordance with the contact information provided in the permit application.

General Conditions

(4) A municipal consent permit is the property of the City and is not transferable.

(5) The permit holder shall,

(a) give the Director notice of the date the work will start at least five days in advance and confirm who will be doing the work;

(b) give the Director notice of the date the work has been completed no more than five days after completion;

(c) produce a copy of the permit at the work location on demand and, if required by the Director, by posting one or more copies of the permit at a conspicuous place or places at the work location;

(d) permit the City to inspect the right of way or City property affected by the work at any time;

(e) do the work diligently and in a manner consistent with industry best practices including without limiting,

1. taking proper precautions to protect persons from injury and property from damage including ensuring at all times they have appropriate insurance coverage;

2. damaging the right-of-way or City property and all existing plant as little as possible;

3. restoring the right-of-way and City property at least to the condition it was in before the work started or any emergency occurred; and

4. paying all applicable fees and costs.

(6) All costs associated with the work, including all applicable fees, shall be paid by the permit holder.

(7) The Director may, as they consider advisable,

(a) impose any additional conditions when issuing a municipal consent permit; or

(b) alter, revoke or impose new conditions on a municipal consent permit after it has been issued.

Notices to the Director

(8) A permit holder or their authorized agent shall immediately notify the Director of,

(a) any change to the information contained in an application for a permit, including any change to the start or finish dates of the work;

(b) any change to the characteristics of the work for which the permit has been issued; or

(c) the cancellation of all or part of the work.

(9) The Director may require revised or additional information, additional applicable fees, or a new application with respect to a change or cancellation under subsection 5.1(8).

Temporary Repairs, Permanent Restoration and other Work

(10) All temporary repairs, permanent restoration and other work authorized by a municipal consent permit shall be,

(a) completed to the standards prescribed in this By-law, City Standards and as required by the Director no later than the finish date; and

(b) maintained and warranted for a period of two years following completion to

the satisfaction of the Director.

(11) All costs associated with the maintenance and warranty of a temporary repair, permanent restoration or other work referred to in subsection 5.1(10) shall be paid by the permit holder.

(12) If a permit holder fails or refuses to do work as required under subsection 5.1(10),

(a) the Director may require the permit holder to do the work;

(b) the City may, itself or using a contractor, do the work;

(c) the permit holder shall be solely responsible for the cost of the work, including but not limited to any repair, restoration, maintenance or clean-up of the right-of-way or City property incurred by the City or by the City's contractor;

(d) the Director may deduct any cost for the work that it incurs from a financial security held by the City; and

(e) when the cost of the work incurred by the City exceeds the amount of a financial security held by the City, or no financial security is available, the permit holder shall pay all costs owing to the City within 30 days after receipt of an invoice from the City.

Non-Compliant Plant

(13) When a permit holder, their employee, agent or contractor installs non-compliant plant within a right-of-way or City property,

(a) the Director may require the permit holder to do work to correct or relocate the non-compliant plant;

(b) the City may, itself or using a contractor, do any necessary work to correct or relocate the non-compliant plant;

(c) the permit holder shall be solely responsible for the cost incurred by the City or by the City's contractor doing work to correct or relocate the non-compliant plant;

(d) the Director may deduct any cost it incurs for work required to correct or relocate the non-compliant plant from a financial security held by the City; and

(e) when the cost for the work incurred by the City to correct or relocate the non-compliant plant exceeds the amount of a financial security held by the City, or no financial security is available, the permit holder shall pay all costs owing to the City within 30 days after receipt of an invoice from the City.

PART 6 - OBSTRUCTION OFFENCES, ENFORCEMENT, REMEDIAL ACTION AND COSTS

Obstruction Offences

6.1 Every person is guilty of an offence who,

(1) makes or participates in an assertion of fact in a statement, document or form under this By-law knowing that the assertion is false or misleading;

(2) hinders or obstructs or attempts to hinder or obstruct any person exercising a power or performing a duty under this By-law;

(3) is a director or officer of a corporation and knowingly concurs with actions taken by or on behalf of the corporation in relation to an offence described in subsection 6.1(1) or 6.1(2); or

(4) fails to comply with a requirement made under section 6.3, including but not limited to failing to identify themselves by providing their name and contact information when that information is required for the purposes of an inspection under section 6.2.

Entry and Inspections

6.2 A person authorized to enforce this By-law may enter on land, including private property, at any reasonable time in accordance with the conditions set out in the *Municipal* Ac*t, 2001*, for the purpose of carrying out an inspection to determine whether or not the following are being complied with,

(1) an order or other requirement under this By-law, including any City Standard;

(2) a municipal consent permit or condition of a municipal consent permit; or

(3) an order made under section 431 of the *Municipal Act, 2001*.

6.3 For the purposes of the inspection under section 6.2, 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,

(1) require the production for inspection of documents or things relevant to the inspection;

(2) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;

(3) require information from any person concerning a matter related to the inspection; and

(4) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.

6.4 Any person authorized to enforce this By-law may conduct 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, when they have been prevented or are likely to be prevented from carrying out an inspection.

Orders

6.5 If a Municipal Law Enforcement Officer is satisfied that a contravention of this By-law or a municipal consent permit condition has occurred, they may make an order requiring

the person who contravened the By-law or municipal consent permit condition, or who has caused or permitted the contravention, to discontinue the contravening activity.

6.6 An order under section 6.5 shall set out,

(1) reasonable particulars of the contravention adequate to identify it and the location of the premises on which the contravention occurred; and

(2) the date or dates by which there shall be compliance with the order, which may be of immediate effect should the Municipal Law Enforcement Officer determine that the circumstances warrant this.

6.7 If a Municipal Law Enforcement Officer is satisfied that a contravention of this By-law or a municipal consent permit condition has occurred, they may make an order requiring the person who has contravened this By-law or the municipal consent permit condition, or who has caused or permitted the contravention, to do work to correct or rectify the contravention.

6.8 An order under section 6.7 shall set out,

(1) reasonable particulars of the contravention adequate to identify the contravention and the location of the premises on which the contravention occurred;

(2) the work to be completed by the person who caused or permitted the contravention to rectify it, which may include but is not limited to requiring that before starting any work, all necessary permits or other approvals be applied for and obtained;

(3) the date or dates by which the work required by the order shall be completed;

(4) notice that if the work is not completed in compliance with the order, then the work may be done at the expense of the person ordered to do the work; and

(5) contact information for the City's representative.

6.9 An order under this By-law may require the permit holder, their employee, agent or contractor, or any other person who caused or permitted the contravention, to pay a compliance inspection fee, or any other applicable fees by a date and time specified by in the order.

6.10 Without limiting sections 6.5 and 6.7, an order under those sections may include a requirement that work be stopped until such time as measures are taken to correct or rectify the contravention.

6.11 When a time frame is set out in an order or other requirement for carrying out any action, a Municipal Law Enforcement Officer may extend the time for compliance beyond the established time frame provided such extension is required and is acceptable to the Municipal Law Enforcement Officer.

