

March 21, 2023

The Honourable Steve Clark, Minister of Municipal Affairs and Housing
17th floor, 777 Bay Street
Toronto, Ontario
M7A 2J3

Dear Minister Clark,

Burlington's Pledge

The City of Burlington is absolutely committed to facilitating the creation of more housing and more diverse housing options. Housing is a shared responsibility and the City has long understood the importance of facing the challenge of creating new homes and welcoming new residents and families to the City.

We are committed to doing our part to accelerate the creation of housing in Burlington, recognizing that the municipality does not build housing. The City's role is to ensure that the conditions for success are met to achieve the housing pledge; it is the role of the private sector to build the units. The City has made great strides in establishing supportive policies and strategies to facilitate the creation of new housing and more complete communities. These inter-related commitments are represented within the City's Strategic Work Plan, Vision to Focus, the Burlington Official Plan, 2020 and the City of Burlington's Housing Strategy.

The City has been assigned a 2031 housing pledge target of 29,000 units. The creation of complete communities and the building of more diverse housing options in Burlington is complex and cannot be achieved on our own. Collaboration and partnership with the Province and its Ministries, the Region of Halton, property owners, the development industry, residents, stakeholders and a wide range of agencies and institutions will be required to move forward.

Working with our community along with our development industry partners represented by the West End Home Builders Association (WEHBA) and Building Industry and Land Development Association (BILD GTA), together we can deliver new housing that will also:

- support action related to the City's climate emergency declaration;
- support the objectives of the Integrated Mobility Plan;
- support the creation of housing in the right areas as set out in the Burlington Official Plan, 2020;
- support the creation of housing of a variety of tenures, types and sizes that will welcome more people and families to the city; and will
- support the creation of more complete communities with all the infrastructure (water and wastewater, schools, community centres, parks) required to support these new homes and people.

We are fortunate to have an excellent working relationship with our development industry partners, including WEHBA and BILD GTA. We meet regularly and engage in great dialogue. A key example was the Housing Strategy Working Group where along with a diverse group of residents, and housing stakeholders, development industry representative all shared their diverse knowledge and insights and then - and now - act as champions of the work. We all agree we have far more in common than what divides us. At the core we are all committed to working together toward the creation of more housing and more diverse, attainable and affordable housing options so that we can welcome more people into the City.

The following listing highlights the policies, plans, and actions that demonstrate how the City of Burlington will fulfil our commitment to the pledge to the construction of 29,000 new homes in Burlington by 2031.

Strategic Plan & From Vision to Focus

One of the key strategic directions of the City's long-term strategic plan is "A City that Grows". This strategic direction speaks to creating community responsive growth and balanced, targeted population growth for youth, families, newcomers, and seniors. By focusing and directing population and higher densities in key areas, the City intends to build neighbourhoods that are environmentally-friendly, infrastructure-efficient, walkable, bikeable and transit-oriented.

In [Burlington's 2018-2022 Plan: From Vision to Focus](#), Focus Area 1 is – Increasing Economic Prosperity and Community Responsive Growth Management. One of the top priorities is housing with a goal of increasing the options for housing across the City. The work highlighted a number of key actions including:

- The scoped Official Plan Review and Interim Control Bylaw;
- Working with Halton Region to define Burlington's expectations for population and employment to 2041 as part of the Region's Municipal Comprehensive Review;
- Completion of Area-specific plans for Major Transit Station Areas (MTSA); and,
- Completion of Housing Strategy.

The City has already begun laying the ground-work of future strategic planning and the development of multi-year plans to set unified objectives and goals related to the creation of complete communities in areas of future City growth and intensification. This work will support prioritizing efforts and ensuring the entire organization is moving forward together to fulfill the long-term vision for complete communities, including housing.

Housing Strategy

The [Housing Strategy](#) challenges the City of Burlington to take on an ambitious role in order to move the City closer to our vision for housing which states:

"Everyone is welcome in Burlington. Burlington is a city where all current and future residents have access to the housing options that meet their needs at all stages of life, and that are attainable at all income levels."

