

Directing growth in Pickering

## DURHAM MOVES FORWARD

By Jake Tobin Garrett

A multi-year odyssey regarding appeals to **Durham Region's** growth plan conformity amendment is coming to a close. At a hearing last week, the **Ontario Municipal Board** approved the minutes of settlement for ROPA 128 among the region, **Ministry of Municipal Affairs and Housing** and landowners throughout the region.

"It's been a long road," **City of Pickering** regional councillor **Bill McLean** told *NRU*. "I'm very pleased with it and it's something that I was pushing for all along. I'm glad to see it come to a conclusion."

Part of the settlement removes lands in northeastern Pickering that the region had included as an urban expansion area to accommodate future growth in Pickering. In 2010, the region had appealed changes made to its growth plan conformity amendment by the ministry, which had removed these lands. As reported previously by *NRU*, the proposed expansion would have accommodated tens of thousands of new residents at the headwaters of Carruthers Creek. (See *NRU GTA November 3, 2010*.)

"This settlement seeks to foster a climate of certainty, by supporting development, protecting green spaces, and assisting communities to prosper," Ministry of Municipal Affairs and Housing spokesperson **May Nazar** wrote in an email to *NRU*.

CONTINUED PAGE 3 >

GTA West corridor study released

## MIXED REVIEWS

By Julie Baldassi

Over five years of work by the **Ministry of Transportation** has culminated in the November release of the phase one environmental assessment report of the proposed provincial highway, which would span the GTA from **York** through **Peel** to **Halton**. The report scales back the corridor from earlier drafts and incorporates a widened Highway 401 in Halton Region, but stakeholders still have a number of concerns about the proposed highway's impact on agricultural and greenbelt lands and the future of goods movement in Ontario.

As the environmental assessment points out, the GTA is one of the fastest growing regions in North America with an increase of 5.6 million jobs expected by 2031. As the environmental assessment report notes, the GTA West corridor improvements "will also play an important role in building more efficient goods movement network connecting the region to the rest of Ontario and to the U.S. market."

In an interview with *NRU*, Halton regional chair **Gary Carr** talked about the importance the new route will play in serving the growing number of distribution centres in the west end of the GTA, such as the 46.5-acre **Lowes** distribution centre now under construction just off the 401 in **Milton**.

But as **Environmental Defence** program manager **Claire Malcolmson** interprets it, the province's environmental assessment report "represents a win for truck traffic."

CONTINUED PAGE 4 >

## INSIDE

**Old and new**  
Oakville's downtown  
heritage plan

p 2 >

**Remediation ready**  
Hamilton harbour  
clean-up begins

p 7 >

**Conditions met**  
Richmond Hill  
development moves  
forward

p 9 >

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# UPCOMING DATES

**DECEMBER 12**  
Durham Region Council, 10:00 a.m.

Halton Region Council, 9:30 a.m.

**DECEMBER 13**  
Peel Region Council, 9:30 a.m.

York Region Council, 9:30 a.m.

**DECEMBER 14**  
Brampton Council, 1:00 p.m.

**DECEMBER 17**  
Milton Council, 7:00 p.m.

Oshawa Council, 6:30 p.m.

Clarington Council, 7:00 p.m.

Uxbridge Council, 7:00 p.m.

Newmarket Council, 7:00 p.m.

**DECEMBER 18**  
Whitchurch-Stouffville Council, 3:00 p.m.

Aurora Council, 7:00 p.m.

**JANUARY 14**  
Oakville Planning & Development Council, 7:00 p.m.

**JANUARY 16**  
Mississauga Council, 9:00 a.m.

**JANUARY 17**  
Ajax Council, 12:30 p.m.

**JANUARY 21**  
Oakville Council, 7:00 p.m.

Whitby Council, 7:00 p.m.