6.12 If a Municipal Law Enforcement Officer is satisfied that a contravention of this By-law or a municipal consent permit has occurred, the permit holder, if any, shall be presumed to have caused or permitted the contravention, which presumption may be rebutted by the permit holder by means of evidence to the contrary on a balance of probabilities.

Remedial Action and Costs

6.13 Every person who contravenes a provision of this By-law or fails to comply with an order or other requirement made under this By-law, including a condition of a municipal consent permit, is responsible for all costs incurred by the City related to the contravention.

6.14 When a person does not comply with an order or other requirement, including a condition of a municipal consent permit, to do a matter or thing, the Director, with such assistance of others as may be required, may carry out the order or other requirement at the person's expense.

6.15 When the costs of doing a matter or thing under section 6.14 are estimated to be:

(1) up to but not including $100,000, the Director may proceed without further approval and in accordance with the Procurement Policy By-law; or

(2) $100,000 or greater, the Director may proceed with approval of an authorized person or of Council and in accordance with the Procurement Policy By-law.

6.16 The City may recover the costs of doing a matter or thing under section 6.14 by means of any one or more of:

(1) bringing an action;

(2) 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% starting on the day the City incurs the costs and ending on the day the costs, including the interest, are paid in full;

(3) realizing on a financial security provided for this purpose; or

(4) charging a fee.

6.17 The amount of the City's costs, including interest to the date payment is made in full, constitutes a lien on the land of the person who is responsible for the costs, on the registration of a notice of lien on the land.

PART 7 - *PROVINCIAL OFFENCES ACT* OFFENCES

7.1 All contraventions of any provision of this By-law or an order or other requirement made under this By-law, including a condition of a municipal consent permit, are designated as multiple offences and continuing offences.

7.2 Every person who contravenes any provision of this By-law or an order or other requirement made under this By-law, including a condition of a municipal consent permit, 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*.

7.3 Every person who contravenes any provision of this By-law or an order or other requirement made under this By-law, including a condition of a municipal consent

permit, 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.

7.4 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 other requirement made under this By-law, including a condition of a municipal consent permit, is guilty of an offence and is liable to a fine set out in subsections 7.3(1), (3) or (4).

7.5 Every person, including a person that is a corporation, who contravenes any provision of this By-law or an order or other requirement made under this By-law, including a condition of a municipal consent permit, 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 7.3 and 7.4.

7.6 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 8 - ADMINISTRATIVE PENALTIES

8.1 Every person who contravenes a provision of this By-law or an order or other requirement made under this By-law, including a condition of a municipal consent permit, who is not charged with a *Provincial Offences Act* offence, may be issued and served with a penalty order.

8.2 Every person who is issued and served with a penalty order for a contravention of a provision of this By-law or an order or other requirement made under this By-law, including a condition of a municipal consent permit, is liable to pay an administrative penalty, and any associated administrative fees, as provided for by the Administrative Penalties By-law.

PART 9 - NOTICE

9.1 Any notice of any type given by the Director or the City under this By-law, including an order, may be given as set out in this By-law or,

(1) personally;

(2) by posting it on the recipient's private property;

(3) by email to the recipient's last known email address; or

(4) by registered or regular mail, courier or hand delivery addressed to the recipient's last known address.

9.2 Notice given by the means listed in section 9.1 shall be deemed to be effective:

(1) on the date it is personally given, posted on the recipient's property, delivered by courier, or hand delivered;

(2) on the date the email is sent; or

(3) on the fifth day after the date of mailing by registered or regular mail.

9.3 Any notice of any type given by a permit holder or their authorized agent to the City, the Director or a Municipal Law Enforcement Officer shall be given in-person, by telephone or by email using the contact information that has been provided to the permit holder or their authorized agent.

Enacted and passed this 29th day of September, 2026.

Mayor Mariane Meed Ward _____

City Clerk Mike de Rond _____

The Corporation of the City of Burlington

City of Burlington By-law 53-2026

A by-law to adopt Official Plan Amendment No. 167 to permit an eight (8) storey mixed use building consisting of ground floor non-residential uses and 140 residential units in the storeys above
File: 505-09/26 and 520-10/26 (DGM-57-26)

Whereas the Council of the Corporation of the City of Burlington in accordance with the provisions of Section 22 and 34 of the Planning Act, 1990, as amended, approved recommendation DGM-57-26 at its meeting held on September 29, 2026;

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

1. That Amendment No.167 to the Official Plan 1997, as amended, consisting of the attached amendment and supporting documentation is hereby adopted.

2. That this by-law shall come into full force and take effect on the final day of passing thereof.

Enacted and passed this 29th day of September, 2026

Mayor Marianne Meed Ward _____

City Clerk Mike de Rond _____

AMENDMENT NO.167 TO THE OFFICIAL PLAN OF THE CITY OF BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part "B" of this text, constitute Amendment No.167 to the Official Plan of the City of Burlington Planning Area, as amended.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this amendment is to permit an eight (8) storey mixed use building consisting of ground floor non-residential uses and 140 residential units in the storeys above.

2. SITE AND LOCATION

The subject lands are located northwest of the Plains Road East and Gallagher Road intersection, consisting of two adjoining parcels that are municipally known as 235 Plains Road East and 1022 Gallagher Road. The subject lands are approximately 0.28 hectares in size and are currently occupied by two single detached dwellings.

Surrounding land uses consist mainly of a mix of residential, commercial and institutional uses.

3. BASIS FOR THE AMENDMENT

a) The subject application proposes intensification that is consistent with the Provincial Planning Statement (PPS), 2024. The PPS promotes a range and mix of uses and housing that efficiently uses land, resources, infrastructure, and public service facilities and is supportive of public transit.

b) Intensification of land within built-up, serviced areas of the City makes more efficient use of existing developed lands which meets the intent of the Halton Region Official Plan, 1995 (an Official Plan of the City of Burlington).

c) The proposed development supports the City's objective to broaden the range of housing forms and supply to meet City needs in a manner that is compatible with surrounding properties and uses.

d) The proposed development is located on lands with adequate infrastructure and is in close proximity to transit routes, commercial uses and community amenities

so satisfies Official Plan policies to provide housing opportunities in locations that can reduce travel times and decrease dependence on the car.

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

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change:

None is proposed

Text Change:

The text of the Official Plan of the City of Burlington, 1997, as amended, is hereby amended as follows:

Insert the following site-specific policy at the end of Part III, Land Use Policies – Urban Planning Area, Section 5.3 Mixed Use Corridors – General, Subsection 5.3.2 General Policies:

235 Plains Road East and 1022 Gallagher Road	am) Notwithstanding policies of Part III, Subsection 5.3.2 d) (i), (ii) and (f) of this Plan, for the property identified as 235 Plains Road East and 1022 Gallagher Road, the following policies *shall* apply: (i) a mixed use building consisting of residential and at-grade non-residential uses *shall* be permitted; (ii) the maximum building height *shall* be eight storeys; (iii) the maximum *floor area ratio shall* be 2.33:1.

2. INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with the "Interpretation" policies of Part VI, Implementation, Section 3.0, Interpretation, of the Official Plan of the City of Burlington, 1997.

3. IMPLEMENTATION

This Official Plan Amendment will be implemented in accordance with the appropriate "Implementation" policies of Part VI, of the Official Plan of the City of Burlington, 1997.

The Corporation of the City of Burlington

City of Burlington By-law 54-2026

A by-law to adopt Official Plan Amendment No. 166 to permit an eleven (11) storey mixed use building consisting of ground floor non-residential uses and 179 residential units in the storeys above
File: 505-06/26 and 520-06/26 (DGM-56-26)

Whereas the Council of the Corporation of the City of Burlington in accordance with the provisions of Section 22 and 34 of the Planning Act, 1990, as amended, approved recommendation DGM-56-26 at its meeting held on September 29, 2026;

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

1. That Amendment No.166 to the Official Plan 1997, as amended, consisting of the attached amendment and supporting documentation is hereby adopted.

2. That this by-law shall come into full force and take effect on the final day of passing thereof.

Enacted and passed this 29th day of September, 2026

Mayor Marianne Meed Ward _____

City Clerk Mike de Rond _____

AMENDMENT NO.166 TO THE OFFICIAL PLAN OF THE CITY OF BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part "B" of this text, constitute Amendment No.166 to the Official Plan of the City of Burlington Planning Area, as amended.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this amendment is to permit an eleven (11) storey mixed use building consisting of ground floor non-residential uses and 179 residential units in the storeys above.

2. SITE AND LOCATION

The subject lands are located along Plains Road East, on the north side of Plains Road East, west of Joan Street and south of Mary Street, consisting of one parcel that is municipally known as 517 Plains Road East. The subject lands are approximately 0.31 hectares in size and are currently occupied by a one-storey motel.

Surrounding land uses consist mainly of a mix of residential, commercial and institutional uses.

3. BASIS FOR THE AMENDMENT

a) The subject application proposes intensification that is consistent with the Provincial Planning Statement (PPS), 2024. The PPS promotes a range and mix of uses and housing that efficiently uses land, resources, infrastructure, and public service facilities and is supportive of public transit.

b) Intensification of land within built-up, serviced areas of the City makes more efficient use of existing developed lands which meets the intent of the Halton Region Official Plan, 1995 (an Official Plan of the City of Burlington).

c) The proposed development supports the City's objective to broaden the range of housing forms and supply to meet City needs in a manner that is compatible with surrounding properties and uses.

d) The proposed development is located on lands with adequate infrastructure and is in close proximity to transit routes, commercial uses and community

amenities so satisfies Official Plan policies to provide housing opportunities in locations that can reduce travel times and decrease dependence on the car.

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

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change:

None is proposed

Text Change:

The text of the Official Plan of the City of Burlington, 1997, as amended, is hereby amended as follows:

Insert the following site-specific policy at the end of Part III, Land Use Policies – Urban Planning Area, Section 5.3 Mixed Use Corridors – General, Subsection 5.3.2 General Policies:

517 Plains Road East	al) Notwithstanding policies of Part III, Subsection 5.3.2 d) (i), (ii) and (f) of this Plan, for the property identified as 517 Plains Road East, the following policies *shall* apply: (i) a mixed use building consisting of residential and at-grade non-residential uses *shall* be permitted; (ii) the maximum building height *shall* be eleven storeys; (iii) the maximum *floor area ratio shall* be 4.41:1.

2. INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with the "Interpretation" policies of Part VI, Implementation, Section 3.0, Interpretation, of the Official Plan of the City of Burlington, 1997.

3. IMPLEMENTATION

This Official Plan Amendment will be implemented in accordance with the appropriate "Implementation" policies of Part VI, of the Official Plan of the City of Burlington, 1997.

The Corporation of the City of Burlington

City of Burlington By-law 2020.526

A by-law to amend Zoning By-law 2020, as amended, for 517 Plains Rd. E.
File No. 505-06/26 and 520-06/26 (DGM-56-26)

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

Whereas the Council of the Corporation of the City of Burlington approved Recommendation Report DGM-56-26 on September 29, 2026, to amend the City's Zoning By-law 2020, as amended, to permit the development of a twelve (12) storey mixed use building (inclusive of mechanical penthouse and rooftop amenity) consisting of ground floor non-residential uses and a maximum of 179 residential units.

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

1. Map No. 5-E, 5-W, 6-E, 6-W of Part 15 to Zoning By-law 2020, as amended, is further amended as shown on Schedule "A" to this By-law.

2. Part 11, Holding Zone Provisions, of Zoning By-law 2020, as amended is further amended by adding to Appendix 'A', Site-Specific Requirement 116, as follows:

#116	**H-MXG-579**	**Map**	**5-E, 5-W, 6-E, 6-W**	**Resolution:**

The Holding symbol shall be removed from the zone designation by way of an amending zoning by-law when the following has been completed:

a) A written consent letter from the neighbouring property owner confirming any required injury and/or removal of trees has been submitted to the satisfaction of the Manager of Parks, Design and Construction.
b) Complete the following to the satisfaction of the Director of Engineering Services or their designate:

1. Provide a Phase Two Environmental Site Assessment (ESA), signed by a Qualified Person, and completed in accordance with Ontario Regulation, 153/04, as amended.
2. The City requires that the Qualified Person indicates in the Phase Two ESA either that the environmental condition of the site is suitable for its intended land use or that one or more criteria exceed the applicable Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act or property specific standards determined via risk assessment conducted in accordance with Schedule C or Ontario Regulation 153/04, as amended. If the Qualified Person indicates that samples contain contaminants at concentrations that exceed the applicable standards, remediation and/or risk assessment works will be required prior to change in land use. In addition, any subsequent environmental documents shall be provided and accepted by staff.
3. Include a Letter of Reliance that allows the City to rely upon the ESA.

c) The owner submits a revised Transportation Impact Study to provide a robust analysis of the impact to the transportation network and identify areas for improvement of the surrounding network with both residential and non-residential traffic ingress and egress from Plains Road East to the satisfaction of the Director of Transportation Services.

d) The owner submits a revised Sun Shadow Study and Sun Access Factor calculations in accordance with the City's Shadow Guidelines and Terms of Reference, dated June 2020 and all mitigation measures incorporated in the site plan process, to the satisfaction of the Director of Community Planning.

e) The owner submits a revised Pedestrian Level Wind Study in accordance with the City's Pedestrian Level Wind Study Guidelines and Terms of Reference, dated March 2020 and all mitigation measures incorporated in the site plan process, to the satisfaction of the Director of Community Planning.

