

Section Amendments with date in force (d/m/y) [+]**Deemed council, municipality**

14.8 (1) Sections 2 and 3, subsections 4 (1), (4) and (5), 5 (1), (2), (4) and (5), 6 (2), 8 (1) and (3), sections 16, 16.1, 17, 20, 21, 22, 23 and 26, subsection 51 (37) and (45), sections 62.1, 65, 66, 68 and 69 apply to a municipal planning area or a municipal planning authority, as appropriate, and the municipal planning area and municipal planning authority shall be deemed to be a municipality or a council of a municipality, respectively, for those purposes. 1994, c. 23, s. 8.

(2) Repealed: 1996, c. 4, s. 7.

Section Amendments with date in force (d/m/y) [+]**Upper-tier municipalities, planning functions**

15. The council of an upper-tier municipality, on such conditions as may be agreed upon with the council of a lower-tier municipality, may,

- (a) assume any authority, responsibility, duty or function of a planning nature that the lower-tier municipality has under this or any other Act; or
- (b) provide advice and assistance to the lower-tier municipality in respect of planning matters generally. 2002, c. 17, Sched. B, s. 4.

Section Amendments with date in force (d/m/y) [+]

**PART III
OFFICIAL PLANS**

Official plan**Contents of official plan**

16. (1) An official plan shall contain,

- (a) goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic, built and natural environment of the municipality or part of it, or an area that is without municipal organization;
- (b) a description of the measures and procedures for informing and obtaining the views of the public in respect of,
 - (i) proposed amendments to the official plan or proposed revisions of the plan,
 - (ii) proposed zoning by-laws,
 - (iii) proposed plans of subdivision, and
 - (iv) proposed consents under section 53; and
- (c) such other matters as may be prescribed. 2015, c. 26, s. 17.

Same

(2) An official plan may contain,

- (a) a description of the measures and procedures proposed to attain the objectives of the plan;
- (b) a description of the measures and procedures for informing and obtaining the views of the public in respect of planning matters not mentioned in clause (1) (b); and
- (c) such other matters as may be prescribed. 2015, c. 26, s. 17.

Second unit policies

(3) Without limiting what an official plan is required to or may contain under subsection (1) or (2), an official plan shall contain policies that authorize the use of a second residential unit by authorizing,

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 16 (3) of the Act is amended by

striking out “Without limiting what an official plan is required to or may contain under subsection (1) or (2)” at the beginning of the portion before clause (a). (See: 2016, c. 25, Sched. 4, s. 1 (1))

- (a) the use of two residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains a residential unit; and
- (b) the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse if the detached house, semi-detached house or rowhouse contains a single residential unit. 2011, c. 6, Sched. 2, s. 2.

(4) REPEALED: 1996, c. 4, s. 8 (2).

Note: On a day to be named by proclamation of the Lieutenant Governor, section 16 of the Act is amended by adding the following subsections: (See: 2016, c. 25, Sched. 4, s. 1 (2))

Inclusionary zoning policies

(4) An official plan of a municipality that is prescribed for the purpose of this subsection shall contain policies that authorize inclusionary zoning by,

- (a) authorizing the inclusion of affordable housing units within buildings or projects containing other residential units; and
- (b) providing for the affordable housing units to be maintained as affordable housing units over time. 2016, c. 25, Sched. 4, s. 1 (2).

Same

(5) An official plan of a municipality that is not prescribed for the purpose of subsection (4) may contain the policies described in subsection (4). 2016, c. 25, Sched. 4, s. 1 (2).

Goals and objectives

(6) The policies described in subsection (4) shall include goals and objectives and a description of the measures and procedures proposed to attain those goals and objectives. 2016, c. 25, Sched. 4, s. 1 (2).

Prescribed provisions and matters

(7) The policies described in subsection (4) shall include the prescribed provisions and provisions about the prescribed matters. 2016, c. 25, Sched. 4, s. 1 (2).

No limitation

(8) Each subsection of this section shall be read as not limiting what an official plan is required to or may contain under any of the other subsections. 2016, c. 25, Sched. 4, s. 1 (2).

Note: On a day to be named by proclamation of the Lieutenant Governor, section 16 of the Act is amended by adding the following subsections: (See: 2016, c. 25, Sched. 4, s. 1 (3))

Assessment report

(9) Before adopting the parts of an official plan which contain policies described in subsection (4), the council of the municipality shall ensure that an assessment report has been prepared. 2016, c. 25, Sched. 4, s. 1 (3).

Updating of assessment report

(10) Within five years after the parts of its official plan which contain policies described in subsection (4) come into effect, the council of the municipality shall ensure that an updated assessment report is prepared for the purpose of determining whether any of those parts of the official plan should be amended. 2016, c. 25, Sched. 4, s. 1 (3).

Periodic updating

(11) As long as its official plan contains policies described in subsection (4), the council of the municipality shall ensure that an updated assessment report is prepared within five years after the date of the most recent updated assessment report, for the purpose of determining whether any of the parts of the official plan which contain policies described in subsection (4) should be amended. 2016, c. 25, Sched. 4, s. 1 (3).