

Official Plan Amendment to Increase Housing Options, Engagement Plan

Background

At the October 17, 2023 Council Meeting, City Council declared its intention to allow four residential units per lot as-of-right, and unanimously approved [a motion](#) that directed staff *to engage with the community to implement four units as-of-right and the other actions identified in the [Housing Strategy](#) including implementing opportunities to increase the range of housing options available*. The City is now moving forward to engage with the public on how to implement these actions to increase as-of-right housing options in Burlington.

This project will focus on using planning implementation tools such as the [Official Plan](#), and [Zoning By-law](#) to put in place policies and regulations for these types of units to be permitted as-of-right. As-of-right is a term in Urban Planning used to describe when a proposed development is a permitted use, meets all the regulations in the Zoning By-law and does not require any planning applications. This means only a building permit would be needed for an as-of-right development. In Ontario, residential developments under 10 dwelling units do not require applications for Site Plan approval.

The motion from City Council also supported the [City's successful application to the Canadian Mortgage and Housing Corporation's \(CMHC\) Housing Accelerator Fund \(HAF\)](#). The City was awarded \$21.4 million and has committed to implementing the 7 initiatives of the [HAF Action Plan](#) in order to increase housing options and the number of units over the next 10 years.

To include as many voices as possible in this important conversation about housing, this project will incorporate public engagement as a key element of the project and will be hosting multiple public engagement activities designed to give current and future residents as well as interested and affected parties an opportunity to provide meaningful input. Staff will be engaging on *how* the City will endeavor to allow four units as-of-right and *what* the staff should consider as part of the Official Plan policies and Zoning By-law regulations. The input that is gathered will inform both interim reports and the final recommendations to City Council.

Engaging people on issues that affect their lives and their city is a key component of democratic society. Public involvement encourages participation, actions and personal responsibility. Burlington's commitment to public engagement is reflected in its [Community Engagement Charter](#), adopted by City Council. The Charter establishes the commitments, responsibilities and concepts of the relationship between the City of Burlington and the citizens of Burlington related to public engagement. The goal of community engagement is to lead to more informed and, therefore, better decision-making.

The following plan provides a roadmap of the engagement activities that will take place over the next few months, highlighting at which points in the process engagement will take place, who will be engaged and the level of engagement. The plan also clearly defines which aspects of the process the City and public can influence throughout the discussion.

This plan is intended to provide a broad overview of the engagement activities that will take place and is subject to change over the course of the project. If aspects of the project require more time, there may be changes to the engagement and project plan overall in order to meet HAF funding requirements and deadlines, if required.

Planning Implementation Tools

In order to allow for four units as-of-right, staff must review and make changes to the City's policies and regulations. Staff must make amendments to the existing policies of the Burlington Official Plan, 2020. Additionally, through Phase 1 of the New Zoning By-Law Project, staff will ensure that appropriate permissions and regulations for 4 units as-of-right are included within the new Zoning By-law.

Official Plan: Burlington Official Plan, 2020 (BOP, 2020)

An Official Plan is a policy document that guides decision-making on land use, development and resource management. [BOP, 2020](#) represents the City's long-term vision with a planning horizon of 2031 and beyond, and establishes strategic priorities for growth management, land use, and infrastructure and is a policy framework that guides the City's decision making and approval processes ensuring that all new development contributes to this long-term vision.

On November 30, 2020, the Burlington Official Plan, 2020 was approved, with modifications by Halton Region. Currently, portions of the Official Plan are under appeal through the Ontario Land Tribunal ([OLT](#)). In order to respond to the recent proposed provincial legislative changes like Bill 23 *More Homes Built Faster Act, 2022*, and Bill 97 *Helping Homebuyers, Protecting Tenants Act, 2023*, coupled with the regional changes to the Regional Official Plan (ROP) through ROPA 48 and ROPA 49, City staff initiated the Burlington Official Plan, 2020 Targeted Realignment Exercise to update the policies of the BOP, 2020 to comply with these policy changes and to prioritize strategic growth based on new growth analysis and the findings of the City's Housing Strategy .

The Official Plan Amendment to Increase Housing Options project will initiate an Official Plan Amendment under the Local Growth Management Update – Growth Expectations to 2051 section of the BOP, 2020 Targeted Realignment Exercise, specifically under Principle 5: *The updated local vision for growth will deliver on the shared Provincial mandate and the City's vision for housing, including the Housing Strategy – which will support the creation of new housing for a wide range of household sizes and incomes.* This project is one of the first projects that falls under the [BOP, 2020 Targeted Realignment Exercise – Engagement Approach](#). You can read more about the Burlington Official Plan, 2020 and BOP, 2020 Targeted Realignment Exercise [here](#).