f) The owner submits a revised Functional Servicing Report and Stormwater Management Report (FSR). The FSR shall confirm available water and wastewater sewer capacity, system pressures and comply with Regional standards and demonstrate that sufficient water and wastewater services are available to the satisfaction of the Director of Community Planning in consultation with Regional Municipality of Halton (Region).

g) The owner submits a Land Use Compatibility Study that includes an Air Quality Study, subject to peer review and all mitigation measures shall

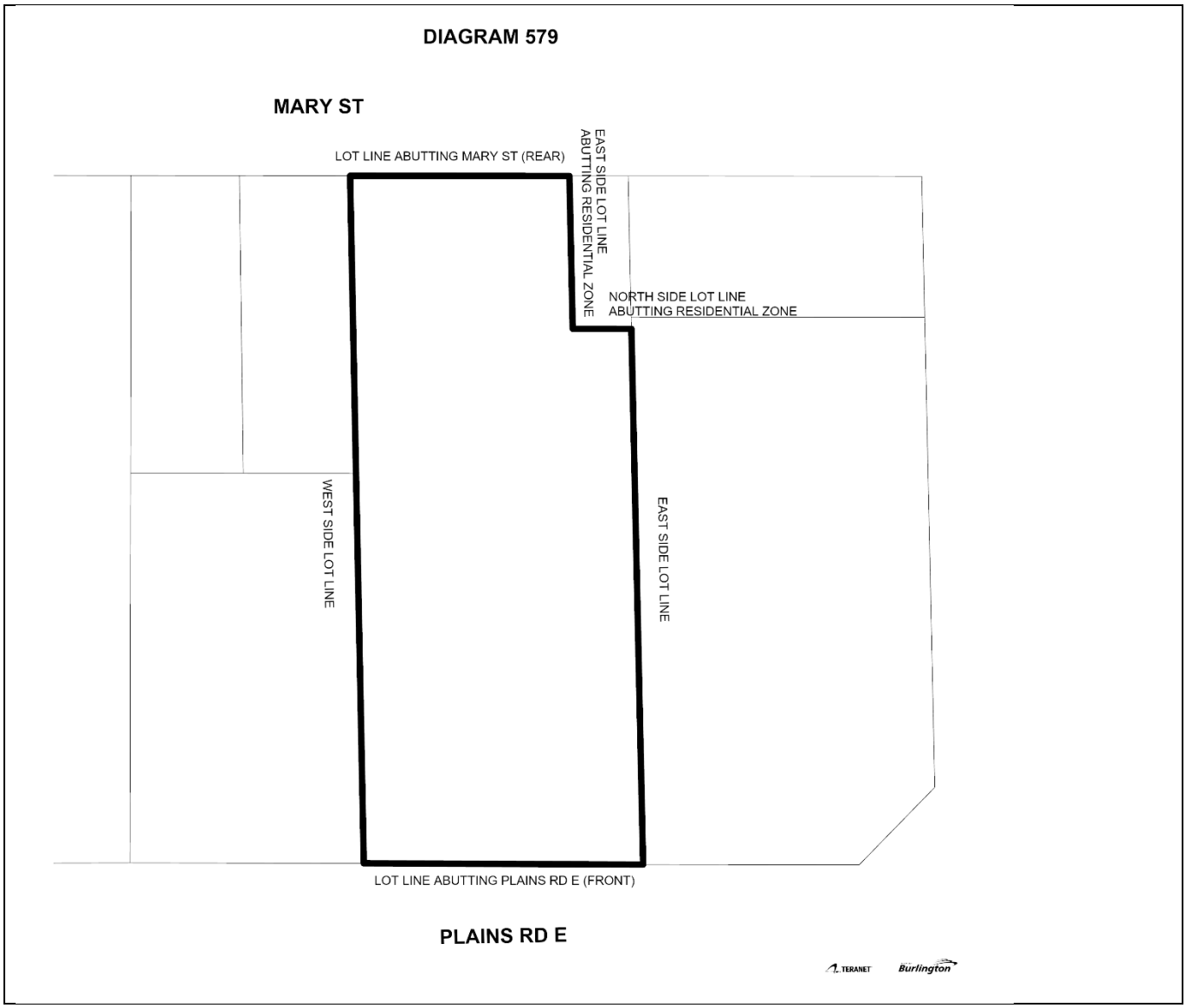
be incorporated into the site plan process to satisfaction of Director of Community Planning.

3. Part 14, Exceptions to Zone Designations, of Zoning By-law 2020, as amended, is further amended by adding a new Exception #579 as follows:

Exception 579	Zone H-MXG	Map 5-E, 5-W, 6-E, 6-W	Amendment 2020.526	Enacted September 29, 2026
1. Permitted Uses: a) Only the following uses shall be permitted: i) Apartment Building with retail, service commercial, community institution and all office uses on the ground floor only **2. Regulations:**				
a) Vehicle access to Mary Street is not permitted				
b) Maximum Height:			12 storeys and up to 40 m (inclusive of mechanical penthouse and rooftop amenity)	
c) Maximum Number of Dwelling Units:			179	
d) Dwelling Units:			Not permitted on the 12th storey	
e) Maximum Floor Area Ratio:			4.41:1	
f) Non-residential Floor Area:			211 m^2	
g) Notwithstanding Part 5, Section 4.1, Table 5.4.1 the maximum yard abutting any street shall not apply.				
h) Yard abutting Plains Road East: i) Floors 1 to 2: ii) Floors 3 to 8: iii) Floors 9 to 11: iv) Floor 12: v) Floor 12 rooftop amenity terrace:			 3 m 6 m 9 m 14 m 9.6 m	
i) Yard abutting Mary Street: i) Floors 1 to 11: ii) Floor 12: iii) Floor 12 rooftop amenity terrace:			 38.5 m 53.5 m 48.5 m	
j) West Side Yard: i) Floors 1 to 11: ii) Floor 12: iii) Floor 12 rooftop amenity terrace:			 5 m 10 m 5.6 m	

k) East Side Yard: i) Floors 1 to 11: ii) Floor 12: iii) Floor 12 rooftop amenity terrace:	 5 m 10 m 5.6 m
l) North, and East Side Yard abutting a residential zone: i) Floors 1 to 11: ii) Floor 12: iii) Floor 12 rooftop amenity space:	 18 m 33 m 28 m
m) West Side Yard abutting a residential zone:	5 m
n) Driveways and Parking Space setback: i) From the North Side Residential Zone: ii) From the East Side Residential Zone: iii) From the West Side Residential Zone:	 3 m 5.9 m 4.5 m
o) Below Grade Parking Structure: i) Abutting Plains Road East: ii) Abutting Mary Street: iii) Abutting all other lot lines:	 0.9 m 3 m 3 m
p) Amenity Area:	15 m^2 per unit
q) Maximum Balcony and Terrace Projections: i) Rear Yard and a Yard Abutting the North Side Residential Zone: ii) Front Yard:	 1.2 m 1.2 m for balconies only
iii) A rooftop terrace shall maintain the principal building yards of the storey below it. iv) Balconies are not permitted to project into East Side Yard, West Side Yard and West Side Yard Abutting a Residential Zone.	
r) A privacy screen is required for balconies adjacent to the west side yard abutting a residential zone and balconies along the rear elevation:	2 m privacy screen height measured from the platform
s) Landscape Area and Buffer i) Landscape Area Abutting Plains Road East: ii) Landscape Buffer Abutting Mary Street: iii) Landscape Buffer Abutting the North Side Yard Residential Zone: iv) Landscape Buffer abutting the East Side Yard Residential Zone: v) Landscape Buffer abutting the West Side Yard Residential Zone:	 1.5 m 3 m 3 m 3 m 3 m

