



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2022-123

Official Plan Amendment No.53

A by-law to adopt an amendment to the Livable Oakville Plan in response to Bill 109, More Homes for Everyone Act, 2022 - Official Plan Amendment Number 53 (File No. 42.24.26)

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 changes made to the *Planning Act*;

COUNCIL ENACTS AS FOLLOWS:

1. For the purposes of this by-law:
 - a. "Livable Oakville Official Plan" and "Livable Oakville Plan" mean the Official Plan for the Oakville Planning Area that currently applies to the lands south of Dundas Street and the lands north of Highway 407, and was adopted by Council on June 22, 2009, and approved with modifications by the Ontario Municipal Board on May 10, 2011, and as subsequently amended.
2. Official Plan Amendment Number 53 to the Livable Oakville Plan, attached as **Appendix "A"**, is hereby adopted.
3. 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1990, c. P.13, and shall come into effect once the deadline for filing appeals has passed or all appeals have been withdrawn or finally disposed of.

4. 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 5th day of December, 2022

MAYOR

CLERK

APPENDIX “A” to By-law 2022-123

Official Plan Amendment Number 53 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 53 (OPA 53) 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 OPA is to modify the text of the Livable Oakville Plan in response to changes that have been made to the *Planning Act* resulting from Bill 109, *More Homes for Everyone Act, 2022*.

The Province’s Bill 109 made changes to the *Planning Act* by providing rules respecting when municipalities are required to refund fees in relation to processing times of development applications, among other matters.

The proposed OPA responds to these changes by updating the town’s implementation policies regarding pre-consultation and complete application submission requirements and alternative notice procedures, requiring early public engagement prior to the submission of a development application, and a public engagement report as part of a complete application submission.

The effect of these changes will assist to ensure development application processing timelines can be met without the need to refund fees.

C. Background and Basis

- Bill 109, *More Homes for Everyone Act, 2022*, received Royal Assent on April 14, 2022.

- Schedule 5 of the Bill made changes to the *Planning Act* by providing rules respecting when municipalities are required to refund fees in relation to processing times of development applications.
- The OPA updates the town’s implementation policies regarding pre-consultation and complete application submission requirements and alternative notice procedures, requiring early public engagement prior to the submission of a development application, and a public engagement report as part of a complete application submission. The effect of these changes will assist to ensure development application processing timelines can be met without the need to refund fees.
- The OPA would put into effect the existing town practice that requests applicants to host a public information meeting regarding their development proposal in advance of the submission of a development application, as well as a summary of the meeting.
- OPA 53 was made available to the public for review on November 10, 2022. The statutory public meeting will be held on December 5, 2022, including a final recommendation.

Part 2 – The Amendment

A. Text Changes

The amendment includes 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 (“~~strike through~~”) is to be deleted from the Plan.

Note: The policy numbering in this OPA reflects in-effect policies. Policy numbering will change following the final approval of OPA 35 (Hospital District) and OPA 41 (Bronte GO Major Transit Station Area). Section 28 will become section 30 following the approval of OPA 35 and OPA 41.

| Item No. | Section | Description of Change |
|----------|---|---|
| 1. | 28.19.3 IMPLEMENTATION Pre-Consultation and Complete Application Submission Requirements | Add a new policy subsection 28.19.3 i), following subsection 28.19.3 h), as follows: 28.19.3 Unless an exemption is granted under section 28.19.5, the following information and materials shall be required to be submitted as part of any application for official plan amendment, zoning by-law amendment, draft plan of subdivision or draft plan of condominium, and shall be requested as applicable for other applications: ... <u>i) Public Engagement Considerations:</u> <u>i) public information meeting report describing steps taken to engage the public and input received</u> |
| 2. | 28.20.1 IMPLEMENTATION Alternative Notice Procedures | Amend the policy, as follows: 28.20.1 A public information meeting may shall be hosted by the Town applicant, unless exempted by the Director of Planning , to inform the public of a proposed official plan amendment, zoning by-law amendment, or draft plan of subdivision or draft plan of condominium prior to submission of the application. |
| 3. | 28.20.2 IMPLEMENTATION Alternative Notice Procedures | Amend the policy, as follows: 28.20.2 Notice of a public information meeting shall be provided by the applicant no later than 14 days prior to the date of the meeting. |
| 4. | 28.20.4 c) IMPLEMENTATION Alternative Notice Procedures | Amend the policy 28.20.4 c), as follows: c) Notice given regarding a site-specific proposal shall be placed in the local newspaper(s) or sent by personal service, ordinary mail, e-mail or fax to every owner of land within at least 120 metres of the subject land. |

