

OFFICIAL PLAN AMENDMENT
PROPOSED AMENDMENT NO. 8 TO THE OFFICIAL PLAN
OF THE BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The Amendment contained in Part “B” of this document constitutes Amendment No. 8 to the Official Plan of the City of Burlington, 2020.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment to the Burlington Official Plan, 2020 (BOP, 2020) is to enable the delegation of authority to staff to make technical changes that do not alter the intent, meaning, or substance of the Plan, in accordance with the *Municipal Act* and the City’s Delegated Authority By-law. The Amendment will also introduce transitional policies to clarify the interpretation of the BOP, 2020 in response to recent and forthcoming changes to provincial legislation, plans, and policy.

The effect of the proposed Amendment is to add policies to the BOP, 2020 to:

- Establish the authority for staff to make technical changes, without a Plan amendment, that do not alter the intent, meaning, or substance of the Plan, including updates to the names of agencies or public authorities and the removal of obsolete or redundant policies, and;
- Add new transitional policies to the BOP, 2020’s interpretation provisions to acknowledge:
 - the transition of upper-tier planning responsibilities in Halton Region to each of Halton’s lower-tier municipalities;
 - the revocation of the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe; and
 - the potential consolidation of Ontario’s 36 conservation authorities into regional conservation authorities.

2. SITE AND LOCATION

The proposed amendment applies City-wide across the entirety of the City of Burlington subject to the Burlington Official Plan, 2020.

3. BASIS FOR THE AMENDMENT

- The *Municipal Act* and provides municipalities with flexibility in governing their affairs, including the ability to delegate certain powers and duties from Council to a committee or an individual. Matters delegated by Council are typically administrative, technical, or operational in nature and do not involve substantive policy decisions.

- While the BOP, 2020 contains some existing provisions delegating certain authorities to staff, additional policies are required to enable staff to update the names of agencies or public authorities and remove obsolete or redundant policies, without an amendment to the Plan.
- In addition, recent and anticipated changes to provincial legislation, plans, and policy- including the transition of upper-tier planning responsibilities in Halton Region, the revocation of the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and potential changes to the conservation authority framework- necessitate the inclusion of transition provisions in the BOP, 2020 to enhance clarity in the interpretation and application of the Plan.
- Further, to aid in clear and consistent interpretation among its three Official Plans during this time of transition, and to acknowledge that Plan modifications often occur during the approval process, the City is proposing the administrative change of referencing an Official Plan by its approval date, as opposed to its Council adoption date.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

1.1 Text Change

The amendment includes the changes to the text of the Burlington Official Plan, 2020 as described in the following table:

Item No.	Section	Description of Change
1	CHAPTER 1 - INTRODUCTION SECTION 1.3 JURISDICTION	<p>Delete section 1.3 Jurisdiction in its entirety and replace it with NEW section 1.3 Jurisdiction, as follows:</p> <p>1.3 JURISDICTION</p> <p>This Official Plan, adopted in 2018 and approved in 2020, replaces Burlington’s former Official Plan, adopted in 1994 and approved in 1997, as amended. This Plan was prepared to conform and/or be consistent, as applicable, with the Provincial land use plans, regulations, Policy/Planning Statements and Guidelines that were in effect at the time of Plan approval.</p> <p>Burlington's Official Plan policies reflect the <i>City's</i> individual community interests within the Provincial planning framework. In this manner, the Plan may be more restrictive than the policies contained in Provincial Government planning documents but is not permitted to conflict with these documents.</p>

