



**THE CORPORATION OF THE TOWN OF OAKVILLE**

**BY-LAW NUMBER 2024-057**

Official Plan Amendment No.67

A by-law to adopt an amendment to the Livable Oakville Plan in response to Housing Accelerator Fund Initiatives, Delegation of Minor Zoning By-law Amendments, Official Plan Amendment Number 67 (File No. 42.15.64)

**WHEREAS** the Livable Oakville Official Plan was adopted by Council on June 22, 2009, and approved with modifications by the Ontario Municipal Board on May 10, 2011; and,

**WHEREAS** subsection 21(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, states that a Council of a municipality that is within a planning area may initiate an amendment to any Official Plan that applies to the municipality, and section 17 applies to any such amendment; and,

**WHEREAS** it is deemed necessary to pass an amendment to the Livable Oakville Official Plan to implement a town initiative under its Housing Accelerator Fund application, being to “introduce and implement measures to enabling delegation of approvals for variances, affordable housing, and modular housing to Town staff,” with the objective to accelerate the delivery of housing;

**COUNCIL ENACTS AS FOLLOWS:**

1. Official Plan Amendment Number 67 to the Livable Oakville Plan, attached as **Appendix “A”**, is hereby adopted.
2. This Official Plan Amendment is subject to appeal rights set out in section 17 of the *Planning Act*, R.S.O. 1990, c. P.13, and shall come into effect once the deadline for filing appeals has passed or all appeals have been withdrawn or finally disposed of.
3. If the Regional Municipality of Halton, being the Approval Authority, does not exempt this Official Plan Amendment from its approval, the Clerk is hereby authorized and directed to apply to the Approval Authority for approval of this Official Plan Amendment.

PASSED this \_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

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## APPENDIX “A” to By-law 2024-057

### Official Plan Amendment Number 67 to the Town of Oakville’s Livable Oakville Plan

#### **Constitutional Statement**

The details of the amendment, as contained in Part 2 of this text, constitute Official Plan Amendment Number 67 (OPA 67) to the Livable Oakville Plan.

#### **Part 1 – Preamble**

##### **A. Subject Lands**

The Official Plan Amendment applies to all lands subject to the Livable Oakville Plan.

##### **B. Purpose and Effect**

The purpose of the Official Plan Amendment is to modify the text of the Livable Oakville Plan to enable the delegation of zoning by-law amendments which are minor in nature, and in doing so implement a town initiative identified as part of its Housing Accelerator Fund application to “Introduce and implement measures to enabling delegation of approvals for variances, affordable housing, and modular housing to Town staff.”

The ability to delegate minor amendments was enabled through changes made to the *Planning Act* resulting from Bill 13, *Supporting People and Business Act*, 2021. Bill 13 enables Town Council to delegate authority to pass by-laws that are minor in nature under section 34, Zoning By-laws, of the *Planning Act* to a committee of Council, or an individual who is an officer, employee or agent of the municipality, provided enabling Official Plan policy is in place.

The effect of the proposed Official Plan Amendment would enable Council to delegate the authority to pass by-laws under section 34 of the *Planning Act* that would meet the criteria applicable to minor variances for the purpose of accelerating the delivery of housing, including affordable and modular housing, to an officer or employee of the municipality and establish an expedited process for such by-laws.

##### **C. Background and Basis**

- Bill 13, *Supporting People and Business Act*, 2021, received Royal Assent on December 2, 2021.
- Schedule 19 of the Bill made changes to the *Planning Act*, *Municipal Act*, 2001 and *City of Toronto Act*, 2006, that enables Council to, by by-law, delegate the authority to pass by-laws under section 34 of the *Planning Act* that are of a minor nature to a committee of Council, or an individual who is an officer, employee or agent of the municipality.
- For the purpose of passing by-laws under section 34 of the *Planning Act* that are minor in nature, this includes amendments to zoning by-laws meeting the criteria in section 45(1) and 45(2) of the *Planning Act* applicable to minor variances.
- In order to delegate the authority to pass by-laws on these matters, the *Planning Act* requires that the Official Plan provide policies to specify the types of by-laws that may be delegated.
- The town’s Housing Accelerative Fund application includes an initiative to delegate approvals for minor variances, affordable housing, and modular housing to town staff with timelines.
- Planning and Development Council received a staff report on May 21, 2024, recommending that Town Council approve an Official Plan amendment to the Livable Oakville Plan to enable the delegation of authority for passing by-laws that are minor in nature under section 34 of the *Planning Act* that meet the criteria of minor variances with the purpose of accelerating housing delivery, including affordable and modular housing, to a committee of Council, or an individual who is an officer or employee of the municipality.