Based on the [technical research](#) completed in earlier project phases, and subsequent discussions with Burlington City Council; the project steering committee; and the project working

group, it was determined that the City of Burlington, as a lower tier municipality, has two key opportunities to do its part to “make moves” in addressing the broader housing crisis:

- First, through partnership and advocacy with upper levels of government and housing providers to help deliver the deep affordability and housing options needed by residents of Burlington within the lower income deciles; and
- Second, through focusing on implementing the direct actions that the City can take to increase housing options and opportunities for residents of Burlington within the middle-income deciles.

There are a wide range of implementation actions listed in the Housing Strategy. They include: seeing the policies of the Burlington Official Plan, 2020 come into effect, translating those policies into zoning – both of which face challenges given the status of the Official Plan at the OLT. The Housing Strategy also emphasizes the City’s role and opportunity to address “missing middle” both from the perspective of having housing options that are affordable/attainable for middle-income households and for the opportunity to diversify the spectrum of housing types and tenures. Other key initiatives include rental housing protection through demolition control and the creation of an inclusionary zoning approach for the MTSA. In both of these cases and in other instances, the high degree of uncertainty related to Provincial changes to policy, legislation and regulation remain a challenge for moving forward.

The City is committed to responding in this great time of change by redefining the City’s role and responsibility in supporting the creation of a diversity of housing options that are attainable at all income levels as part of implementing the Housing Strategy. The City will develop an updated implementation plan that considers the wide range of issues, partners and opportunities.

Burlington Official Plan, 2020

Burlington Official Plan (OP), 2020 fuses the local community interests with Regional and Provincial policy direction and articulates the City of Burlington’s vision for growth and change to 2031 and beyond. The Plan establishes a community vision, a new urban structure and a new growth framework that sets out the relative priority, degree, type, and location of growth anticipated in the City. The OP presents a long-term vision for a built-out municipality that will grow primarily through intensification.

Approved by the Region of Halton in late 2020, the document today remains significantly under appeal.

The Official Plan lays the foundation for where new housing, jobs and community amenities are expected within our pre-ROPA 49 urban boundary. While growth is expected throughout the built-up area, significant growth and change are focused at our three MTSA, downtown, uptown, along frequent transit corridors like Plains Road and Fairview Street and existing retail plazas adjacent to established residential areas. Alongside these high-level directions, the Plan also sets out development-ready provisions and guides development within certain parameters allowing for private sector flexibility while ensuring the public interest is maintained.

The new Official Plan enhances policies to support residential growth. At the highest level, the identification of MTSA as key areas for future growth and change along with the merging of the

former “major retail areas” and “mixed use activity areas” designations add new lands to serve as areas for more intensive integration of a wide range of uses including residential, where housing didn’t previously exist. Significant areas within Burlington have been assigned policy that establishes a wide range of permitted uses that include significant potential for housing intensification. At the more granular level some residential neighbourhood policies have base increases to density ranges, and clear provisions for accommodating different housing types, among other things. While these provisions are under appeal property owners, in many cases, must go through an Official Plan amendment in order to achieve housing intensification given that the existing Official Plan remains in effect.

Although not anticipated by the Official Plan, Burlington City Council would like to express appreciation for the Minister’s decision as part of ROPA 49 that opens opportunities for the creation of new, complete, mixed use communities in several major areas of Burlington including lands within Bronte Creek Meadows, 1200 King Road, the Bridgeview area and Eagle Heights. We look forward to developing the local vision for these major areas alongside our development industry partners.

We are confident there is sufficient land within our pre-ROPA 49 urban boundary to accommodate the housing pledge to 2031. The introduction of additional areas for future growth through the Minister’s decision on ROPA 49 also provides opportunities for the creation of new, complete communities. Burlington Council is committed to maintaining a minimum of half the City’s geography as protected rural lands within the Greenbelt Area. Directing growth within the existing urban boundary set out in ROPA 49 will protect Burlington’s critically important agricultural and natural heritage systems while still allowing the City to meet all population and employment growth objectives and targets, including the housing pledge.

Zoning By-Law

In the Fall of 2022, Council gave direction to undertake the development of a Zoning By-law review. This work will modernize zoning regulations, implement the new Official Plan, and is expected to reduce the amount of zoning by-law amendments and minor variances required for development. The appeal of the Burlington Official Plan, 2020 in its near entirety, along with the wide range of legislative, policy and regulation changes occurring, or set to occur within the realm of Provincial policy, has introduced significant uncertainty into the project.

