

## **REPORT**

**REPORT TO:** Mayor Bonnette and Members of Council

**REPORT FROM:** John Linhardt, Commissioner of Planning & Sustainability

**DATE:** June 22, 2018

**REPORT NO.:** PLS-2018-0061

**RE:** New Memorandum of Understanding for an Integrated Halton Area Planning System

### **RECOMMENDATION:**

THAT Report No. PLS-2018-0061 dated June 22, 2018 regarding a new Memorandum of Understanding for an Integrated Halton Area Planning System be received;

AND FURTHER THAT the new Memorandum of Understanding for an Integrated Halton Area Planning System be endorsed by Council;

AND FURTHER THAT the Chief Administrative Officer and the Commissioner of Planning & Sustainability be authorized to sign the new Memorandum of Understanding;

AND FURTHER THAT the 1999 Memorandum of Understanding be terminated;

AND FURTHER THAT a copy of this report be forwarded to the Region of Halton, the Local Municipalities of Burlington, Milton and Oakville, Conservation Halton, CVC and the Grand River Conservation Authority.

### **BACKGROUND:**

In 1999, the Region of Halton, the Local Municipalities of Burlington, Halton Hills, Milton and Oakville, Conservation Halton, CVC, the Grand River Conservation Authority, the two School Boards and the Halton Police Services entered into a Memorandum of Understanding (MOU) for an Integrated Planning System in Halton. This MOU responded to the changes in the planning system at that time including the downloading of Provincial Plan review functions to the Region and the subsequent delegation of certain planning approvals (e.g. draft plans of subdivision, consents and part lot control by-laws) from the Region to the local municipalities.

Since that time there have been a number of substantive changes to the Provincial land use planning system. Key pieces of legislation, such as the Planning Act, have undergone significant revisions, a number of Provincial Plans (e.g. Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan) have been introduced and the Provincial Policy Statement has been updated. In addition, the Conservation Authorities Act and regulations have evolved over time. The end result is a more complex policy and regulatory regime.

Given the foregoing, Regional, Local and Conservation Authority staff were of the view that the existing MOU is dated and should be updated to reflect how the parties work together in the current planning context. Work has been on-going for the last several months on developing a revised MOU that takes into account the planning context. The purpose of this report is present a new MOU for Council's review and consideration.

## **COMMENTS:**

The new MOU, which is attached to this report as Schedule One, is divided into twelve sections. A brief description of each section follows.

Section 1 – The Preamble - references the overall planning context and sets out the following objectives for the new MOU:

- To ensure that each step of the planning review process is complementary, adds value to the decision making process and does not result in service duplication;
- To provide a rigour of review that is consistent with the scale and impacts of the project;
- To protect and restore the natural environment using a systems based approach; and
- To share information to assist and expedite decision-making.

Section 2 identifies the purpose of the MOU and deals with such matters as identifying the role and responsibilities of the parties in planning policy and development matters, streamlining the development application review process, improving the alignment between planning services and CA permitting processes and establishing a data and information sharing protocol.

Section 3 sets out six Guiding Principles for the MOU that build on matters referenced in the preamble and the MOU purpose.

Section 4 – MOU Framework – categorizes planning services into two broad categories: planning policy and implementation planning. The latter generally relates to the development review function.

Section 5 identifies roles and responsibilities related to planning policy such as Provincial Plans, the Regional and Local Official Plans and Secondary Plans.

Section 6 identifies roles and responsibilities related to implementation planning such as site specific Regional and Local Official Plan Amendments, Comprehensive Zoning By-laws, site specific zoning by-law amendments, draft plans of subdivision, site plans, consents, part lot control by-laws and minor variances. Section 6 also notes the importance of advancing expeditious reviews of development applications and the need for commenting agencies to provide comments to the approval authority in a timely fashion.

Section 7 focuses on improving and clarifying roles and responsibilities in planning for the natural environment. Some of the key principles referenced include:

- The importance of policy alignment in ensuring an integrated and seamless planning system;
- The rigour of review must match the scale and nature of impacts;
- Planning for the environment should not revisit the principle of land use at the site specific stage;
- More effort needs to be up front in defining components of the NHS; and,
- Eliminating unnecessary duplication.

Section 7 also identifies additional work to be undertaken over the next 18 months regarding environmental planning matters, including NHS identification and refinement processes, stormwater management, and guidelines for the preparation of Environmental Impact Assessments, Subwatershed Studies and Environmental Implementation Reports/Subwatershed Impact Studies.

Section 8 references Data and Information Sharing. This includes the development of updated screening maps and guidelines to assist the local municipalities in determining when an application needs to be circulated and a commitment to data sharing to facilitate service efficiencies.

Section 9 establishes principles and a stepped approach for Dispute Resolution.

Section 10 stipulates that the MOU shall be reviewed within two years of coming into effect. The review is to be overseen by the CAO's of the parties to the MOU.

Section 11 defines terms referenced in the MOU.

Section 12 identifies the two schedules included with the MOU. Schedule 1 identifies various commitments and undertakings to be pursued over the next 18 months. Among other matters, this includes: defining detailed roles and responsibilities for the natural environment; updating the Terms of Reference for HAPP; pre-consultation and complete application best practice review; data sharing framework; and an update to the delegation by-laws.

Schedule 2 identifies development application review time lines broken down by type for pre-consultation, application circulation and delivery of agency comments.

Overall, the new MOU represents a much more stream lined principles based document than the 1999 MOU. The focus is on the relationships between the Region, the Local Municipalities and the three Conservation Authorities and identifying ways to enhance relationships and overall service delivery.

#### **RELATIONSHIP TO STRATEGIC PLAN:**

This report relates Strategic Direction I: Provide Responsive, Effective Municipal Government, the Goal to provide strong leadership in the effective and efficient delivery of municipal services, and the following Strategic Objectives:

- I.6 To participate fully in Region-wide initiatives to protect and promote the Town's objectives.
- I.7 To foster a greater understanding of the Town's roles and responsibilities and relationships with other orders of government.

#### **FINANCIAL IMPACT:**

There is no financial impact associated with this report.

#### **CONSULTATION:**

The revised MOU is a result of collaboration between the Region, the four Local Municipalities and the three Conservation Authorities having jurisdiction in Halton.

#### **PUBLIC ENGAGEMENT:**

There was no public engagement required to update the MOU.

#### **SUSTAINABILITY IMPLICATIONS:**

There are no sustainability implications associated with this report.

#### **COMMUNICATIONS:**

There are no immediate communications impacts associated with this report.

**CONCLUSION:**

This report has provided an overview of the new MOU for an Integrated Halton Area Planning System. It is recommended that Council endorse the new MOU and that the CAO and Commissioner of Planning and Sustainability be authorized to sign the document on behalf of the Town.

Reviewed and Approved by,

A handwritten signature in black ink, reading "Brent Marshall". The signature is written in a cursive, flowing style with a large initial 'B' and 'M'.

**Brent Marshall, CAO**