



OAKVILLE

## REPORT

### Planning and Development Council

Meeting Date: May 15, 2023

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**FROM:** Planning Services Department

**DATE:** May 2, 2023

**SUBJECT:** Oakville's Urban Structure – Moving Forward

**LOCATION:** Town-wide

**WARD:** Town-wide

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#### RECOMMENDATION

That the report from Planning Services Department entitled: "Oakville's Urban Structure – Moving Forward" be received.

#### KEY FACTS

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

- The Province has enacted various legislation changes over the last several years which have acutely altered how land use planning in Ontario is undertaken.
- The town's on-going Official Plan Review commenced in 2015. As a result of recent legislative changes, the timing to conclude this review has been negatively affected, however, these changes do not alter the intent or trajectory of the Official Plan Review Programme.
- Growth throughout Oakville will occur. The town's Urban Structure is the foundation of the Town's Official Plan and is key to ensuring the Town can accommodate future growth in Strategic Growth Areas.
- With the uncertainty caused by evolving legislation, and changes to Ontario's planning regime, it is important for the town to remain vigilant and continue to rely upon, and implement the Urban Structure. It remains a relevant and discerning

tool which the town can continue to employ for responding to changes in the Province's land use planning regime.

- Any changes to the Urban Structure, in an attempt to respond to legislation changes will negatively effect Oakville. There is no more land in Oakville to designate for residential land uses. Council must remain strategic in responding to growth pressures and directing that growth to assigned areas.

## **BACKGROUND**

### **Land Use Planning in Ontario**

#### Province of Ontario

The Province has been busy the last few years with numerous, and on-going, changes to the *Planning Act* and other statutes. The main driver behind these changes has been the Province's desire to enable more housing to come to market as quickly as possible by eliminating bureaucratic "red tape", reducing fees and charges paid by the development industry, and downloading more responsibility to local municipalities.

A Housing Affordability Task Force was created by the provincial government to assist in identifying ways in which to increase housing supply, and where responsibility may be loosened to facilitate action. A final report was issued in February 2022 with 55 recommendations. A number of those recommendations generated some of the recent legislation changes.

Bills 108, 109, 23 and 97 are some of the recent statutes that have caused considerable change to the land use planning system in Ontario. In addition, Bills 3 and 39 fundamentally altered governance across the province.

#### Halton Region

Halton Region initiated its Official Plan Review Programme (referred to as a Municipal Comprehensive Review) in 2014, and resulted in the Province approving Regional Official Plan Amendment No. 49 (ROPA 49) in November 2022. A key component of ROPA 49 was the Integrated Growth Management Study (IGMS) which sought to distribute the provincially-allocated growth across the four local municipalities. One of the primary complications the town identified with the IGMS process was ensuring appropriate growth was aligned with the town's urban structure. Town Council noted that it is important to align infrastructure planning needs with growth planning, reduce opportunities for sprawl, and preserve the natural heritage and agricultural systems.

The enactment of Bill 23 included the removal of land use planning responsibilities from upper-tier governments. Although this component has not yet been proclaimed, the effect is Halton Region will no longer have planning authority over the town.

While Halton's local municipalities continue to work co-operatively with the Region, it remains to be seen exactly what the future working relationship will be between Oakville and the Province. The Province now has oversight of Oakville's land use planning matters, but its unknown how the Province will exercise those powers.

### Town of Oakville

The *Livable Oakville* Plan was adopted by Town Council in 2009, and approved by the Ontario Municipal Board (now Ontario Land Tribunal) in 2011. The Official Plan Review Programme began in 2015, per the *Planning Act* requirements, to ensure Official Plan policies are consistent with Provincial and Regional policies, support the Town's strategic goals, and reflect the vision and needs of the community.

The Official Plan establishes the desired land use pattern for the town and coordinates land use and infrastructure requirements to ensure that anticipated growth can be accommodated. It establishes a framework and policy context for decision making that provides certainty throughout the town's planning process.

In early 2016, the Urban Structure Review was initiated with the intent of identifying the critical planning framework that would establish where future growth should be directed, and which features throughout the town must be maintained. The Urban Structure Review resulted in Official Plan Amendments in late 2017 that ensconced new land use planning policy for the town.