Zoning By-law

The [Zoning By-law](#) is the main planning tool that implements the objectives and policies of the City's Official Plan and allows City Council to set rules for where new buildings should go, what type of buildings they can be, and what activities and businesses can happen there. It also specifies a property owner's as-of-right development permissions including how they may use their land and the physical parameters for buildings and other structures.

The New Zoning By-law Project (NZBP) is focused on comprehensively updating the City's Zoning By-law to implement the policies of the Burlington Official Plan, 2020 (BOP, 2020). The NZBP will be completed in a series of phases, with the purpose of each phase being to prepare a section or multiple sections of the new Zoning By-law. The first phase of the NZBP is inclusive of the Residential Zones, including

the regulations for 4 residential units as-of-right per lot, as well as regulations for semi-detached and townhouse dwellings.

Related Projects and Initiatives

The project aligns with the objectives of many larger City initiatives, including the:

- **Housing Accelerator Fund Action Plan:** The Government of Canada and the City of Burlington announced a \$21 million agreement to encourage more affordable homes in Burlington on January 15, 2024. The funding is provided through the CMHC HAF program and this project is included as part of the [HAF Action Plan](#) initiatives.
- **Burlington Housing Strategy:** [Burlington's Housing Strategy](#) creates a road map and acts as a guiding document for housing needs in the City of Burlington. It will help the City work towards meeting the housing needs of the community and move us closer to reaching our Vision for housing in Burlington. The Housing Strategy identifies 12 recommended Actions that the City and other strategic decision-makers can take to increase housing options across the City. Of the 12 recommended actions, Action 6 and 7 encompass sub-actions and initiatives that would permit more as-of-right housing options, including for additional residential units, semi-detached dwellings and townhouses. Sub-actions 5, 16 and 17 also outline how the City can review its existing policies to ensure regulations are inclusive for all.
- **Burlington Official Plan, 2020 (BOP, 2020) Targeted Realignment Exercise:** The [BOP, 2020 Targeted Realignment Exercise](#) is a City-initiated exercise that will include a series of specific Official Plan Amendments that will take a local approach to aligning the BOP, 2020 with recent provincial and regional planning framework changes, while continuing to advance the vision of the Official Plan and implement the Housing Strategy and other housing initiatives such as the Housing Pledge. A deliverable of this project will be an Official Plan Amendment (or a series of Official Plan Amendments) that will permit four units as-of-right. Over the course of the project, other Official Plan Amendments may be identified to increase housing options in Burlington through the Housing Strategy Actions and the HAF Action Plan initiatives.
- **New Zoning By-law Project:** The New Zoning By-law Project (NZBP) is focused on comprehensively updating the City's Zoning By-law to implement the policies of the BOP, 2020. The first phase of the NZBP work plan is focused on the Residential Zones portion of the Zoning By-law. The new Zoning By-law will contain the regulations for 4 units as-of-right through the Additional Residential Unit (ARU) regulations. There may also be additional opportunities through the NZB Project Phase 1 to increase housing options in Burlington that are outlined in the Housing Strategy and HAF Action Plan.

As this project intersects with a number of other projects, Staff will keep the [GetInvolvedburlington.ca](#) webpages for each project up to date and ensure that each cross-references another in order to provide a clear picture for the public.

Important Milestones

- On June 21, 2022, Burlington City Council approved the [Housing Strategy](#).
- On July 11, 2023, Burlington City Council approved in principle the [CMHC Housing Accelerator Fund – Action Plan](#) and directed Staff to submit an application to the CMHC Housing Accelerator Fund.

- On September 26, 2023, City Council approved through [Report PL-53-23, Official Plan Amendment No.1](#) to the City of Burlington Official Plan 2020, and concurrent [Zoning By-law Amendment](#) to amend the additional residential unit permissions and permit three residential units per lot.
- On October 17, 2023, Burlington City Council unanimously approved [a motion](#) to declare its intention to allow four residential units per lot and to implement other actions identified in the Housing Strategy to increase the range of housing options available. City Council directed staff to engage with the community on how to implement.
- On January 15, 2024, the Government of Canada and City of Burlington announced a \$21 million agreement to encourage more affordable homes to be built faster in Burlington, through the CMHC Housing Accelerator Fund.