**JANUARY 22**  
Aurora Council, 7:00 p.m.



Oakville HCD draft plan

# PAST AND FUTURE

By Jake Tobin Garrett

The process for creating a downtown heritage conservation district in the **Town of Oakville** is moving forward. Oakville council held a public meeting on the draft downtown heritage conservation district plan on Monday evening, which offered a chance for public comment.

“A heritage conservation district plan is really a strategy for managing change,” current planning and heritage senior manager **Scott Hannah** told *NRU*. “A lot of people have the misconception that a heritage conservation district is something that says everything has to stay put and that’s not the case.”

The draft plan was prepared for the town by consultant **MHBC** in association with **George Robb Architect**.

The first part of the plan manages change in the district, while the second consists of recommended implementation tools that will assist in the heritage conservation of the area, Hannah said.

He noted that all the input gathered on Monday night was related to implementation, with feedback concerning the creation of a second heritage advisory committee to manage the downtown district, increased staff delegation for permits, and the implications for adjacent lands.

On the issue of adjacent lands, Hannah said that the draft plan proposes a 40-metre

buffer around the district. If development applications fall within that 40-metre buffer they will be required to undertake a heritage impact assessment.

Additionally, step backs were recommended in the draft plan for third or fourth storey additions to prevent a four-storey wall from impacting the area’s heritage character. The zoning for the downtown district allows for a height of 13.5 metres, Hannah said, and the town had a lot of feedback from property owners who didn’t want to lose that as-of-right height allowance.

One of the implementation tools proposed is a heritage grant system that would assist property owners in revitalizing heritage elements on designated heritage properties. Hannah said the town already had heritage grant incentives in their 2013 work plan.

“We’ve received a lot of feedback from our consultants on heritage incentives and what we will be doing is examining those as part of that future initiative that will happen in 2013,” he said.

Hannah said staff will present a final recommendation report to Heritage Oakville, a municipal advisory committee, for its comment in January 2013. The report and a draft by-law will then be brought forward to council the following month for approval. [nru](#)

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# DURHAM MOVES FORWARD

CONTINUED FROM PAGE 1

Ajax mayor **Steve Parish** had been pushing hard for the lands to be excluded and told *NRU* that the town was “very happy that it came out this way.”

Although the headwaters to the Carruthers Creek is in Pickering, much of the length of the creek and where it flows into Lake Ontario runs through Ajax. Parish said the town already has some significant flooding issues and urbanization of the area around the headwaters “presents real flooding and erosion risks downstream that we would have to deal with and the taxpayers in the Town of Ajax would have to pay for.”

The settlement means that an urban boundary expansion into northeastern Pickering could not be brought back “will-nilly in the next five year review” because there are several conditions attached, Parish said.

“Through the settlement the parties identified lands required to meet the forecasted growth to 2031,” Nazar wrote. “Once additional growth is forecast beyond 2031, the settlement with the region ensures that additional requirements such as the watershed plans and other technical studies that protect the environment must be completed.”

Parish said he expects the watershed study would “point very clearly to the major concerns that urbanization there would have.”

McLean called the settlement a positive for Pickering. He was one of three regional councillors at the city, including **Jennifer O’Connell** and **Peter Rodrigues**, who had not supported the inclusion of the northeastern Pickering lands for urban expansion. Aside from the environmental issues, McLean said that as far as he is concerned it would have constituted growth outside the urban boundary that was not sequential.

Parish echoed that. “Northeast Pickering was really contrary to everything that the *Places to Grow Act* stood for,” he said. “It was not sequential urbanization. It was surrounded by greenbelt. There was no case of need in order for Durham to reach its growth targets. It was really totally unnecessary and the worst type of old-style sprawl development.”

The settlement puts the emphasis on Pickering’s Seaton area to be built out before development elsewhere is contemplated, McLean said. He added that it removes “any distractions about Northeast Pickering.”

Nazar wrote that “the City of Pickering has a significant supply of land available for development. The city currently has all the lands that are part of the Seaton community which

is presently planned for a future population of 61,000 people and 30,500 jobs to the year 2031. Seaton will bring much needed jobs and housing to the city for many years to come.”

