

## REPORT

### Planning and Development Council

Meeting Date: July 11, 2022

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**FROM:** Planning Services Department

**DATE:** June 28, 2022

**SUBJECT:** Public Meeting and Recommendation Report – Town-initiated Official Plan Amendment – Bill 109, *More Homes for Everyone Act, 2022* – Pre-Consultations and Complete Applications for Site Plan (File No. 42.24.25) – June 21, 2022 – By-laws 2022-074 and 2022-075

**LOCATION:** Town-wide

**WARD:** Town-wide

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#### RECOMMENDATION:

1. That the report titled “Public Meeting and Recommendation Report – Town-initiated Official Plan Amendment – Bill 109, *More Homes for Everyone Act, 2022* – Pre-Consultations and Complete Applications for Site Plan (File No. 42.24.25) – June 28, 2022”, be received.
2. That the proposed town-initiated Official Plan Amendments in response to Bill 109, *More Homes for Everyone Act, 2022* be approved.
3. That By-law 2022-074, a by-law to adopt OPA 47, be passed.
4. That By-law 2022-075, a by-law to adopt OPA 328, be passed.
5. That the notice of Council’s decision reflect that Council has fully considered all written and oral submissions relating to this matter and that those comments have been appropriately addressed.

#### KEY FACTS:

The following are key points for consideration with respect to this report:

- The town is proposing Official Plan Amendments (OPAs) to implement changes made to the *Planning Act*, resulting from Bill 109, *More Homes for Everyone Act*, 2022, which received Royal Assent on April 14, 2022.
- Schedule 5 of Bill 109 made changes to Section 41 of the *Planning Act* regarding site plan control. The changes included new rules about consultations with municipalities before plans and drawings for site plan are submitted for approval and respecting completeness of site plan applications, among other matters.
- The proposed OPAs respond to these changes by updating the town's implementation policies in both the Livable Oakville Plan (OPA 47) and 1984 Oakville Official Plan (OPA 328).
- The amended policies will ensure the pre-consultation and complete application process for site plan applications will continue as per current town practice.
- Public notice has been given and this public meeting satisfies the statutory public meeting requirements under the *Planning Act*. Due to the limited scope and technical nature of the proposed OPAs, staff is recommending that they be approved at the same meeting.

## **BACKGROUND:**

The Province's Bill 109, *More Homes for Everyone Act*, 2022, was introduced on March 30, 2022 and received Royal Assent on April 14, 2022. Bill 109 is reported to be the Province's first step in implementing the Ontario Housing Affordability Task Force Report recommendations. Town staff provided a report to Planning and Development Council on the Ontario Housing Affordability Task Force Report at its meeting of April 4, 2022. Town staff also provided a report to Town Council on Bill 109 at its meeting of April 25, 2022.

Schedule 5 of Bill 109 made changes to the *Planning Act* related to zoning, site plan, plans of subdivision, official plans and official plan amendments, parkland dedication, community benefits charges, and financial tools used in connection with land use planning approvals. Many of the changes to the *Planning Act* do not require amendments to the town's Official Plans.

In reviewing of the changes made to the *Planning Act*, town staff identified minor technical amendments that should be made to the implementation policies in the town's Official Plans in regard to pre-consultation and complete application requirements for site plan applications. The amendments ensure that the town's

current practice requiring pre-consultation and complete applications for site plan applications will continue.

## **OFFICIAL PLAN AMENDMENTS:**

### **Official Plan Amendment 47 – Livable Oakville Plan**

The purpose of the OPA is to modify the text of the Livable Oakville Plan to implement changes that have been made to the Planning Act resulting from Bill 109, *More Homes for Everyone Act, 2022*.

The proposed OPA responds to these changes by updating the town's implementation policies regarding pre-consultation and complete applications for site plan in the Livable Oakville Plan. The amended policies will ensure the pre-consultation and complete application process for site plan applications will continue as per current town practice.

OPA 47 to the Livable Oakville Plan is attached as **Appendix A**.

### **Official Plan Amendment 328 – 1984 Oakville Official Plan**

The purpose of the OPA is to modify the text of the 1984 Oakville Official Plan to implement changes that have been made to the Planning Act resulting from Bill 109, *More Homes for Everyone Act, 2022*.

The proposed OPA responds to these changes by updating the town's implementation policies regarding pre-consultation and complete applications for site plan in the 1984 Oakville Official Plan. The amended policies will ensure the pre-consultation and complete application process for site plan applications will continue as per current town practice.

OPA 328 to the 1984 Oakville Official Plan is attached as **Appendix B**.

## **PLANNING POLICY & ANALYSIS:**

The changes made to the *Planning Act* regarding pre-consultations and complete applications for site plan applications reflect current town practice.

The changes to the *Planning Act* do not alter the requirement that all land use planning decisions be consistent with the Provincial Policy Statement, conform or not conflict with provincial plans, and conform to the Regional Official Plan, and the town's Official Plan.

The authority for implementation policies in local Official Plans is provided by the *Planning Act*. Implementation policies in local Official Plans are the mechanism through which the review of development applications can occur in order to realize the vision expressed in the town's Official Plan.

The proposed Official Plan Amendments are legislative in nature to reflect the changes to the *Planning Act*, and ensure the town's current practice for processing site plan applications is maintained.

### **TECHNICAL & PUBLIC COMMENTS:**

Bill 109 is reported to be the Province's first step in implementing the Ontario Housing Affordability Task Force Report recommendations. Town staff provided a report to Planning and Development Council on the Ontario Housing Affordability Task Force Report at its meeting of April 4, 2022. Town staff also provided a report to Town Council on Bill 109 at its meeting of April 25, 2022.

Early consultation between municipal staff and applicants ensures the necessary materials are submitted in support of a site plan application. This is an important component of the development review process, whereby issues can be identified early and rectified prior to formal submission, thereby advancing the review process.

### **Public Comments**

No public comments were received at the time of writing this report. Should comments be received, they will be considered at the statutory public meeting.

### **CONSIDERATIONS:**

#### **(A) PUBLIC**

Public Meeting notice was provided in the Oakville Beaver on June 16, 2022, and sent to the town's agency list. The proposed Official Plan Amendments are legislative and technical in nature and do not alter the town's existing process regarding pre-consultation and complete application requirements necessary for site plan applications.

#### **(B) FINANCIAL**

There are no financial impacts arising from this report.

#### **(C) IMPACT ON OTHER DEPARTMENTS & USERS**

There are no impacts on other departments or users arising from this report.

**(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal of accountable government, to ensure that the town's Official Plans are up to date with applicable legislation.

**(E) CLIMATE CHANGE/ACTION**

The continued practice requiring pre-consultation and complete applications for site plan applications will ensure that site plans are reviewed against the applicable goals, objectives and policies that work to mitigate the impacts of a changing climate, such as but not limited to, ensuring safe and efficient environments for pedestrians that promote walkability.

**CONCLUSION:**

It is staff's opinion that the recommended Official Plan Amendments be approved as they enable tools provided by the *Planning Act*, and reflect the town's current practice for pre-consultation and complete applications for site plan.

**APPENDICES:**

Appendix A – Official Plan Amendment 47 – Livable Oakville Plan

Appendix B – Official Plan Amendment 328 – 1984 Oakville Official Plan

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