



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JULY 9, 2018

FROM: Planning Services Department

DATE: June 15, 2018

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

LOCATION: Town wide

WARD: Town wide

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RECOMMENDATION:

That the report dated June 15, 2018, titled *New Memorandum of Understanding for an Integrated Halton Area Planning System* be endorsed.

KEY FACTS:

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

- Halton Region, the four local municipalities and the Conservation Authorities have historically enjoyed a commitment of working together on matters of mutual interest since the development of the existing Memorandum of Understanding (MOU) in 1999.
- As the planning framework in Ontario has substantially changed since 1999 the existing MOU is no longer a useful tool.
- Since 2016, staff from Halton Region, the four local municipalities and the Conservation Authorities have been working together to update and refine roles and responsibilities in order to develop a new MOU.
- The new MOU attached as Appendix A establishes a customer-focused planning model and proposes key provisions to set the stage for additional change to ensure the planning and regulatory framework is seamless, clear and integrated.

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BACKGROUND:

In 1999, Halton Region, the four local municipalities, three Conservation Authorities, two School Boards and the Police Services in Halton entered into a Memorandum of Understanding for an Integrated Planning System in Halton. The intent of the MOU was to clearly define roles and responsibilities within the context of new protocols for land use planning service delivery. The MOU represented an important tool following provincial downloading of planning review and subsequent downloading of the approval of certain planning applications from Halton Region to the local municipalities.

The land use planning framework has evolved significantly since the 1999 MOU was implemented. Provincial policies and plans are more complex, with new and amended legislation and new Provincial Plans, resulting in more rigid tests for municipalities in planning complete communities.

In addition, the *Conservation Authorities Act* and regulations have significantly changed the scope and areas to be regulated by Conservation Authorities.

Recognizing the 1999 MOU was dated and did not reflect the updated planning and regulatory framework, staff from Halton Region, the four local municipalities and Conservation Authorities have been working together to develop a new MOU to replace the existing 1999 MOU. The proposed new MOU for an Integrated Halton Area Planning System is attached as Appendix A.

COMMENT/OPTIONS:

Over the last two years, staff from Halton Region, the four local municipalities and the Conservation Authorities have been working together to develop the framework for the new MOU that aims to advance a seamless integrated planning system to assist the parties in managing growth and change while protecting the natural environment.

The MOU sets the foundation for undertaking transformational changes in the future. The general objectives of the proposed MOU are to ensure that:

- each step of the planning review process is complementary, adds value to the decision-making process, does not result in service duplication;
- The rigour of review is consistent with the scale and impacts of the project;
- The natural environment is protected and restored using a systems-based approach; and,
- Sharing information assists and expedites decision-making.

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There are a number of factors that trigger the importance for updating the MOU. Bill 139 coming into force, has resulted in significant changes to the planning system. These changes place additional responsibilities on municipalities to advance the review of planning applications within prescribed timeframes and in accordance with specific conformity tests.

In addition, the *Conservations Authorities Act* has been updated by the Province. Despite this update, there are still significant implementation activities ongoing that may influence roles and responsibilities between the Parties. Having an updated framework consisting of key foundational elements will assist with the roles and relationships in anticipation of further changes.

Finally, staff from Halton Region, the four local municipalities and Conservation Halton worked closely on advancing a Development Planning and Engineering Service Review for Halton. This Review resulted in ten recommendations to enhance the development planning and engineering review service. One of the key strategic recommendations was for staff to initiate an update the MOU to clarify roles and responsibilities between the Region, Conservation Authorities and the four local municipalities as they pertain to planning for the natural environment.

The proposed MOU has been prepared in the context of the new provincial requirements, but also in anticipation that there will likely be further changes to roles and responsibilities to further streamline activities.

Highlights from the proposed MOU include:

- A work plan for several specific further improvements (Sections 2.5, 5.2 and Schedule 1). Some of these include:
 - Further clarify roles and responsibilities on specific matters related to the natural environment;
 - Review and update the Terms of Reference for the Halton Area Planning Partnership (HAPP);
 - Define a scope of review for specific applications;
 - Review and implement best practices for pre-consultation and complete applications;
 - Establish a data sharing framework;
 - Update the delegation by-laws;
 - Revise the MOU with the Province; and,
 - Identify and implement a training program for staff.
- Specific targets for reviewing and responding to development applications (Schedule 2);
- A commitment to conduct an initial review and update in 18 months as well as formal review every two years (Section 10);
- Data and Information sharing between the parties (Section 8) and,

- A dispute resolution approach that is aligned with current accepted practice (Section 9).

The proposed MOU for an Integrated Halton Area Planning System represents an important step in advancing a clear and concise customer-focused planning model and proposes key provisions to set the stage for additional change to ensure the planning and regulatory framework is seamless, clear and integrated.

CONSIDERATIONS:

(A) PUBLIC

Not Applicable

(B) FINANCIAL

There are no financial implications arising from this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

If required, there will be coordination with other departments.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be accountable in everything we do
- be honest in everything we do
- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

The new MOU works to enhance the social, economic and built environment of the community.

Appendix A - Memorandum of Understanding for an Integrated Halton Area Planning System

Prepared, Recommended and Submitted

by:

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Director, Planning Services