Now that the lands are protected in the short term from development, Parish pointed to a longer term solution of perhaps including the lands in the greenbelt if a full watershed study indicated that as the best route.

“The whole purpose of the greenbelt is to preserve Class 1 farmlands and environmentally sensitive lands. Northeast Pickering fits both of those criteria,” he said.

While McLean didn’t know if there was a city position on that, he said that he wouldn’t want to include the lands at this moment in time and that he’d prefer to wait and see.



**Northeast Pickering was really contrary to everything that the *Places to Grow Act* stood for. It was not sequential urbanization. It was surrounded by greenbelt. There was no case of need in order for Durham to reach its growth targets. It was really totally unnecessary and the worst type of old-style sprawl development.**

• Steve Parish

“I think it’s important to see what the studies come out [with] on Carruthers Creek and determine from there where we go with that.”

The settlement provides agreement on infrastructure funding for the Seaton area as well as certainty from the region that the first phase of Seaton will have water and wastewater service. “Which is most important,” McLean said. “This is something we’ve been demanding all along.” However, he added that he still had concerns over the impact of Seaton on the city’s taxpayers with regard to future infrastructure that needs to be built, like fire halls and libraries.

A spokesperson for Durham Region told *NRU* the region was withholding comment on the settlement until the board member’s written decision had been issued.

*For more on the history of the ROPA 128 appeals see NRU GTA February 23, 2011. [nrU](#)*



# MIXED REVIEWS

CONTINUED FROM PAGE 1

“[The environmental assessment report] really does represent more of the same planning that eats up the greenbelt and contributes to sprawl and air pollution. If what we’re dealing with is the transportation of goods, one would expect that looking at rail transit and more sustainable forms of goods transit should be considered in this EA and [they are] not,” she told *NRU*.

“Part of the reason why the western part of the GTA is booming in goods movement is because of trade with the U.S.,” **Caledon CAO Douglas Barnes** told *NRU*. “They can talk about [rail] all they want, but they are building the highway connection south of Windsor into Michigan, so is that for rail or is that for trucks.”

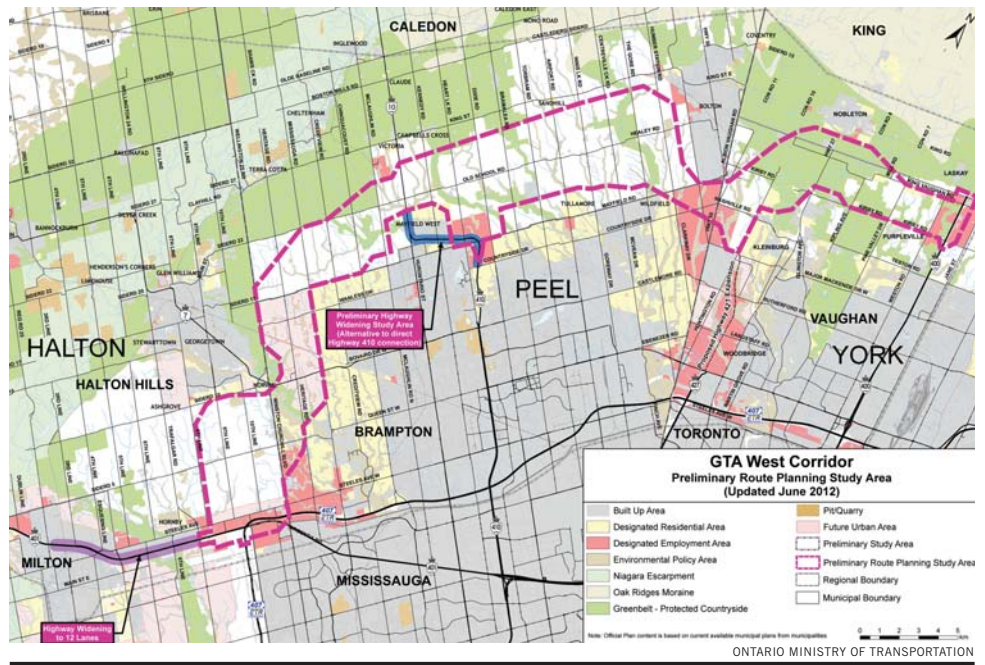
The ministry based its environmental assessment on a number of assumptions about growth, intensification, commuting and carpooling. The report also assumes that “a significant share of goods transport will be diverted from long-distance trucks to other modes.” However, although new and expanded non-road infrastructure such as rail, marine and air service expansions were evaluated by the ministry, such solutions were deemed to be “not fully capable of addressing the study area’s future transportation need.”