Decision Statement

At the beginning of an engagement process, it is helpful to know, “what is the decision to be made?” The decision statement clearly identifies:

- What decision needs to be made;
- Who is the decision maker; and
- When the decision is required.

Decision Statement:

In 2024, Burlington City Council will consider endorsing the proposed policies and regulations to increase the range of as-of-right housing options available in Burlington, including as-of-right regulations for 4 residential units per lot.

Summary of Interested and Affected Parties

- Current and future residents
- Resident groups
- Indigenous communities
- Community organizations; special interest, advocacy, and activism groups
- Development industry
- Business community
- Government and public service providers (internal and external)
- City Advisory Committees and arms-length city agencies
- Private and non-profit community service providers
- Elected Officials

Objectives of Engagement

The following objectives describe what the public engagement will strive to achieve through the community discussion about the regulations for more housing options in Burlington:

- Provide relevant information about the project, decision-making process, and how the public can provide input and feedback;
- Work with the New Zoning By-law Project Consultants to provide a coordinated approach to engagement, communication and preparation of the policies and regulations through the new Zoning By-law project;
- Provide multiple channels for people to provide meaningful input at appropriate decision points;
- Create an ongoing record of what is said during engagement opportunities and make it available to the public throughout the process, so they can track the progress of the project, including reports back to the community that highlight how feedback was or was not incorporated into the final recommendations to Council;
- Gather meaningful input from members of the community whose voices are historically underrepresented in conversations about city issues;
- Utilize the Burlington Official Plan, 2020 Targeted Realignment Exercise page on getinvolvedburlington.ca as the main online platform for up-to-date information about the project and upcoming engagement opportunities. Information will also be provided on the upcoming New Zoning By-law Project page and the Housing Strategy project page; and
- Use clear, plain language in the delivery of the Engagement Plan to inform the public about what can and cannot be influenced through the project.

Potential Engagement Barriers/Risks

The following potential risks and barriers to engagement have been identified and will be used to guide the design of the engagement program for each round of engagement.

- **Misconceptions about the project purpose & scope:** Engagement messaging will need to be clear that the purpose of this project is *how* to implement the Council directive of four units as-of-right per lot and other related Actions of the Housing Strategy, rather than *if* these types of units should be permitted as-of-right. The policy and regulation outcomes also may not equate to every residential lot being able to have 4 units as-of-right.
- **Alienation or Lack of Trust:** Participants may be reluctant to participate based on past experiences of not feeling heard, or concern about how feedback will be brought forward. The engagement program and reporting will need to show in real time how decision making is being influenced or not, by the engagement program, and have the outputs reflected back to communities.
- **Safe Space:** Some elements of the engagement process will require careful consideration of how to create a safe space for the conversation, as the Project Team will be asking for sensitive information and may be facilitating conversations that are triggering - framing of the questions and subject matter will be a key element of these stages of the program.

- **Broad Outreach:** The limitations of digital and in-person engagement will need to be considered in the context of reaching vulnerable or historically underrepresented communities. The engagement approach will need to utilize a mix of digital tactics, virtual and in-person engagement, and outreach through organizations on the ground. Input from all engagement events will be key to formulating analog tactics and mechanisms that reach those with digital barriers or constraints. There will also need to be space for smaller group conversations, to support all voices in being heard.
- **Timing/Schedule:** The proposed project has a fast-paced timing schedule due to HAF funding requirements and staff are proposing to have the draft Official Plan Amendment and Residential Zones of the new Zoning By-law to Council by latest June 2025.

Project Milestones and Engagement Level

At its meeting on October 17, 2023, City Council directed Staff to engage with the community to implement four units as-of-right and the other Actions identified in the Housing Strategy including implementing opportunities to increase the range of housing options available. The key milestones for the project are below. The project timeline is closely combined with the project timeline for the first phase (residential zones) of the NZBP project. For each milestone, the Engagement Plan identifies where public input will take place, who will be involved in the engagement and what level of engagement will occur. The different levels of engagement are based on the International Association of Public Participation (IAP2)'s [Public Participation Spectrum](#), which is also a component of Burlington's [Community Engagement Charter](#).