Major Transit Station Areas

The Major Transit Station Area boundaries in Burlington were established through the Minister’s approval of the Region of Halton’s Official Plan Amendment (ROPA) 48. The City acknowledges and appreciates the Minister’s support for adjusting the Urban Growth Centre boundary and removing the Major Transit Station Area designation from downtown Burlington. This move provides the opportunity to direct significant growth closest to where major transit service and inter-regional connections are available. The move is in keeping with Provincial direction in the PPS and the Growth Plan and recognizes and supports current and planned significant provincial investment in transit.

The MTSA Area Specific Plans (ASPs) will provide the land use planning vision and framework to establish complete communities around Burlington’s three GO Stations. The plans aim to achieve a diverse, dense and transit supportive mix of homes, jobs and supporting amenities

like parks, community facilities, recreational and commercial opportunities to 2051 and beyond. The creation of these new complete communities, will be supported by private investments that follow the significant public investments in planning and infrastructure in these key areas.

While work has continued on the development of the MTSA ASPs the ultimate implementation of these plans will also experience a delay as a result of the uncertainty with the OP appeals.

Streamlining Development Approval Initiative Fund (SDAF)

Through this one time funding opportunity the City developed a project to deliver specific improvements to the low-density residential development approval service (i.e. Pre-building permit process) using LEAN Six Sigma principles to provide efficiencies in the development approval process for gentle intensification projects, such as developments of less than 10 units, new dwellings and additional dwellings on residential properties.

The SDAF project has led to a number of positive organizational and process outcomes. Most important are the cultural changes in how we conduct our work. The concept of continuous improvement and integration of LEAN principles has been embraced by staff. It has strengthened staff morale and empowered them to execute changes in business processes that improve overall efficiency, customer experience, and sustainability of workloads. It is anticipated that staff will proactively continue with new experiments and implement those that are successful. Lessons learned from this project will be adapted and scaled up to other more complex development processes so that we can continue to maximize efficiency and staff capacity in our service delivery.

Burlington Lands Partnership

The Burlington Lands Partnership (BLP) establishes an internal structure with a focus on strategic lands related to the following priorities: economic growth and job creation, city building projects that enhance the quality of life for all citizens, and delivering an increased supply of attainable/affordable housing. Specific to housing, the BLP will facilitate the acquisition of lands and provide project management support related to implementation of attainable housing partnerships.

Additional Residential Units

The City responded to recent changes introduced through Royal Assent of Bill 23 by interpreting the current Zoning By-law to immediately implement the additional residential units requirements. In the future the City will consider any study required to support:

- Amendments to the portions of Burlington Official Plan, 2020 that are in force related to Additional Residential Units
- Zoning amendments required to support the creation of new units within the urban area, and,
- Infrastructure (streets, water and wastewater services, etc.) availability, deficits and opportunities to support new housing intensification.

Bill 109 Implementation

The City responded to approval of Bill 109 by updating the Official Plan amendment, Zoning By-law amendment and Site Plan Control Application processes to meet legislated timelines and get to a decision point faster, while ensuring that every effort is made to achieve the best planning outcome for each application. This work streamlined application processes to create consistent, predictable and customer-focused application reviews. Included as part of this work was an Official Plan Amendment (OPA) that updated the information and materials required for complete applications, public notification requirements and development application process changes. The OPA is currently under appeal and therefore not yet in force and effect.

Monitoring Staff Capacity

The City is committed to monitoring staff capacity to ensure that the organization is resourced and organized properly to deliver on the City's objectives and this pledge. City Council has demonstrated a commitment to evolving the organization with a focus on development related services over the past several years. City Council has demonstrated this commitment with the addition of over 20 development-related positions and significant investments in new human resources within the 2023 budget. Moving forward staff will undertake a fee review which will also service as new data related to staff capacity to understand the impacts of the implementation of Bills 109 and 23. An outcome of this work will be a better understanding of the resources required across development services to ensure staff is positioned to deliver on Council and customer expectations. With this new information City Council will be in a position to understand what, if any, additional resources are required to facilitate the creation of new housing and jobs.

