

The Corporation of the City of Burlington

City of Burlington By-law 26-2026

A by-law to amend By-law 71-2023, to delegate approvals to staff

File: LLS-13-26

Whereas sections 8, 9 and 11 of the *Municipal Act*, S. 0. 2001, c. 25, as amended, authorize The Corporation of the City of Burlington (the “City”) to pass by-laws necessary or desirable for municipal purposes, and in particular, subsection 23.1 specifies that sections 9 and 11 authorize the City to delegate its powers or duties under the *Municipal Act*, 2001 or any other Act to City staff, subject to certain restrictions; and

Whereas the City passed By-Law 71-2023 being the Delegated Authority By-law to delegate certain approvals to staff; and

Whereas section 17 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, authorizes the City to amend its Official Plan; and

Whereas the City adopted Official Plan Amendment No.8 to the City of Burlington Official Plan, 2020, and adopted Burlington Regional Official Plan Amendment No. 2, both of which added policies related to making technical changes to the City’s Official Plans (the “OPAs”); and

Whereas the OPAs have come into effect;

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. That Schedule B to By-law No. 71-2023, Planning, be deleted and replaced in its entirety with Schedule B appended to this amending by-law.
2. Subject to the amendments made in this By-law, in all other respects, By-Law No. 71-2023 is hereby confirmed and remains unchanged.
3. This By-law comes into force on the date of its passing.

Passed this 21st day, of April, 2026

Mayor Marianne Meed Ward _____

City Clerk Mike de Rond _____

City of Burlington By-law 26-2026

**SCHEDULE B to By-law 71-2023
Planning**

No	Delegated Authority	Delegate	Conditions/Restrictions
	Official Plan Amendments		
1.	Authority to: <ul style="list-style-type: none"> (a) declare an application complete or incomplete pursuant to subsection 22(6) of the Planning Act; (b) accept complete or refuse to accept incomplete applications pursuant to subsection 22(6) of the <i>Planning Act</i>. 	Director of Community Planning or delegate	
	Technical Changes to the Official Plan		
2.	Authority to: <ul style="list-style-type: none"> (a) alter the numbering, arrangement and cross-referencing of provisions; (b) correct clerical, grammatical, and spelling errors; (c) update address references; (d) update agency and/or <i>public authority</i> names; (e) remove obsolete and/or redundant 	Director of Community Planning or delegate	Changes shall not alter the meaning and intent of the policy.

	<p>policies;</p> <p>(f) update schedules, tables or graphics; and,</p> <p>(g) alter format and presentation.</p>		
	Zoning By-law Amendments		
3.	<p>Authority to:</p> <p>(a) declare an application complete or incomplete pursuant to subsection 34(10.3) of the <i>Planning Act</i>;</p> <p>(b) accept complete or refuse to accept incomplete applications pursuant to subsection 34(10.3) of the <i>Planning Act</i>.</p>	Director of Community Planning or delegate	
	Minor Zoning By-law Amendments to Regulations in Employment Zones		
4.	<p>Authority to:</p> <p>(a) declare applications complete or incomplete pursuant to subsection 34(10.3) of the <i>Planning Act</i>;</p> <p>(b) accept complete or refuse to accept incomplete applications pursuant to subsection 34(10.3) of the <i>Planning Act</i>;</p> <p>(c) determine if proposed amendments are appropriate for approval under delegated authority;</p> <p>(d) approve uncontested minor amendments</p>	Director of Community Planning or delegate	Does not include permission to approve land uses otherwise not permitted or changes in Zoning Designation.

	to zoning regulations for Employment Zones contained in Part 3 of the Zoning By-law.		
	Technical Changes to the Zoning By-law		
5.	<p>Authority to make minor changes to the Zoning By-law to:</p> <ul style="list-style-type: none"> (a) alter the numbering, arrangement and cross-referencing of Zoning regulations; (b) correct clerical, grammatical, and spelling errors; (c) update address references; (d) add technical information to maps or schedules; and/or (e) change format or presentation 	Director of Community Planning or delegate	Changes shall not alter the meaning and intent of the By-law.
	Housekeeping Amendments to the Zoning By-law		
6.	Authority to make minor by-law amendments under Section 34 of the <i>Planning Act</i> for the purposes of housekeeping to ensure clarity and to assist in the consistent interpretation and application of the Zoning By-law.	Director of Community Planning or delegate	

	Plans of Subdivision		
7.	<p>Authority to:</p> <ul style="list-style-type: none"> (a) declare an application complete or incomplete and refuse to accept incomplete applications pursuant to subsection 51(19) of the <i>Planning Act</i>; (b) upon receipt of a recommendation from City Council, grant draft plan of subdivision approval with or without conditions; (c) refuse an application if inactive for more than one year subject to 60 days' notice being provided to the applicant to respond; (d) grant extensions to draft plan of subdivision approval, subject to the concurrence of applicable department and external agencies; (e) withdraw the approval of draft plan of subdivision prior to final approval of subdivision plans pursuant to subsections 51(44) and 51(58) of the <i>Planning Act</i>; (f) sign plans for the purposes of indicating final approval of subdivision plans; (g) approve an application for approval of a plan of subdivision where such plan is essential to the implementation of a 	Director of Community Planning or delegate	Interpretation and administration of conditions shall not alter the purpose and intent of the draft plan approval.

