



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-058

Official Plan Amendment No.331

A by-law to adopt an amendment to the 1984 Oakville Official Plan in response to Housing Accelerator Fund Initiatives, Delegation of Minor Zoning By-law Amendments, Official Plan Amendment Number 331 (File No. 42.15.64)

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 1984 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. For the purposes of this by-law:
 - a. “1984 Oakville Official Plan” means the Official Plan for the Oakville Planning Area adopted by the Council of The Corporation of the Town of Oakville on July 5, 1983 by By-law 1983-114, approved as modified by the Minister of Municipal Affairs and Housing on December 21, 1984 subject to certain referrals and deferrals, and as subsequently amended.
2. Official Plan Amendment Number 331 to the 1984 Oakville Official 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1990, c. P.13, and shall come into effect once the deadline for filing appeals has passed or all appeals have been withdrawn or finally disposed of.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 ___ day of _____, 2024

MAYOR

CLERK

APPENDIX “A” to By-law 2024-058

Official Plan Amendment Number 331 to the Town of Oakville’s 1984 Oakville Official Plan

Constitutional Statement

The details of the amendment, as contained in Part 2 of this text, constitute Official Plan Amendment Number 331 (OPA 331) to the 1984 Oakville Official Plan.

Part 1 – Preamble

A. Subject Lands

The Official Plan Amendment applies to all lands subject to the 1984 Oakville Official Plan.

B. Purpose and Effect

The purpose of the Official Plan Amendment is to modify the text of the 1984 Oakville Official 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 1984 Oakville Official 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 1984 Oakville Official 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 1984 Oakville Official Plan. Text that is crossed out (“~~strikethrough~~”) is to be deleted from the Plan.

Item No.	Section	Description of Change
1.	<p>Part F IMPLEMENTATION AND INTERPRETATION</p> <p>Section 1.6 c) Pre-consultation and Submission Requirements</p> <p><i>(Note: Part F Section 1.6 c), Pre- Consultation and Submission Requirements, was added via OPA 273, and amended via OPA 329, which have not been consolidated into the September 2006 consolidation of the Oakville Official Plan)</i></p>	<p>Add a new policy section 1.6 c) x), following section Part F Section 1.6 c) ix), as follows:</p> <p><u>x) Applications for Minor Zoning By-laws</u></p> <ul style="list-style-type: none"> • <u>For applications for minor zoning by-laws under section 1.8 b) iv), the written consent of the Town confirming eligibility for consideration under that section.</u>

Item No.	Section	Description of Change
2.	<p>Part F IMPLEMENTATION AND INTERPRETATION</p> <p>Section 1.7 Notice Procedures</p> <p><i>(Note: Part F Section 1.7, Notice Procedures, was added via OPA 274, and amended via OPA 329, which have not been consolidated into the September 2006 consolidation of the Oakville Official Plan)</i></p>	<p>Adding a new policy 1.7 e) as follows, and renumbering the following sections of the plan accordingly:</p> <p><u>e) For zoning by-laws proposed to be passed under delegated authority under section 1.8:</u></p> <ul style="list-style-type: none"> <u>i) Any public meeting required by the <i>Planning Act</i> or section 1.7 policies shall be hosted by the delegated authority.</u> <u>ii) Notice of the public meeting for an application under section 1.8 b) iv) shall be given in accordance with the requirements applicable to applications under section 45 of the <i>Planning Act</i>.</u> <u>iii) Notice of complete application shall only be required to be given to the applicants.</u>

Item No.	Section	Description of Change
3.	<p>Part F IMPLEMENTATION AND INTERPRETATION</p> <p>Section 1.8 Delegated Authority</p> <p><i>(Note: Section 1.8 Delegated Authority was added via OPA 324 and does not appear in the September 2006 consolidation of the Oakville Official Plan.)</i></p>	<p>Amend policies in section 1.8 b) and 1.8 c) as follows:</p> <p>b) 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"> i. a by-law to remove a holding “H” symbol; ii. a by-law to authorize the temporary use of land, buildings, or structures; and, iii. a housekeeping by-law for the purpose of making clerical or other changes to assist in the interpretation of the zoning by-law-; and, iv) <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> <p>c) The delegation of authority authorized under section 1.8 b) may be subject to conditions of Council <u>set out in the delegation by-law, which shall include:-</u></p> <ul style="list-style-type: none"> i. <u>Minor zoning by-law amendments under Part F section 1.8 b) iv) 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 <i>Planning Act</i>.</u>