vi) Notwithstanding the definition of Landscape Area: i. Snow storage, Hydro Transformer and pad, and a below grade parking structure may encroach into a required Landscape Area.	
t) Notwithstanding Part 1, Subsections 2.26(9): Where parking facilities are provided for a residential use, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for accessible parking spaces. Designated parking spaces shall be included in the calculation of provided parking and shall be provided in accordance with Part 1, Section 2.26(9) Table 1.2.7, 9(a) and 9(b).	
u) Bicycle Parking: i) Retail a. Short-term: b. Long-term: ii) Residential a. Short-term: b. Long-term:	 3 spaces plus 1 space/1000 m^2 GFA 2 spaces plus 1 space/1000 m^2 GFA 0.05 spaces per unit 0.5 spaces per unit
v) For the purpose of Bicycle parking regulations: i) Long-term bicycle parking spaces are bicycle parking spaces for use by the occupants, employees or tenants of a building, and must be located in a building. Required long term bicycle parking spaces in apartment buildings may not be in a dwelling unit or on a balcony. ii) Short-term bicycle parking spaces are bicycle parking spaces for use by visitors to a building. Short-term bicycle parking spaces are to be located close to a building entrance and sheltered from the elements. iii) Each bicycle parking space shall be 60 cm x 1.8 m in size.	
Except as amended herein, all other provisions of this By-law, as amended, shall apply	



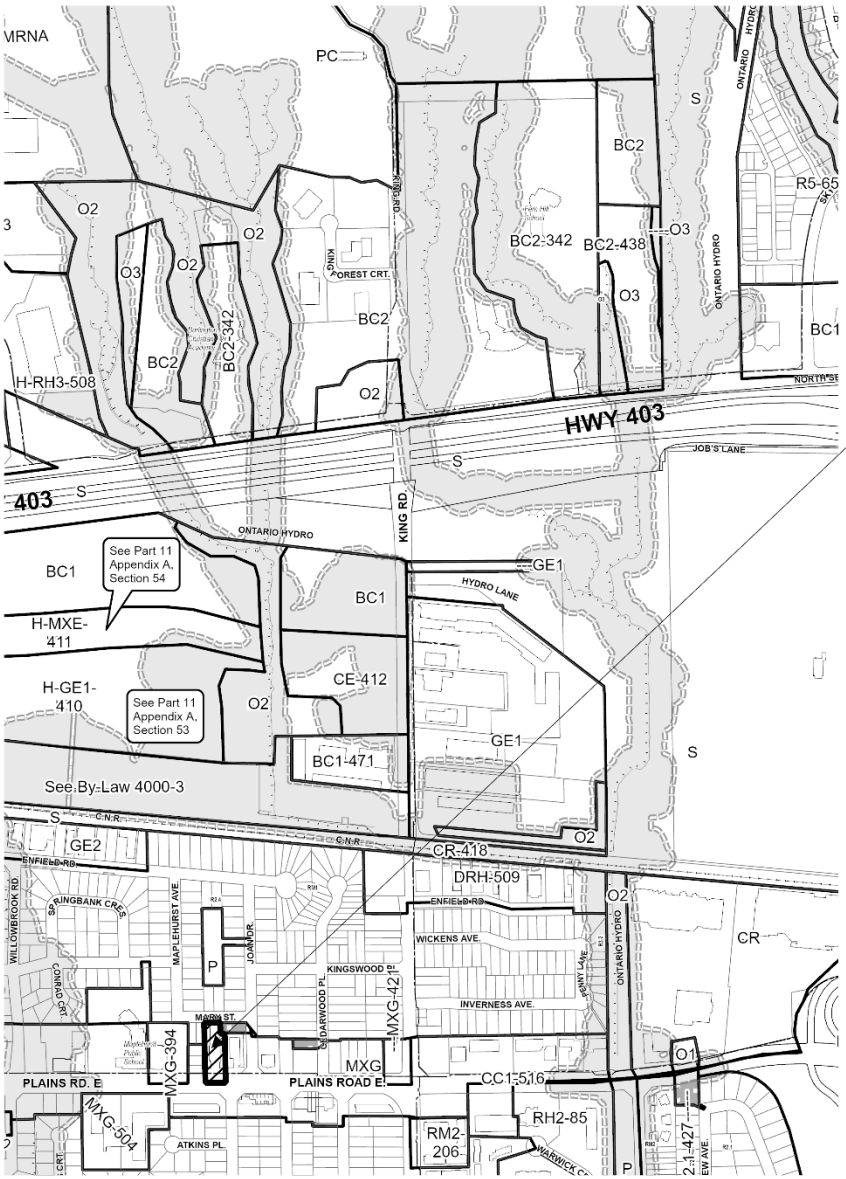
4. This By-law comes into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended.

Enacted and passed this 29th day of September, 2026.

Mayor Mariane Meed Ward _____

City Clerk Mike de Rond _____

SCHEDULE "A"



Area 'A'

Area 'A' to be rezoned from MXG to H-MXG-579

Area 'A'

SCHEDULE 'A' TO BY-LAW 2020.526 AMENDING MAP NOs. 5-E, 5-W, 6-E & 6-W PART 15, BY-LAW 2020 AS AMENDED. PASSED THE 29th DAY OF SEPTEMBER, 2026

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MAYOR CITY CLERK

TERANET Burlington
Community Planning Department

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.526

By-law 2020.526 amends Zoning By-law 2020, as amended, to rezone the lands municipally known as 517 Plains Rd. E., to permit a twelve (12) storey mixed use building (inclusive of mechanical penthouse and rooftop amenity) consisting of ground floor non-residential uses and a maximum of 179 residential units.

For further information regarding By-law 2020.526, please contact Mark Johnson of the Burlington Community Planning Department at (905) 335-7600, extension 7954.

The Corporation of the City of Burlington

City of Burlington By-law 2020.527

A by-law to amend Zoning By-law 2020, as amended, for 235 Plains Rd. E and 1022 Gallagher Rd.
File No. 505-09/26 and 520-10/26 (DGM-57-26)

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

Whereas the Council of the Corporation of the City of Burlington approved Recommendation Report DGM-57-26 on September 29, 2026, to amend the City's Zoning By-law 2020, as amended, to permit the development of a nine (9) storey mixed use building (inclusive of mechanical penthouse and rooftop amenity) consisting of ground floor non-residential uses and a maximum of 140 residential units.