Carr agreed that focusing on rail transportation is an “excellent solution.” He pointed out that because rail transportation spans municipal, regional, provincial and federal boundaries, the necessary infrastructure investments would have to come from the federal government.

**Halton Hills mayor Rick Bonnette** said that improvement to rail transportation is something that he has been advocating since the environmental assessment study began in 2007.

Caledon mayor **Marolyn Morrison** is anxious for the province to deliver the second phase of the environmental assessment, which will include final recommendations for a route. She said that transportation minister **Bob Chiarelli** has promised it will be completed within 30 months.

Caledon recently signed a memorandum of understanding with the province to provide clarity on the proposed route in Caledon’s Mayfield West Secondary Plan area. (See *NRU GTA*



edition October 10.)

“We were able to free up at least one major industrial development and remove some of the constraints on a couple of the residential developments in that secondary plan area. In that sense we have development which is going on right now that wouldn’t be if we hadn’t signed the deal,” said Barnes.

However, the study area as defined by the phase one assessment also has implications for the South Albion Bolton area of Caledon, where the town has planned for industrial development. According to Barnes, about 100 acres of land in Caledon is tied up in the study and cannot be developed until the province makes a final decision on the route.

Earlier drafts of the phase one environmental assessment envisioned a brand new highway through the escarpment that would essentially mirror the 401, but it has been scaled back in Halton Region because of significant opposition from Halton Hills, Burlington and the region.

The phase one environmental assessment report confirms that a new highway will not be built through agricultural lands in Halton Hills. Last year, Halton Hills hired consultant **Hatch Mott MacDonald**, who showed that highway capacity could be achieved by widening Highway 401 to 12 lanes. This has been incorporated in the phase one report. (See *NRU, GTA edition February 29.*) **NRU**

# GTA IN BRIEF

[GO Transit introduces web tool](#)

GO Transit introduced [GO Tracker](#) on Friday, a customer communications tool to keep passengers in the know. The web tool is accessible on mobile devices or computer, and provides estimated train departure times, delays and platform information.

DURHAM

[Oshawa launches on-street parking program](#)

The **City of Oshawa** launched an on-street parking permits program that allows residents and visitors to park overnight. Currently all streets in Oshawa have a maximum parking duration of three

hours, and parking is not permitted from 3 to 6 a.m. between December and April. The occasional use parking permit program will exempt registered vehicles from these restrictions. Permits can be obtained for no charge up-to-14 days in advance with an annual limit of five days for any licence plate. Once issued, the permit is valid within one hour and lasts until midnight the following day.


[Uxbridge approves accessibility standards](#)

At **Uxbridge** council meeting Monday evening, the 2013-2018 multi-year accessibility plan to remove and prevent barriers to people with disabilities was approved. The plan was

created to bring the town into conformity with the *Accessibility for Ontarians with Disabilities Act*. Under

the act, municipalities in Ontario are required to establish a plan by

CONTINUED PAGE 6 ▶



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# GTA IN BRIEF

CONTINUED FROM PAGE 5

January 1<sup>st</sup>, 2013 and make it available to the public online and through other means.

[Whitby casino referendum halted](#)

At Whitby council meeting Monday evening, councillors **Elizabeth Roy** and **Joe Drumm** presented a motion asking that the town to budget sufficient funds to hold a referendum on the issue of hosting a casino in Whitby. However,

the motion was ruled out of order by council.