## **Part 2 – The Amendment**

### **A. Text Changes**

The amendment includes the changes to the text of the Livable Oakville Plan as described in the following table.

In the “Description of Change” column, text that is **bolded and underlined** is new text to be inserted into the Livable Oakville Plan. Text that is crossed out (“~~striketrough~~”) is to be deleted from the Plan.

*Note: The policy numbering in this Official Plan Amendment reflects the in-force policy numbering of the Livable Oakville Plan. For convenience, references are provided to the most recent consolidation of the Livable Oakville*

*Plan (August 31, 2021) which does not include OPA 35 (Hospital District) and OPA 41 (Bronte GO Major Transit Station Area) which had the effect of changing the numbering of these sections.*

| Item No. | Section   | Description of Change   |
|----------|---|---|
| 1.       | <p><b>30.19</b><br/>IMPLEMENTATION<br/>Pre-consultation<br/>and Complete<br/>Application<br/>Submission<br/>Requirements</p> <p><i>(Note: Section 30.19 is referred to as section 28.19 in the 2021 Consolidation of the Livable Oakville Plan)</i></p> | <p>Add a new policy to section 30.19.3 as follows:</p> <p><b><u>i) Applications for Minor Zoning By-laws</u></b></p> <p><b><u>i) For applications for minor zoning by-laws under section 30.21.2 d), the written consent of the Town confirming eligibility for consideration under that section.</u></b></p>   |
| 2.       | <p><b>30.20</b><br/>IMPLEMENTATION<br/>Alternative Notice<br/>Procedures</p> <p><i>(Note: section 30.20 is referred to as section 28.20 in the 2021 Consolidation of the Livable Oakville Plan)</i></p>   | <p>Adding a new policy 30.20.5 as follows, and renumbering the following sections of the plan accordingly:</p> <p><b><u>30.20.5 For zoning by-laws proposed to be passed under delegated authority under section 30.21:</u></b></p> <p>a) <b><u>Any public meeting required by the Planning Act or section 30.20 policies shall be hosted by the delegated authority.</u></b></p> <p>b) <b><u>Notice of the public meeting for an application under section 30.21.2 d) shall be given in accordance with the requirements applicable to applications under section 45 of the Planning Act.</u></b></p> <p>c) <b><u>Notice of complete application shall only be required to be given to the applicants.</u></b></p> |
| 3.       | <p><b>30.21</b><br/>IMPLEMENTATION<br/>Delegated Authority</p>  | <p>Amend policies in Section 30.21.2 and 30.21.3 as follows:</p>  |

| Item No. | Section   | Description of Change  |
|----------|---|--|
|          | <p>(Note: Section 30 is referred to as section 28 in the 2021 consolidation of the Livable Oakville Plan, and section 30.21 Delegated Authority was added via OPA 42 and does not appear in the 2021 consolidation of the Livable Oakville Plan.)</p> | <p>30.21.2 Delegation of authority to pass by-laws under section 34 of the <i>Planning Act</i> shall be limited to:</p> <ul style="list-style-type: none"> <li>a) a by-law to remove a holding “H” symbol;</li> <li>b) a by-law to authorize the temporary use of land, buildings, or structures; <del>and,</del></li> <li>c) a housekeeping by-law for the purpose of making clerical or other changes to assist in the interpretation of the zoning by-law-; <b>and,</b></li> <li>d) <b><u>a by-law to permit amendments to the zoning by-law which are minor in nature and for the purpose of accommodating new dwelling units greater than the current number of dwelling units that exist on a site, including affordable housing and modular housing.</u></b></li> </ul> <p>30.21.3 The delegation of authority authorized under section <del>28</del><b>30.21.2</b> may be subject to conditions of Council <b><u>set out in the delegation by-law, which shall include:-</u></b></p> <ul style="list-style-type: none"> <li>a) <b><u>Minor zoning by-law amendments under section 30.21.2 d) may only be approved if the proposed amendments result in development that would meet the criteria set out in section 45(1) or 45(2)(a) of the Planning Act.</u></b></li> </ul> |