In addition, in response to significant hiring challenges across the GTHA for all subject matter experts involved in development review the City is looking into creative options. One creative solution is outsourcing application reviews to external subject matter experts. This is itself challenging due to consulting firms serving development industry clients (introducing perceived conflict), staff resourcing within consulting firms, and financial limitations of municipalities.

Understanding our Pipeline

Recent data suggests currently as of March 2022, there are over 23,000 housing units in the development application review pipeline; with approximately 7300 units tied up in OLT appeals.

We commit to reviewing the City's updated development pipeline to create a better understanding through working with the development industry and applicants. Using the best available information will allow the City and the Region to make informed decisions on actions that would yield the best investments in infrastructure and support prioritizing development that commits to moving forward expeditiously and delivers results that support a wide range of strategic City objectives, as discussed above. This commitment will involve an approach for monitoring progress against the housing pledge as well as continued dialogue with our industry partners to ensure opportunities and challenges are well understood.

Understanding and evolving into the City's new role

The City is committed to looking for new ways to deliver complete communities. The City is prepared to consider redefining the role of the lower tier municipality to respond to change and to look for creative solutions to move forward together. The first steps in this journey will start with the Council/Staff Workshop planned for March 30, 2023. We are committed to rethinking approaches to designing complete communities **as an organization**.

The City of Burlington is committed to the long-standing principle that new growth is financially sustainable and that development related charges pay for growth-related infrastructure, facilities and parks to support the development of complete communities. The principle of growth paying for growth is a critical consideration to avoid or minimize the burden of growth costs falling on existing taxpayers. Bill 23 limits the few tools the City has to deliver affordable housing and build parks and green spaces to create complete communities.

Burlington's Requests of the Province to Support this Pledge

- The Province recognizes that housing is a shared responsibility and that the City not be penalized financially or otherwise, for failing to meet the identified housing target;
- That the target be recognized as an aspirational target;
- An immediate review of housing opportunities that are currently appealed as part of City-wide Official Plan Amendments or new Official Plans, is mandated. Reject appeals that directly impact as of right housing intensification;
- Providing additional SDAF funding to allow the LEAN Six Sigma principles to be more rapidly extended to all *Planning Act* and *Building Code Act* applications, including technology platforms that efficiently facilitate the customer's journey;
- The Province consult and engage with municipalities on recent and future legislative changes and initiatives to find mutually beneficial ways to streamline approvals and enable municipalities to collect growth-related charges to deliver infrastructure and community needs quickly;
- While those discussions are underway ensure municipalities are made whole, dollar-for-dollar to eliminate the unintended consequences of Development Charges reductions associated with Bill 23;
- Funding for City-wide studies to identify infrastructure opportunities or deficits to support new intensification and associated funding to implement infrastructure such as road, water and waste water services to support new housing intensification;
- Consider rejecting appeals related to the implementation of Bill 109 legislative timelines;

- Support the expedited resolution of Burlington Official Plan, 2020 appeals, including rejecting appeals that directly impact as of right housing intensification to meet City, Regional and Provincial objectives;
- Pause further legislative and regulatory changes until comprehensive engagement occurs with municipalities, to avoid any unintended consequences;
- Ensure that professional licensing and regulatory bodies are aligned in expediting review/approval of international professional designations; and,
- Ensure that professional licensing and regulatory bodies are aligned in efficiently training, testing and awarding professional designations to Canadian-trained workforce.

Everyone deserves a safe and affordable place to call home. We look forward to working together with the Province of Ontario and the development community on innovative solutions and partnerships to increase attainable housing options for residents at every stage of life.

Signed on behalf of Burlington City Council by

Marianne Meed Ward
Mayor of the City of Burlington

Shawna Stolte
Deputy Mayor for Housing, City of Burlington

Copy:

The Honourable Doug Ford, Premier of Ontario;

The Honourable Parm Gill, Minister of Red Tape Reduction;

MPP Natalie Pierre, Burlington;

MPP Effie Triantafilopoulos, Oakville North-Burlington;

Gary Carr, Halton Regional Chair

Paula Tenuta SVP Policy and Advocacy, Building Industry and Land Development Association (BILD GTA)

Mike Collins-Williams, Chief Executive Officer, West End Home Builders' Association (WEHBA)

Attachments:

Staff Report

Appendices