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

1. Map No. 3-E, 5-W, 6-W of Part 15 to Zoning By-law 2020, as amended, is further amended as shown on Schedule "A" to this By-law.

2. Part 11, Holding Zone Provisions, of Zoning By-law 2020, as amended is further amended by adding to Appendix 'A', Site-Specific Requirement 117, as follows:

#117	**H-MXG-580**	**Map**	**3-E, 5-W, 6-W**	**Resolution:**

The Holding symbol shall be removed from the zone designation by way of an amending zoning by-law when the following has been completed:

a) A written consent letter from the neighbouring property owner confirming any required injury and/or removal of trees has been submitted to the satisfaction of the Manager of Parks, Design and Construction.
b) Complete the following to the satisfaction of the Director of Engineering Services or their designate:

1. Provide a Phase Two Environmental Site Assessment (ESA), signed by a Qualified Person, and completed in accordance with Ontario Regulation, 153/04, as amended.
2. The City requires that the Qualified Person indicates in the Phase Two ESA either that the environmental condition of the site is suitable for its intended land use or that one or more criteria exceed the applicable Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act or property specific standards determined via risk assessment conducted in accordance with Schedule C or Ontario Regulation 153/04, as amended. If the Qualified Person indicates that samples contain contaminants at concentrations that exceed the applicable standards, remediation and/or risk assessment works will be required prior to change in land use. In addition, any subsequent environmental documents shall be provided and accepted by staff.
3. Include a Letter of Reliance that allows the City to rely upon the ESA.

c) The owner submits a revised Transportation Impact Study to provide a comprehensive analysis of the potential impacts resulting from the inclusion of the ground floor non-residential uses to the satisfaction of the Director of Transportation Services.

d) The owner submits a revised Sun Shadow Study and Sun Access Factor calculations in accordance with the City's Shadow Guidelines and Terms of Reference, dated June 2020 and all mitigation measures incorporated in the site plan process, to the satisfaction of the Director of Community Planning.

e) The owner submits a revised Pedestrian Level Wind Study in accordance with the City's Pedestrian Level Wind Study Guidelines and Terms of Reference, dated March 2020 and all mitigation measures incorporated in the site plan process, to the satisfaction of the Director of Community Planning.

f) The owner submits a revised Functional Servicing Report and Stormwater Management Report (FSR). The FSR shall confirm available water and wastewater sewer capacity, system pressures and comply with Regional standards and demonstrate that sufficient water and wastewater services are available to the satisfaction of the Director of Community Planning in consultation with Regional Municipality of Halton (Region).

g) The owner submits a Land Use Compatibility Study that includes an Air Quality Study, subject to peer review and all mitigation measures shall

be incorporated into the site plan process to satisfaction of Director of Community Planning.

3. Part 14, Exceptions to Zone Designations, of Zoning By-law 2020, as amended, is further amended by adding a new Exception #580 as follows:

Exception 580	Zone H-MXG	Map 3-E, 5-W, 6-W	Amendment 2020.527	Enacted September 29, 2026

1. Permitted Uses:

a) Only the following uses shall be permitted:

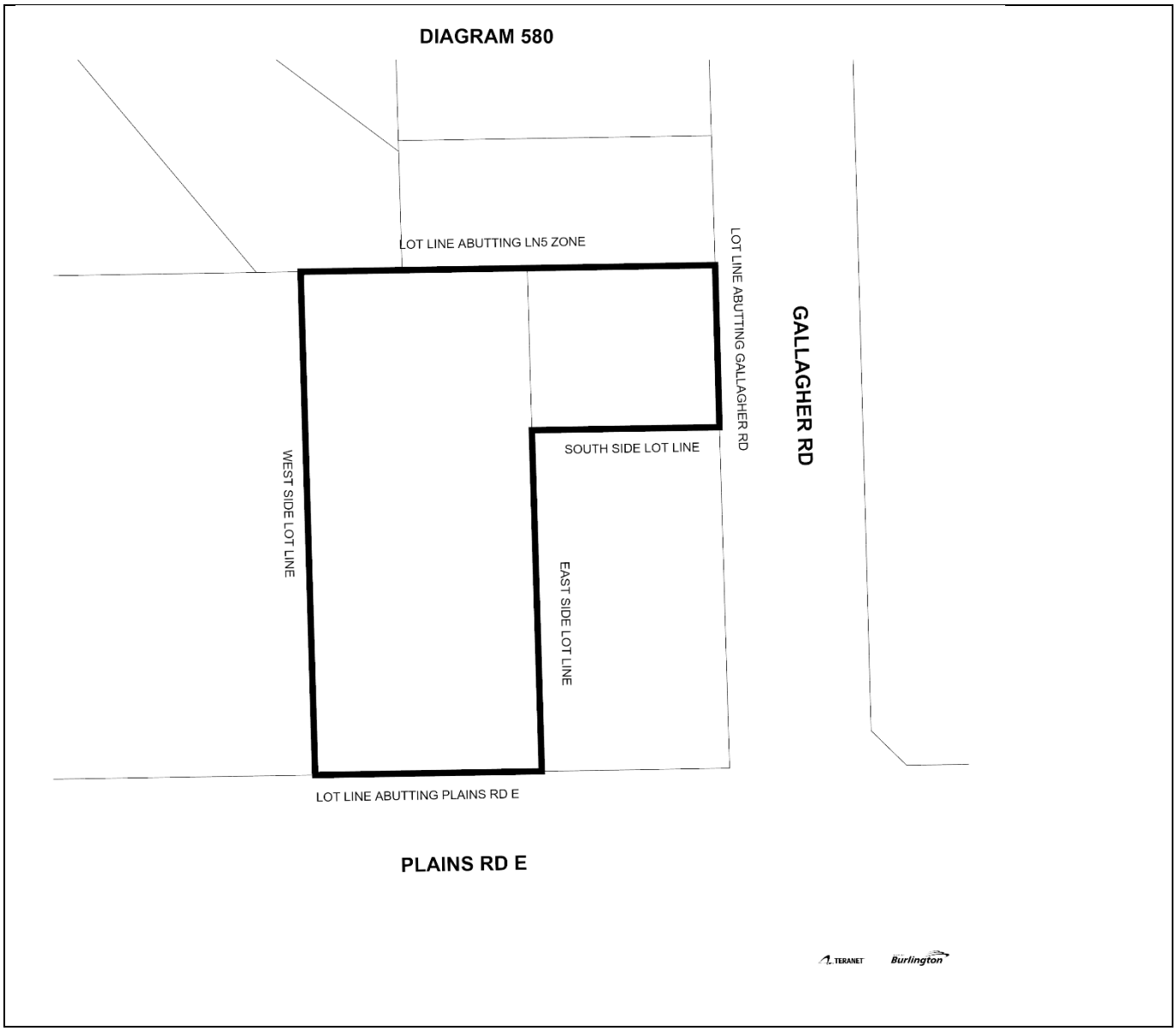
i) Apartment Building with retail, service commercial, community institution and all office uses on the ground floor only