HALTON

[Halton Region seeks provincial remuneration](#)

At the **Halton Region** council meeting today, **Halton Hills** Mayor **Rick Bonnette** will put forward a notice of motion on the costs the region has incurred through **Ontario Municipal Board** hearings while

bringing its official plan into conformity with the growth plan. According to Bonnette, Halton Region has received 41 appeals to its regional official plan conformity amendments, which it will defend at a 19-week OMB hearing scheduled to begin September 23, 2013.

The motion says that it is the region's "firm position that because it is the province through legislation that has mandated municipalities to achieve conformity with the Growth Plan, as set out in the *Places to Grow Act*, municipalities should not be required to assume the costs

of defending their respective Growth Plan conformity exercises on an appeal to the Ontario Municipal Board."

Bonnette asks that the resolution be forwarded to the **Ministry of Municipal Affairs and Housing** as well as other provincial, municipal and regional stakeholders for "consideration and action."

[Burlington's beach-side condo approved](#)

The Bridgewater development at the former Riviera Motel site on Lakeshore Road

CONTINUED PAGE 7 >

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# GTA IN BRIEF

CONTINUED FROM PAGE 6

in **Burlington** received approval for variance requests in November. The site was approved in 2006 for 22- and seven-storey condominiums, and a seven-storey hotel. The recently approved variances permit one more storey on the hotel, and reductions in the amount of retail space facing Old Lakeshore Road and in the number of retail parking spaces. There has also been an increase in the amount of parking for the residential units, from 188 to 231 spaces. Developer **Mayrose-Tycon Group** obtained a two-year permit from **Conservation Halton** in November and construction is expected to begin at the end of 2013 or early 2014.

## HAMILTON

### [Randle Reef remediation launched](#)

**Environment Canada** and the **Hamilton Port Authority** are taking the first steps towards cleaning up Randle Reef, an area of contaminated sediment in Hamilton Harbour.

A structural test project was launched Monday, which involves hammering sheet piles into the lakebed to confirm engineering details for the next phase

of remediation. The Randle Reef sediment remediation project involves constructing an engineered containment facility on top of a portion of the most contaminated sediment, then dredging and placing most of the remaining contaminated sediment inside the facility.

Randle Reef was identified as an area of concern under the *Canada-United States Great Lakes Water Quality Agreement* in 1985.

## PEEL

### [Resident concerns resolved](#)

**Caledon** staff reported to council yesterday on resident concerns about a proposed telecommunications tower to be located at the northeast corner of Mayfield and Innis Lake roads. Residents at the October 9<sup>th</sup> council meeting raised concerns over the health impacts of the tower, as well as the potential commercial development including a daycare on the southwest corner, which is in **Brampton**. Caledon planning staff recommends that the proposed telecommunication facility be approved by council.

Brampton staff advised that they have not received any formal development

application submissions to date. While the City of Brampton is currently undertaking a city-initiated official plan amendment, which proposes to designate the land for institutional uses such as a place of worship, daycare facility or private school, and limited specialty retail, the zoning would remain the same.

## YORK

### [Main Street improvements](#)

**Markham's** development services committee received a staff report last evening recommending that council approve a streetscape improvements plan for Main Street between Highway

7 and Bullock Drive and staff schedule a public information meeting.

The plan includes recommendations on the location of parking, trees, street lighting, electrical outlets, hanging baskets and banner brackets, the style of street furniture, including benches and bike racks, and the sidewalk treatment. The streetscaping is set to begin in the spring, subject to budget approval, and will be completed by next November. Planning and urban design staff has been asked to consult with local councillors about further revisions to the streetscape plan. **nru**

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# GTA OMB NEWS

## Peel Region ROPA settlements approved

In a decision issued November 30, board vice chair **James R. McKenzie** approved settlements for **Peel Region** official plan amendments. ROPA 20, 22 and 24 are growth plan conformity amendments dealing with policies for sustainability and energy, transportation and growth management, employment and the greenbelt, respectively.