Timing (WHEN)	Milestone	Message (WHAT)	Level of Engagement	Interested and Affected Party (WHO)	Communications Tactic (OUTPUT)
Project Launch – Engagement					
February - April 2024	BOP, 2020 Targeted Realignment Exercise Get Involved Project Page & NZBP Page Launch	The BOP, 2020 Targeted Realignment Exercise and the NZBP Get Involved Burlington Project Pages, along with the Housing Strategy Get Involved Burlington Project Page will provide up to date information on the project. The project pages will cross-reference each other to ensure the public can reach the information they need. It will also provide drafts of the policies, information for public meetings and reports to Council.	Inform	All interested and Affected Parties	Launch Get Involved Webpage.
May 2024	Engagement Plan to be made public	The Engagement Plan was developed in collaboration with the NZBP Project Team & Consulting Team.	Inform	City Council and	POST UPDATE Get Involved page

				All interested and Affected Parties	
May – June 2024	Project Launch Engagement	Introductory Survey to be posted to Get Involved Page. Staff will be attending the Mayor’s Speaker Series event on May 27 as a ‘trade show table’ to provide information on Increasing Housing Options/ Housing Strategy and HAF.	Inform & Consult	All interested and Affected Parties	POST UPDATE City Get Involved calendar, Media release
TBD	NZBP Public Survey	A survey will be released on the NZBP Get Involved Burlington Project Page to gather feedback from the public and stakeholders about key issues to address in the new Zoning By-law, including how to implement the as-of-right housing options.	Inform & Consult	All interested and Affected Parties and targeted groups	City Get Involved calendar Get Involved page Media release Twitter, Instagram Facebook + FB Event
Technical work					
January 2024 – April 2024	Staff and the consulting team will conduct research and analyze data from best practices and feedback from the public survey, as well as feedback previously received from the Steering Committee and Technical Advisory Team. A draft discussion paper summarizing this work will be prepared.				
Engagement Round 1					
May 2024	NZBP Steering Committee and Technical Advisory Team	The draft discussion paper will be presented to the NZBP Steering Committee and Technical Advisory Team, there will be opportunities to receive feedback on as-of-right housing options.	Inform & Consult	Internal staff from various departments	N/A
May 2024	NZBP Meeting with Targeted Stakeholders	The draft discussion paper will be presented at a meeting with targeted stakeholders where Staff will be able to gain information regarding how developers and other interested and affected individuals and groups would envision the new Zoning By-law. This will include discussions surrounding the as-of-right housing options.	Inform & Involve	Developers, builders, planning consultants, and members of different community groups.	POST UPDATE Get Involved page

Technical work					
April 2024 – June 2024	Staff and the consulting team will finalize the discussion paper, incorporating feedback received from the Steering Committee, Technical Advisory Team, and targeted stakeholders.				
March 2024 – August 2024	Draft Official Plan Amendment and draft the Residential Zones of the new Zoning By-law				
Engagement Round 2					
June 2024	NZBP Discussion Paper	The NZBP team will provide a discussion paper summarizing the research and consultation that will be presented to Council.	Inform	All interested and Affected Parties	POST UPDATE Get Involved page
July 2024	BOP, 2020 Targeted Realignment Exercise – Work Plan update 3 Report	The BOP, 2020 Targeted Realignment team will provide an update to City Council regarding the BOP, 2020 Targeted Realignment Exercise and as-of-right housing options project.	Inform	City Council and all interested and Affected Parties	Post Update to City Get Involved calendar Get Involved page
September 2024	Committee of the Whole – Release draft of OPA	Report and presentation to Committee of the Whole to provide first draft release of the OPA to Increase Housing Options	Inform and Involve	City Council and all interested and Affected Parties	Post Update to City Get Involved calendar, Media Release, Twitter, Instagram, Facebook
September 2024	First Draft of NZBP Residential Zones & Official Plan Amendment Released to public	The Official Plan Policies and draft of the Zoning By-law will be released to the public for review and feedback.	Inform and Involve	All interested and Affected Parties	Post update to City Get Involved calendar and Get Involved page Media release Twitter, Instagram Facebook + FB Event
September – October, 2024	Meet with a Planner	Staff will set aside time for a series of opportunities for members of the public to sign up for 30 minute one-on-one meetings	Inform & Consult	All interested and Affected Parties and	Post update to City Get Involved calendar