### **Official Plan Review Programme**

There are several studies that compose the Official Plan Review Programme (OPR), and some have already been completed: Employment & Commercial study, Bronte GO Major Transit Station Area review, and Hospital District review are the main ones. Other important studies underway include growth area reviews for Uptown, Neyagawa Urban Core and Midtown.

The studies and growth area reviews have continued to focus on implementing the overall direction and mission statement of the *Livable Oakville* Plan which is: "to enhance the Town's natural, cultural, social and economic environments by ensuring that environmental sustainability, cultural vibrancy, economic prosperity and social well-being are incorporated into growth and development decisions".

This mission statement flows into a series of guiding principles that give direction for preserving and creating a liveable community, providing choice throughout the town, and achieving sustainability.

Notwithstanding proposed changes to the Provincial Policy Statement, repeal of the Growth Plan and several other changes resulting from recent Bills, the town continues to analyse legislation changes with the intent of ensuring the town's Official Plan complies with the in-effect legislation and plans, along with designing, planning and building complete communities.

As the OPR continues, staff identify and respond to new provincial policy, while maintaining the overarching mission of the Official Plan. It also means that several studies which have been completed will need minor updates to ensure consistency with, and conformity to, provincial legislation and policy. This will negatively affect the timing to conclude the OPR, but not its intent.

### Urban Structure

Ontario's policy-led land use planning system provides clear direction for municipalities to establish an urban structure which identifies locations of future growth. The Province's Growth Plan (2019), and by extension Halton Region's policy construct, has defined, established and invested in an urban structure.

The town initiated the concept of an urban structure through Council's approval of OPA 275 which identified primary growth areas. This land use planning ideology pre-dates the Growth Plan, and the *Livable Oakville* Official Plan, but was rooted in the recognition that Oakville is becoming more urban and requires a strategic and thoughtful approach to meet this challenge.

The town's urban structure intends to protect natural heritage, open space and cultural heritage, maintain the character of residential areas and direct growth to Strategic Growth Areas – an identified system of centres (such as Midtown, Uptown) and corridors (like Trafalgar Road). That does not mean there will not be some measure of modest growth in established neighbourhoods, however; where there is development, it integrates harmoniously with the existing character.

The urban structure also functions to co-ordinate land use, mobility and infrastructure requirements, ensuring they are aligned and complementary. It facilitates better decision-making for both Oakville and Halton Region Councils as it relates to capital investments and long-term planning.

The town's Urban Structure is used defensively and offensively; and it offers a measure of predictability for the next 50 years, and more. Utilising this type of

structure to direct future growth not only remains valid, but is perhaps more critical at this time given the seemingly unstructured nature of new legislation flowing from the province.

## **COMMENT**

There is no doubt that the recent legislative changes have been disruptive to Ontario's municipalities – both in terms of how they plan, and how they will consider future financial decisions. Notwithstanding the noble cause the Province is trying to address – devising ways to make housing more affordable for all Ontarians – the manner in which the legislation has been deployed, and its broad effect, has forced municipalities to re-think their approach to planning and paying for growth.

Staff has reported to Council on these matters through various reports. In short, recent legislation is layered and complicated. It also generally:

- centres more authority with the government and in particular, the Minister of Municipal Affairs and Housing;
- reduces environmental protection (including potential redevelopment of lands in Ontario's Greenbelt)
- repeals the Growth Plan (including Provincial growth forecasts); and set new housing targets for 29 municipalities
- delegates more responsibilities on natural heritage planning to lower-tiers, removing some Conservation Authority participation
- removes planning responsibilities from upper-tier regional governments
- caps parkland dedication through the development process
- redefines how areas of employment can operate

The changes have been swift and compounding. Most municipalities, Oakville included, have not been able to respond to changes before more are announced.

## **Challenges Ahead**

Although the legislation changes are frustrating for a multitude of reasons, Ontario municipalities must now respond and adapt. It is foolhardy to assume the changes will be rescinded.