Peel Region counsel **Stephen Garrod (Garrod Pickfield)** informed the board that settlements had been reached on all appeals of the three amendments. This followed a settlement negotiated among Peel Region, **Mississauga, Brampton, Caledon** and the **Ministry of Municipal Affairs and Housing** on ROPA 24, which was termed the “government settlement.”

The settlements, which contain minor modifications and editorial corrections to the government settlement, also adjourn appeals of policies in the three amendments that relate to transportation infrastructure requirements in the long-term—the strategic infrastructure study area—so that these appeals can be considered along with ROPA 26, which addresses that issue.

Peel policy development planning manager **Bryan Hill** and information and intelligence planning manager **Ron Jaros** provided evidence in support of the settlements. Both argued that the policies in ROPA 24 achieve the goals set out in the growth plan, which satisfied the board.

The board approved the appeals to ROPA 24 in part, minus the policies that were adjourned to be dealt with at a future date, such as those related to the strategic infrastructure study area.

Caledon counsel **Chris Barnett (Davis)** stated that Caledon council will deal with the changes required to bring its official plan amendment into conformity with the approved ROPA 24. This will be done after Labour Day, with the board agreeing to schedule a prehearing conference afterwards.

Mississauga counsel **Quinto Annibale (Loopstra Nixon)** and **Mayfield West Developers Group Inc.** counsel **Mark Flowers (Davies Howe)** informed the board that appeals to Mississauga’s growth plan conformity official plan amendment 95 have “provisionally led to an understanding for a withdrawal,” and that he would keep the board posted.

Solicitors in the case were Stephen Garrod (Garrod Pickfield) representing Peel Region, **Robert J. Boxma** and

**Claire Young** representing the Ministry of Municipal Affairs and Housing, **Chris Barnett** and **Laura K. Bisset (Davis)** representing Caledon, **Quinto Annibale (Loopstra Nixon)** representing Mississauga, **Barnet H. Kussner (WeirFoulds)** representing Brampton, **Lynda J. Townsend** and **Jennifer Meader (Townsend and Associates)** representing **Solmar Development Corporation**, **Mark Flowers (Davies Howe)** representing Mayfield West Developers Group Inc., **Aaron Platt (Davies Howe)** representing **Heathwood Homes (Brampton) Ltd.**, and **Osmington Inc.**, **Steven Zakem (Aird & Berlis)** representing **Mayfield Station Developments Inc.**, **Mayfield McLaughlin Developments Inc.**, **Caledon Developments LP**, **Ben-Ted Construction Ltd.**, **Caledon 410 Development Limited**, **A-Major Homes (Ontario) Inc.**, **Lormel Joint Venture Inc.**, and, on behalf of **Leo. F. Longo (Aird & Berlis)** representing **Orlando Corp**, **Scott Snider (Turkstra Mazza)** representing **Northwest Brampton Landowners Group Ltd.**, **John M. Buhlman (WeirFoulds)** representing **James Dick Construction**

CONTINUED PAGE 9 ▶

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# GTA OMB NEWS

CONTINUED FROM PAGE 8

Ltd., **Robert Howe (Goodmans)** representing **Hopewell Development (Ontario) Inc.** and **M-J-J-J Developments Inc.**, **Ronald K. Webb (Davis Webb)** representing **Brampton Brick Limited**, and **Neil Keating** representing Labourers' International Union of North America, Local 183. (See OMB Case No. PL101408.)

## Mississauga appeal hearing scheduled

In a decision issued November 29, board member **Reid Rossi** scheduled a hearing of a **Mississauga** city council decision to deny an official plan amendment sought by **Dunpar Developments Inc.** The amendment would permit an increase in the number of townhouse units built at 4390 Mississauga Road from 51 to 68.

