

October 6, 2025

Ministry of Municipal Affairs and Housing

Municipal Services Office, Central Ontario
777 Bay Street, 16th Floor
Toronto, ON
M7A 2J3

RE:

Request for Consideration

ERO Number: 025-0947

Environmental Compliance Approval (air and noise)

INTRODUCTION

On behalf of 860 Harrington Inc. c/o Peter Petrovic (“Client”), Corbett Land Strategies (“CLS”) is pleased to submit an ERO Submission on behalf of the lands municipally known as 860 Harrington Court, in the City of Burlington, Region of Halton (“Subject Lands”). The following submission is a response to the available information pertaining to the proposed funeral and crematorium development at 890 Harrington Court. Attempts were made to retrieve information from the Ministry of Environment, Conservation and Parks (MECP), and the City of Burlington with respect to the proposed development, however, supporting materials have not been made publicly available. We request that MECP release all documents related to the proposed development to ensure our Client can make informed business decisions. As such, the following comments are provided for the proposed Environmental Compliance Approval (air and noise) for 890 Harrington Court. Overall, we have significant concerns that the proposed crematorium is incompatible with the surrounding land uses, particularly the sensitive land uses permitted as of right on our Client’s lands, and the lack of technical justification to warrant the potential hazards.

SUBJECT LANDS

Our Client’s lands are approximately 2.19 hectares and operate as manufacturing, general offices and an adult continuing education centre. The building is also planned to accommodate a Day Care Centre, which is a permitted use in all zones according to Part 1 Section 2.21(f) of the Burlington Zoning By-law 2020, and is anticipated to operate within the building to provide childcare for employees in the building. Both the Subject Lands and 890 Harrington Court have the same ‘General Employment 1’ Zoning designation. According to the GE1 Zone, crematories are permitted as of right, however, are not permitted within a distance of 70 meters from the boundary of a Residential, Downtown, Uptown, Mixed-Use General (MXG) or Mixed-use Commercial (MXC) Zone.

MUNICIPAL POLICY

With respect to the Provincial D.6. Compatibility Between Industrial Facilities Guidelines, a crematory may be considered a Class II Industrial Facility. A Class II Industrial Facility is based on a place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e. it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours. Based on this classification and according to Section 4.1.1. of the Guidelines, a Class II Industrial Facility may be up to 300 meters away to avoid potential influence areas for industrial land uses.

According to the Burlington Official Plan 1997 and 2020, a crematorium is an “Industrial Use” subject to various technical studies outlined by the Province and municipality to ensure land use compatibility, particularly amongst sensitive land uses. According to the 1997 and 2020 Burlington Official Plan, ‘Sensitive Land Uses’ are defined as buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminated discharges generated by a nearby major facility. Sensitive Land Uses may be part of the natural or built environment and include examples such as residences, day care centres and educational and health facilities.

Within the current Zoning By-law 2020, a crematorium is a permitted use in Employment Zones and Open Space Zones, however, is not permitted within a distance of 70 metres from the boundary of a Residential, Downtown, Uptown, MXG or MXC Zones. As it stands, there is a discrepancy between the D.6 Guidelines and City of Burlington Zoning By-law regulations for minimum separation distances between Class II industrial uses, which include crematoriums. Other Greater Toronto Area municipalities have adopted the minimum separation distance of 300-meters to improve consistency with provincial standards, such as the City of Toronto and the City of Mississauga.

LAND USE COMPATIBILITY

A Planning Land Use Assessment was completed by Corbett Land Strategies Inc. dated June 24, 2024, (copy attached) to determine the feasibility of a crematorium beside a sensitive land use. Upon review of applicable provincial, regional and municipal policies, the report affirms that crematorium operations create air pollutants such as nitrogen oxides, carbon monoxide, and particulate matter. Cremation is a combustion process whereby a casket and human remains are incinerated at a high temperature in a closed chamber. It is normally fueled by gas and will produce emissions associated with fossil fuel combustion as well as emissions related to the material being combusted. These pollutants are known to have adverse health impacts on both humans and the environment. For example, cremation contributes to the release of mercury (hazardous chemical) into the atmosphere as a result of dental evaporation.

The report provided an analysis of existing uses in the surrounding area that are considered a sensitive land use such as private schools, sports clubs, health and wellness facilities, and entertainment sites. The report concluded that although crematories are a permitted use in the Burlington Zoning By-law 2020, crematoriums are not a compatible use with existing land uses, nor other permitted uses, as it is considered an industrial use subject to the Land Use Compatibility policies in the Official Plans.

CONCLUSION

It is well known that crematoriums emit harmful contaminants, odor, and noise which negatively impact surrounding uses. The current minimum distance separation of 70 meters is insufficient and does not provide the adequate protections necessary to facilitate land use compatibility, given the City's permittance of sensitive land uses within employment zones and considering that the provincial guidelines advise a 300 meter separation. To preserve the integrity, function, and safety of existing and future land uses, the following Environmental Compliance Approval (air and noise) should not be granted. We would be pleased to be involved in the Environmental Compliance Approval process and further engage with MECP to come to a resolution.

Should you have any questions with respect to the enclosed or require anything further, please do not hesitate to contact the undersigned.



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