	<p>previously approved Zoning By-law Amendment;</p> <p>(h) interpret and administer conditions of draft plan approval to provide flexibility;</p> <p>(i) approve non-financial and other minor amendments to conditions in plan of subdivision approval.</p>		
	Condominium		
8.	<p>Authority to:</p> <p>(a) refuse to accept incomplete applications pursuant to the <i>Condominium Act</i>;</p> <p>(b) exempt eligible applications for condominium from the requirements of the <i>Planning Act</i> in accordance with section 9 of the <i>Condominium Act</i>;</p> <p>(c) grant extensions to draft plan of condominium approval, subject to the concurrence of applicable department and external agencies and recommendation from City Council, where applicable;</p> <p>(d) amend criteria to be satisfied prior to registration for standard and common element condominiums;</p> <p>(e) refuse an application if inactive for more than one year subject to 60 days' notice</p>	Director of Community Planning or delegate	

	<p>being provided to the applicant to respond;</p> <p>(f) settle and give draft approval for a three-year term to any uncontested proposed Plan of Condominium and exercise the powers of the approval authority related to condominiums as set out in the <i>Condominium Act</i>;</p> <p>(g) sign plans for the purposes of indicating that plans are ready for registration.</p>		
	Model Home Agreement		
9.	Authority to approve the model home agreements.	Director of Community Planning or delegate	
	Parkway Belt		
10.	Authority to comment on applications to amend regulations in the Parkway Belt Plan.	Director of Community Planning or delegate	

	Site Plan		
11.	<p>Authority to:</p> <ul style="list-style-type: none"> (a) declare a site plan application complete or incomplete and refuse to accept incomplete site plan applications; (b) approve site plan applications with or without conditions including a condition to require the approval of minor variances for the project by the Committee of Adjustment becoming final and binding; (c) amend conditions of site plan approval; (d) grant extensions to site plan approvals. 	Director of Community Planning or delegate	
	Consent to Sever Land		
12.	<p>Authority to:</p> <ul style="list-style-type: none"> (a) determine if a plan of subdivision is required or if an application for consent is appropriate; (b) refuse to accept incomplete applications; (c) grant provisional consent to undisputed applications with or without conditions; (d) amend conditions of provisional consent to all applications, and provide notice if amendments are not minor. 	Director of Community Planning or delegate	

13.	<p>Authority to:</p> <ul style="list-style-type: none"> (a) hold Committee of Adjustment hearings for an application for consent where either of the following occurs: <ul style="list-style-type: none"> (i) the Application also involves an application for minor variance; or (ii) the Application is in dispute and cannot be resolved without a hearing; (b) approve with or without conditions, or refuse an application for consent heard at a Committee of Adjustment hearing. 	Committee of Adjustment Members	
	Minor Variance		
14.	<p>Authority to:</p> <ul style="list-style-type: none"> (a) hold Committee of Adjustment hearings for an application for minor variance; (b) approve with or without conditions, or refuse an application for minor variance. 	Committee of Adjustment Members	

	Minor Revisions to plans included as a condition of approval by the Committee of Adjustment		
15.	<p>Authority to:</p> <p>a) approve minor revisions to plans included in a condition of approval imposed by the Committee of Adjustment.</p>	Director of Community Planning or delegate	Minor revisions must be in substantial conformity to the plans included as a condition of approval imposed by the Committee of Adjustment.
	Validation Certificate		
16.	<p>Authority to:</p> <p>(a) determine if a Validation Certificate Application is required or if an application for consent is appropriate;</p> <p>(b) refuse to accept incomplete applications;</p> <p>(c) approve with or without conditions, or refuse, an application for Validation Certificate.</p>	Director of Community Planning or delegate	

	Part Lot Control		
17.	<p>Authority to:</p> <ul style="list-style-type: none"> (a) refuse to accept incomplete applications; (b) approve applications for part lot control with or without conditions within a registered plan of subdivision; (c) refuse applications for part lot control; (d) amend conditions of a part lot control approval; (e) grant extensions to a part lot control approval. 	Director of Community Planning or delegate	
	Niagara Escarpment Commission		
18.	<p>Authority to:</p> <ul style="list-style-type: none"> (a) review development permit applications from the Niagara Escarpment Commission; (b) submit comments on behalf of the City to the Niagara Escarpment Commission regarding development permit applications. 	Director of Community Planning or delegate	

	Execution of Development Agreements		
19.	<p>Authority to:</p> <p>(a) execute agreements required in satisfaction of any condition of approval under the Planning Act in connection with the development of land such as subdivisions, plans of condominium, land divisions, part lot control removal, site plans and rezonings;</p> <p>(b) release of agreements where imposed or required in satisfaction of any condition of approval under the Planning Act or Condominium Act, in connection with the development of land.</p>	Director of Community Planning or delegate	Agreements to in a form as approved by the Commissioner, Legal and Legislative Services/City Solicitor
	Lifting of Holding “H” Zones		
20.	<p>Authority to:</p> <p>(a) approve applications to lift a Holding “H” Zone.</p> <p>(b) amend the applicable sections and maps in the Zoning By-law to reflect the lifting of a Holding “H” Zone.</p>	Director of Community Planning or delegate	

	Temporary Use Provisions		
21.	Authority to: (a) approve the temporary use of land, buildings, or structures, in a defined area for a maximum period of three years. (b) approve an extension of the temporary use through further periods of not more than three years each.	Director of Community Planning or delegate	