The Province has set an ambitious goal of achieving 1.5 million new homes by 2031. The structural modifications made to statute and provincial policy guarantees that Oakville will receive its allocation of that new housing, and the town needs to be prepared. The Province has been clear that where municipalities thwart attempts to facilitate growth, the Province (or Minister) will intervene. This has already occurred in Mississauga, Markham, Richmond Hill, and most recently Guelph.

As the province intends to generate supply, it has stated that intensification is one component, but so too is new greenfield development. In Oakville's case, there is no more land in Oakville to designate for residential land uses to achieve the 33,000 new homes comprising Oakville's housing target. Moreover, continuing to build sprawling subdivisions will not help the Town address the climate emergency, or allow the town to deliver the necessary services in a financially-responsible manner. There will be further strain on environmental and agricultural areas, biodiversity and water resources.

Distributing growth broadly across the town could prove equally challenging as it puts pressure on established neighbourhoods if the available services, infrastructure and transit cannot support the growth.

The 2022 Citizen Survey highlighted some resident priorities such as protection of green space and the character of neighbourhoods. That becomes difficult to manage if there are not alternative locations in which growth can be accommodated.

Oakville must be decisive and vigilant in directing growth to the identified centres and corridors if it wishes to maintain the scale of established neighbourhoods. By managing new developments in this manner, it is possible for the town to address a number of factors:

- Council declaring a climate emergency
- co-ordinate delivery of major infrastructure
- mitigate traffic congestion
- promote land use patterns which do not rely on private automobile
- encourage age-friendly community design

### **Opportunities for Oakville**

The Province has told Oakville that it will continue to grow, and must account for additional population. That is not a bad thing, so long as there is a plan in place.

Fortunately, Oakville Council had the foresight of creating a land use planning framework that leaves the municipality in a good position, and the town will weather these changes.

The town's Urban Structure is the defining element which will ensure the long-term resilience of the municipality in the face of evolving land use planning rule changes, discordant government mandates and simply – it represents sound community planning principles.

Planning for new population allows the municipality to be in a better financial position to meet the commensurate services (i.e. community amenities, transit, infrastructure) and needs of new residents when demanded of the town. In directing where new growth should go, it reduces the risk of disrupting existing neighbourhoods and having new population locate to areas ill-equipped to welcome it.

For example, Council has already made investments in transit, demonstrating its commitment to its viability. Orienting new growth in and around transit-oriented communities (such as Midtown) leverages that investment and maximises its potential. Future development along the Lakeshore West GO line is the obvious choice for transit-oriented communities.

## **CONSIDERATIONS**

**(A) PUBLIC**

Public notice is not required for this report.

**(B) FINANCIAL**

Not applicable

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

Numerous town departments are engaged in the Official Plan Review Programme to achieve stronger integration between key master plans and the town's Official Plan.

**(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS**

This report addresses the corporate strategic goal to:

- be the most liveable town in Canada

**(E) COMMUNITY SUSTAINABILITY**

The Official Plan Review Programme will continue to advance the town's sustainability initiatives in response to Council declaring a climate change emergency in 2019.

## **CONCLUSION**

The implications to Oakville are simple. Growth is coming; it is inevitable. And it is more prudent to account for that growth accordingly rather than wish it away, and run the risk of unfavourable development being done "to the town" instead of administering its guidance. To act otherwise is a disservice to the community.

The in-effect and proposed Provincial legislation will dramatically change how land use planning in Ontario will be undertaken. The Province has made it clear that it intends to do whatever it can to get as much supply to market as fast as possible.

Oakville must be strategic in directing where that growth should go, and in what form it will take, in order to be able to support new population, while respecting the existing neighbourhood character.

The foundational principles of the Urban Structure remain relevant and will continue to be the base from which land use planning policy will evolve in Oakville for decades to come as the Official Plan is updated in response to evolving provincial policy. It remains a the best option the town has to capitalise on the opportunity of welcoming new population, and building complete communities at the same time. There will be growth-related challenges as the town tries to navigate a new way in which to undertake land use planning, handle the anticipated growth, provide new employment opportunities, and move people.

Given the climate with this current provincial government, it is even more critical to stay the course and continue implementation of the town's official plan and urban structure. This is the vehicle that provides the level of certainty needed to continue planning for complete communities during a time of uncertainty.

**Recommended & Submitted by**

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