The city informed the board it would not be a party to this appeal. The board directed Dunpar counsel **Mary Flynn-Guglietti (McMillan)** to identify Dunpar's issues prior to the hearing. A number of residents appeared at the prehearing to express concerns over the development.

Although Flynn-Guglietti said a heritage study had been submitted to the city, the city indicated it had not received it. The board stated that if it decides that the study "could have materially affected the council's decision" then it cannot be admitted as evidence until council has had the opportunity to consider it.

A five-day hearing was scheduled beginning March 4, 2013.

The solicitor in the case is **Mary Flynn-Guglietti (McMillan)** representing **Dunpar Developments Inc.** (See OMB Case No. PL120915.)

## Major Mac conditions met in Richmond Hill

In a decision issued November 30, board member **Jason Chee-Hing** approved a settlement in **Richmond Hill** regarding conditions imposed by a previous board decision on **Major Mac 404 Realty Inc.** A previous appeal had been filed by **Baif Development Limited**, which is an abutting land owner.

Major Mac's proposed mixed-use development would include office and institutional uses, hotel and conference uses, retail warehouses and other employment development. The lands are located at 1557-1621 Major Mackenzie Drive East.

In a previous decision, the board had imposed several conditions on Major Mac, including

CONTINUED PAGE 10 ▶



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# GTA OMB NEWS

CONTINUED FROM PAGE 9

an agreement among Major Mac, Baif and Richmond Hill regarding development phasing and resolution of traffic issues.


Baif informed the board that based on a settlement agreement with Major Mac it was withdrawing its appeal to the proposed plan of subdivision. The town did not object to the settlement agreement, which had Baif agreeing “to the phasing of the development of Major Mac’s lands prior to the construction of the Rouge River Bridge.”

**York Region** requested additional road widening at Major Mackenzie Drive east of the Vogell Road/Via Renzo intersection, which Major Mac agreed to.

The first phase of development is to contain a maximum of 229,000 square feet of retail warehouse and commercial retail uses. The second will contain a maximum of 224,018 square feet of office and warehouse, 187,023 square feet of warehouse distribution, 41,979 square feet of commercial retail, and 209,412 square feet of hotel and conference uses.

The board noted that it would continue to withhold its order on the zoning by-law amendment until remaining conditions imposed in its April 26, 2011 decision had been met.

Solicitors in the case were **Steven Zakem** and **Patricia**

**Foran (Aird & Berlis)** representing Major Mac 404 Realty Inc., **Roslyn Houser** and **Jennifer Drake (Goodmans)** representing Baif Development Limited, **Antonio Dimilta** representing Richmond Hill and **Frank Santaguida** representing York Region. (See OMB Case No. PL100050.) 

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## GTA PEOPLE

**Blair S. Taylor** was appointed as a full-time member to the **Ontario Municipal Board** in October. Previously, Taylor was a senior partner with O’Connor, MacLeod, Hanna and an assistant director with Ombudsman Ontario.

Mississauga city council has appointed **Claudio D’Ambrosio**, **Linda Kuga Pikulin** and **David Warner** to the

board of directors of **Enersource Corporation**. D’Ambrosio is a professional engineer who retired from his position as president and CEO of Arclin Cayman Holdings Limited in 2011. Kuga Pikulin, also recently retired, was the president of PepsiCo Canada. Warner is an independent director of Lipari Energy and was a partner at KPMG for 30 years.

**Mike Spicer**, acting director of **Burlington Transit** since August, is now the director of Burlington Transit. Spicer replaces **Donna Sheppard**, who retired in August. Spicer was previously Brantford Transit’s operations manager for nine years.

The **City of Burlington** is making changes to its management structure that will result in the city

leading with two general managers instead of three until 2015. General manager **Kim Phillips** will lead the community services division and general manager **Scott Stewart** will lead the development and infrastructure division. Legal, information, technology services, human resources and finance departments will report directly to city manager **Jeff Fielding**.

The third general manager position has been vacant since July, when former general manager Steve Zorbas left the city.