Item No.	Section	Description of Change
		<p>External policies and plans that will be referred to in conjunction with any interpretation or amendment of an Official Plan of the City of Burlington are:</p> <ul style="list-style-type: none"> a) any Provincial Policy/Planning Statement issued by the Province of Ontario, as amended from time to time, subject to requirements under <u>The Planning Act</u>; b) Provincial Land Use and Transportation Plans, including specifically the Niagara Escarpment Plan, the Greenbelt Plan, the Parkway Belt West Plan, the Regional Transportation Plan (The Big Move) and any applicable amendments; and c) other government agencies' policies and plans, where applicable.
2	<p>CHAPTER 12 – IMPLEMENTATION AND INTERPRETATION</p> <p>SECTION 12.2 INTERPRETATION</p> <p>SUBSECTION 12.2.2 POLICIES</p>	<p>Add NEW text to subsection 12.2.2, Policies as follows:</p> <p>12.2.2 POLICIES</p> <p>m) [subsection not in use]</p>
3	<p>CHAPTER 12 – IMPLEMENTATION AND INTERPRETATION</p> <p>SECTION 12.2 INTERPRETATION</p> <p>SUBSECTION 12.2.2 POLICIES</p>	<p>Add a NEW policy to subsection 12.2.2, Policies, as follows:</p> <p>12.2.2 POLICIES</p> <p>u) On October 20, 2024, the Provincial Policy Statement, 2020 and the Growth Plan for the Greater Golden Horseshoe, 2019 were revoked and a new Provincial Planning Statement was enacted. However, the Provincial Policy Statement and the Growth Plan will continue to apply where the Greenbelt Plan refers to them, to maintain existing protections for the Greenbelt.</p> <p>Until this Plan has been revised to reflect the updated Provincial policy framework, a</p>

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		<p>reference to the Provincial Policy Statement or the Growth Plan in relation to lands located outside of the Greenbelt Plan area, as shown on Schedule A-1: City System - Provincial Land Use Plans and Designations, of this Plan, <i>shall</i> be interpreted in accordance with section 1.3, of this Plan.</p> <p>Within the Greenbelt Plan area, and outside of the Niagara Escarpment Plan area, a reference to the Provincial Policy Statement or the Growth Plan <i>shall</i> be interpreted as a reference to the Provincial Policy Statement or the Growth Plan, respectively, as they read immediately before revocation.</p> <p>v) On July 1, 2024, through changes to <u>The Planning Act</u>, the Province identified the Region of Halton as an “upper-tier municipality without planning responsibilities”. As a result, the Regional Official Plan is no longer an official plan for the Regional Municipality of Halton.</p> <p>Instead, it has been deemed an official plan of each of the lower-tier municipalities in Halton (City of Burlington, Town of Halton Hills, Town of Milton, and Town of Oakville), until it is revoked or amended by the respective municipality.</p> <p>Until this Plan has been revised to reflect the transition of Regional planning responsibilities, any reference to the Regional Official Plan and its requirements <i>shall</i> be interpreted as a reference to an official plan/requirement of the City of Burlington and the two Plans <i>shall</i> be read as companion documents.</p> <p>w) On October 31, 2025, the Province announced its intention to consolidate Ontario’s 36 conservation authorities into regional conservation authorities. These proposed changes include the potential consolidation of Conservation Halton into the</p>

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		<p>“Western Lake Ontario Regional Conservation Authority”.</p> <p>Until this Plan has been revised to reflect future changes to conservation authority names and boundaries, any reference to Conservation Halton <i>shall</i> be interpreted as a reference to the applicable authority name and boundaries established under the <u>Conservation Authorities Act</u>.</p>
3	<p>CHAPTER 12 – IMPLEMENTATION AND INTERPRETATION</p> <p>SECTION 12.1 IMPLEMENTATION</p> <p>SUBSECTION 12.1.22(1) OBJECTIVES</p>	<p>Add a NEW objective to subsection 12.2.2(1), Objectives, as follows:</p> <p>b) To delegate to staff the authority to make certain technical changes to an Official Plan of the City, without an amendment.</p>
4	<p>CHAPTER 12 – IMPLEMENTATION AND INTERPRETATION</p> <p>SECTION 12.1 IMPLEMENTATION</p> <p>SUBSECTION 12.1.22 (2) DELEGATED AUTHORITY</p>	<p>Delete subsection 12.1.22 (2) b) in its entirety and replace it with NEW subsection 12.1.22 (2) b), as follows:</p> <p>b) Authority is delegated to staff to make technical changes, without a Plan amendment, that do not alter intent, meaning, or substance, as follows:</p> <ul style="list-style-type: none"> (i) alteration of the numbering, arrangement and cross-referencing of provisions; (ii) correction of clerical, grammatical, and spelling errors; (iii) updating of address references; (iv) updating of agency and/or <i>public authority</i> names; (v) removal of obsolete and/or redundant policies; (vi) updating of schedules, tables or graphics; and (vii) alteration of format or presentation.