2. Regulations:

a) Maximum Height:	9 storeys and up to 31 m (inclusive of mechanical penthouse and rooftop amenity)
b) Maximum Number of Dwelling Units:	140
c) Dwelling Units:	Not permitted on the 9th storey
d) Maximum Floor Area Ratio:	2.33:1
e) Non-residential Floor Area:	119 m^2
f) Notwithstanding Part 5, Section 4.1, Table 5.4.1 the maximum yard abutting any street shall not apply.	
g) Yard abutting Plains Road East: i) Floors 1 to 2: ii) Floors 3 to 8: iii) Floor 9: iv) Floor 9 rooftop amenity terrace:	 3 m 8 m 13 m 8.6 m
h) Yard abutting Gallagher Road: i) Floors 1 to 8:	 31.5 m
i) Yard abutting a LN5 zone: i) Floors 1 to 4: ii) Floor 5: iii) Floor 6: iv) Floor 7: v) Floor 8: vi) Floor 9: vii) Floor 9 rooftop amenity terrace:	 13.9 m 16.4 m 19.4 m 22.4 m 25.4 m 40.4 m 35.4 m

j) South Side Yard to stairs associated with below-grade parking structure:	1.1 m
k) West Side Yard: i) Floors 1 to 8: ii) Floor 9: iii) Floor 9 rooftop amenity terrace:	 6.7 m 11.7 m 7.3 m
l) East Side Yard: i) Floors 1 to 8: ii) Floor 9: iii) Floor 9 rooftop amenity terrace:	 5 m 10 m 5.6 m
m) Driveway and parking space setback from LN5 Zone:	3 m
n) Loading Spaces setback from LN5 Zone:	3 m
o) Below Grade Parking Structure: i) Abutting Plains Road East: ii) Abutting Gallagher Road: iii) Abutting an LN5 zone: iv) Abutting East Side Yard: v) Abutting West Side Yard: vi) Abutting South Side Yard:	 0.6 m 0.6 m 3 m 3 m 3 m 1.1 m
p) Amenity Area:	15 m^2 per unit
q) Terraces and Balconies: i) Maximum balcony projection into a yard from the wall of a building: a) Yard Abutting LN5 Zone: b) Yard Abutting Plains Road East: ii) Balcony projections are not permitted on a building wall facing a side yard. iii) A rooftop terrace shall maintain the principal building yards of the storey below it.	 1.2 m 1.2 m
r) Landscape Area and Buffer: i) Landscape Area Abutting Plains Road East: ii) Landscape Area Abutting Gallagher Road: iii) Landscape Buffer Abutting an LN5 Zone:	 1.5 m 3 m 3 m

vi) Notwithstanding the definition of Landscape Area: i. Snow storage, Hydro Transformer and pad, and a below grade parking structure may encroach into a required Landscape Area.	
s) Notwithstanding Part 1, Subsections 2.26(9): Where parking facilities are provided for a residential use, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for accessible parking spaces. Designated parking spaces shall be included in the calculation of provided parking and shall be provided in accordance with Part 1, Section 2.26(9) Table 1.2.7, 9(a) and 9(b).	
t) Bicycle Parking: i) Retail a. Short-term: b. Long-term: ii) Residential a. Short-term: b. Long-term:	 3 spaces plus 1 space/1000 m^2 GFA 2 spaces plus 1 space/1000 m^2 GFA 0.05 spaces per unit 0.5 spaces per unit
u) For the purpose of Bicycle parking regulations: i) Long-term bicycle parking spaces are bicycle parking spaces for use by the occupants, employees or tenants of a building, and must be located in a building. Required long term bicycle parking spaces in apartment buildings may not be in a dwelling unit or on a balcony. ii) Short-term bicycle parking spaces are bicycle parking spaces for use by visitors to a building. Short-term bicycle parking spaces are to be located close to a building entrance and sheltered from the elements. iii) Each bicycle parking space shall be 60 cm x 1.8 m in size.	
Except as amended herein, all other provisions of this By-law, as amended, shall apply	



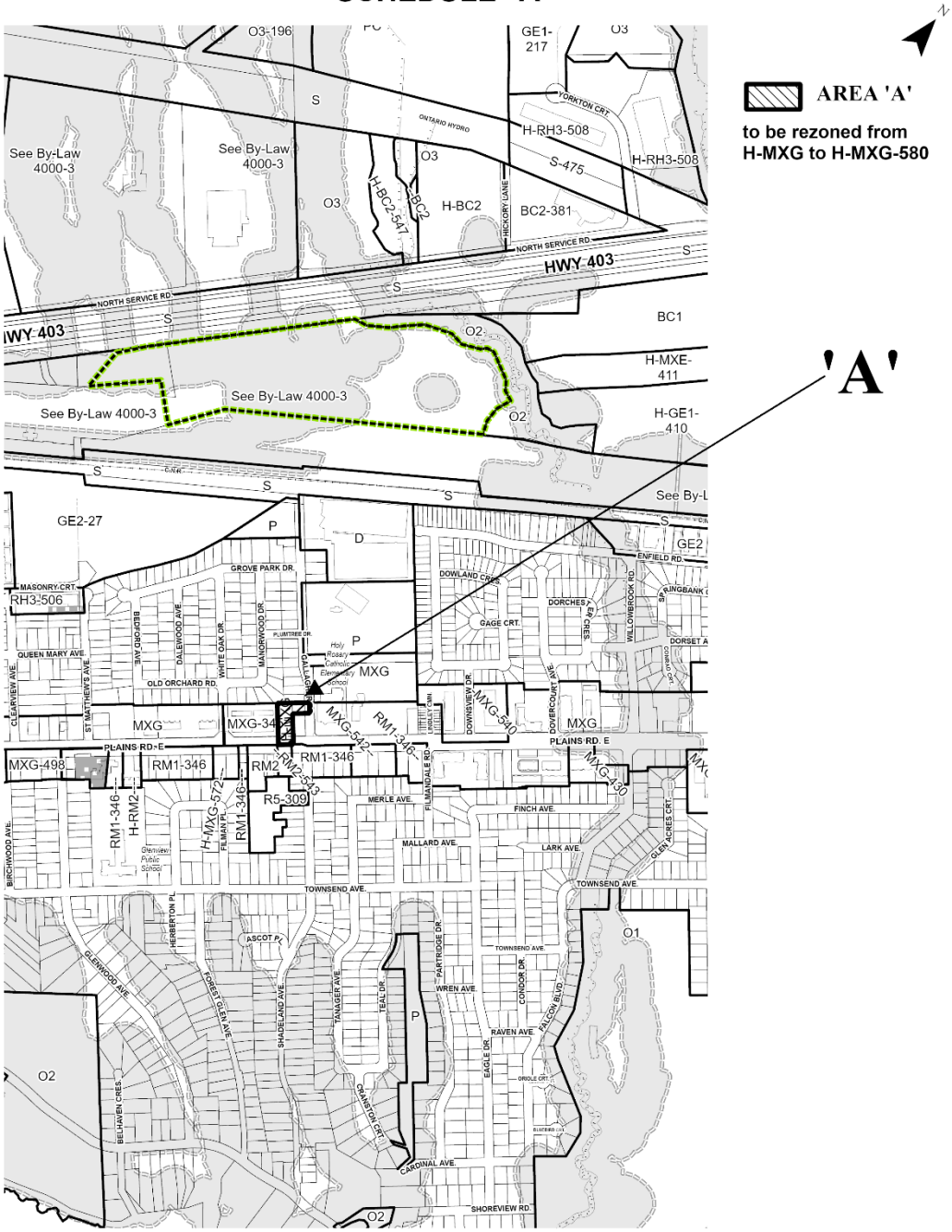
4. This By-law comes into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended.