		with a Planner on the team to discuss the New Zoning By-law Project and as-of-right housing options and ask questions.		Targeted Stakeholders	Get Involved page Media release Twitter, Instagram Facebook + FB Event
September 14, 2024	Food for Feedback	Staff will consult with the public on the first drafts of the policies and Residential Zones, including regulations for 4 units as-of-right, semi-detached dwellings and townhouse units.	Inform & Involve	All interested and Affected Parties	Post update to City Get Involved calendar and Get Involved page Media release Twitter, Instagram Facebook + FB Event
September 2024	NZBP Steering Committee and Technical Advisory Team	Staff will consult with the Steering Committee and Technical Advisory Team on the first draft of the Residential Zones, including regulations for 4 units as-of-right, semi-detached dwellings and townhouse units.	Inform & Consult	Internal staff from various departments	N/A
September 2024	NZBP Meeting with Targeted Stakeholders	Staff will consult with targeted stakeholders on the first draft of the Residential Zones, including regulations for 4 units as-of-right, semi-detached dwellings and townhouse units.	Inform & Involve	Developers, builders, planning consultants, and members of different community groups.	TBD
September 2024	Housing and Development Liaison Committee Meeting	Staff present the Official Plan policies and Zoning By-law regulations to the Housing and Development Committee for review and feedback.	Inform and Involve	HDLC Housing and Development Liaison Committee	Staff presentation to committee
September 2024	Pipeline to Permit Committee	Staff present the Official Plan policies and Zoning By-law regulations to the Pipeline to Permit Committee for review and feedback.	Inform and Involve	Pipeline to Permit Committee	Staff presentation to committee, post update to get

					involved web page.
October 2024	Public Open House	The public open house will provide information about the Zoning By-law Residential Zones including the regulations for 4 units as-of-right, and townhouse and semi-detached dwellings as-of-right. Policy Staff will also be available to discuss the changes to the Official Plan that will need to take place.	Inform and Involve	All interested and Affected Parties	Post update to City Get Involved calendar Get Involved page Media release Twitter, Instagram Facebook + FB Event
Technical Work					
Ongoing June – August 2024	Review feedback and make revisions to draft OPA and draft Zoning By-law				
Engagement Round 3					
January 2025	Statutory Public Meeting & Final draft of OPA to be presented to Committee of the Whole	Final by-law and OPA to be presented to Committee of the Whole/Council. Council will render a decision. NZBL Project team will bring forward the implementing Zoning By-law regulations within the New Zoning By-law Residential Zone Regulations. The NZBP team is targeting March 2025 for the Statutory Public Meeting, and the final by-law to be brought forward for recommendation for approval in June 2025.	Inform	Council and all interested and Affected Parties	POST UPDATE Get Involved page Twitter, Instagram Facebook

Policies and Factors That Cannot be Influenced

In every public engagement process, it is important to be aware of the things that cannot be influenced: either because they are beyond the City’s control (for example things that are required by regional or provincial policy or law), or because they are outside the scope of the project as set out in the [Council direction](#). The following aspects of the project are considered ‘givens’ and will not be included in engagement activities:

1. Council unanimously supports four units as-of-right and has approved the Housing Strategy. Staff have been requested to engage with the public on how to implement the policies and regulations to permit 4 units as-of-right, and related actions in the Housing Strategy. The purpose of this project is to implement the policies and regulations in order to permit these units to

increase the housing options available in Burlington, and not whether there should be 4 units permitted as-of-right.

2. The HAF Action Plan has been approved in principle by Council, and the City of Burlington has received \$21 million in funding to implement the Action Plan.
3. All policies in BOP, 2020 must comply with the Planning Act, Provincial Policy Statement (PPS) and other provincial policies, as well as the Halton Regional Official Plan (ROP). This includes the recent amendments to the ROP (ROPA 48 and 49), as modified by the Minister of Municipal Affairs and Housing.
4. The City's growth will continue to be prioritized in Strategic Growth Areas, growth to 2051 will continue to be prioritized within the Built Boundary.
5. The City of Burlington will not make changes to land use or zoning in response to individual requests on specific properties as part of this project.

How the City Will Collect and Respond to Feedback

Throughout the engagement process, City staff will collect all input provided by interested and affected parties by theme into engagement feedback reports, showing how the comments shaped the process, and the recommended regulations proposed to Council.

Evaluating the Public Engagement Process

To assist in measuring how public participation contributed to the project decision to be made, the following will be used to evaluate the public participation process.

1. Once the project is complete, measure the degree to which community members felt they:
 - a. Understood the project's process and its limitations;
 - b. Understood how the feedback they provided influenced or did not influence the outcome of the City Council approval; and
 - c. Had a meaningful experience participating in the process and felt heard.
2. Evaluate each form of engagement.
How did each of the engagement approaches used help to achieve the engagement objectives?
3. Analyze how the feedback received about the forms of engagement impacted the overall public participation process as the project moved forward.