Enacted and passed this 29th day of September, 2026.

Mayor Mariane Meed Ward _____

City Clerk Mike de Rond _____

SCHEDULE "A"



SCHEDULE 'A' TO BY-LAW 2020.527 AMENDING MAP NOs. 3-E, 5-W & 6-W PART 15, BY-LAW 2020 AS AMENDED. PASSED THE 29th DAY OF SEPTEMBER, 2026

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MAYOR CITY CLERK

TERANET Burlington
Community Planning Department

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.527

By-law 2020.527 amends Zoning By-law 2020, as amended, to rezone lands municipally known as 235 Plains Rd. E. and 1022 Gallagher Rd., to permit a nine (9) storey mixed use building (inclusive of mechanical penthouse and rooftop amenity) consisting of ground floor non-residential uses and a maximum of 140 residential units.

For further information regarding By-law 2020.527, please contact Mark Johnson of the Burlington Community Planning Department at (905) 335-7600, extension 7954.

The Corporation of the City of Burlington

City of Burlington By-law 55-2026

A by-law to amend By-law 86-2007, as amended, being a by-law for the regulation of traffic.
Delegated Authority

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

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

1. Schedule 1 of By-law 86-2007, as amended, (Section 12 (1) – Through Highways – Stop) is amended by deleting the following line items in alphabetical order:

Fairwood Place West	West limit of LaSalle Park Road	South limit of Hendrie Avenue
Fairwood Place West	West limit of LaSalle Park Road	North limit of Northshore Boulevard
Northshore Boulevard West	West limit of LaSalle Park Drive	South limit of Hendrie Avenue
Northshore Boulevard East	East limit of Edgewater Crescent	West limit of King Road
Northshore Boulevard East	East limit of LaSalle Park Road	West limit of Edgewater Crescent
Northshore Boulevard East	East limit of King Road	Lakeshore Road

2. Schedule 1 of By-law 86-2007, as amended, (Section 12 (1) – Through Highways – Stop) is amended by adding the following line items in alphabetical order:

Fairwood Place West	West limit of LaSalle Park Road	North limit of North Shore Boulevard West
Malvern Road	South limit of Spruce Avenue	Southern terminus

North Shore Boulevard East	East limit of Eagle Drive	West limit of Edgewater Crescent
North Shore Boulevard East	East limit of Edgewater Crescent	West limit of King Road
North Shore Boulevard East	East limit of Glenwood Avenue	West limit of Eagle Drive
North Shore Boulevard East	East limit of LaSalle Park Road	West limit of Glenwood Avenue
North Shore Boulevard East	King Road	East limit of Indian Road
North Shore Boulevard West	West limit of LaSalle Park Road	South limit of Hendrie Avenue
Penn Drive	South limit of Spruce Avenue	Western terminus
Walden Drive	East limit of Malvern Drive	North limit of Penn Drive

3. Schedule 2 of By-law 86-2007, as amended, (Section 12 (2) – Intersections – Stop Signs) is amended by deleting the following line items in alphabetical order:

Fairwood Place West and North Shore Boulevard	Southbound	Fairwood Place West
North Shore Boulevard East and Edgewater Crescent	Northbound	Edgewater Crescent

4. Schedule 2 of By-law 86-2007, as amended, (Section 12 (2) – Intersections – Stop Signs) is amended by adding the following line items in alphabetical order:

Eagle Drive and North Shore Boulevard East	Southbound	Eagle Drive
Edgewater Crescent and North Shore Boulevard East	Northbound	Edgewater Crescent
Glenwood Avenue and North Shore Boulevard East	Southbound	Glenwood Avenue

Lemonville Road and Hidden Valley Road	Eastbound and Westbound	Lemonville Road

5. Schedule 3 of By-law 86-2007, as amended, (Section 13 (1) – Through Highways – Yield) is amended by deleting the following line items in alphabetical order:

Fairwood Place West	South limit of Hendrie Avenue	North limit of North Shore Boulevard West
Penn Drive	South limit of Spruce Avenue	Westerly terminus

6. Schedule 4 of By-law 86-2007, as amended, (Section 13 (2) – Intersections – Yield Signs) is amended by deleting the following line items in alphabetical order:

Walden Drive and Malvern Road	Westbound	Walden Drive

7. Schedule 7 of By-law 86-2007, as amended, (Section 14 (1) (c) – Prohibited Turns – Signs on Display) is amended by adding the following line items in alphabetical order:

Regency Court	Northbound and Southbound	Right on red signal	Regency Court at Prospect Street	All Day

8. That in all other respects By-law 86-2007, as amended, be and is hereby confirmed.

9. That this by-law comes into force the day it is passed.

Passed this 29th day of September, 2026.

Mayor Marianne Meed Ward _____

City Clerk Mike de Rond _____

The Corporation of the City of Burlington

City of Burlington By-law 56-2026

A by-law to confirm the proceedings of the
meeting of Council of the Corporation of the
City of Burlington held on Tuesday, September 29, 2026

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

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

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

1. The actions of the Council of The Corporation of the City of Burlington in respect of:

   (a) each recommendation in the report of the Committees;

   (b) Each motion, resolution and other action passed and taken by the Council of The Corporation of the City of Burlington at this meeting are hereby adopted and confirmed as if same were expressly included in this by-law.

2. The Mayor and the proper officials of The Corporation of the City of Burlington are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Burlington referred to in Section 1.

3. The Mayor, or in the absence of the Mayor, the Deputy Mayor, and the Clerk, or in the absence of the Clerk, the Deputy Clerk,

   a) are authorized and directed to execute all documents necessary to the action taken by Council as described in Section 1, and

   b) Are authorized and directed to affix the seal of The Corporation of the City of Burlington to all such documents referred to in Section 1.

4. This by-law comes into force on the day upon which is enacted by the Council of the Corporation of the City of Burlington.

Enacted and passed this 29th day of September, 2026.

Mayor Marianne Meed Ward _____

City Clerk Mike de Rond _____