

PARTNERSHIP MEMORANDUM

FOR

PLANNING SERVICES

BETWEEN

THE REGIONAL MUNICIPALITY OF YORK

AND

THE CONSERVATION AUTHORITIES

**(LAKE SIMCOE REGION CONSERVATION AUTHORITY AND
TORONTO AND REGION CONSERVATION AUTHORITY)**

1. CONTEXT

Vision 2026: Towards a Sustainable Region, the Strategic Plan of the Regional Municipality of York (the “Region”) recognizes that it is everyone’s duty to protect the legacy of York Region’s natural environment and heritage by integrating and balancing the three elements of environmental protection, economic growth and social equity. Furthermore, it is the goal of the York Region Official Plan to identify, protect and restore definable natural areas and functions.

The protection, restoration and enhancement of the natural environment, and the safety of persons and property, is carried out in part through the review of, and preparation of comments on development applications, is a shared responsibility with the Region, its Local Municipalities and the Conservation Authorities. This Partnership Memorandum serves to guide the Conservation Authorities in assisting the Region to carry out their shared responsibility to foster an ecosystem approach to sustainable living and thereby achieve the goals set out in the York Region Strategic Plan and Official Plan.

2. DEFINITIONS

“Plan Review” is defined as:

- a) the review of development applications as set out in the *Planning Act*;
- b) identifying the need for technical surveys, studies and reports; and
- c) specifying conditions of approval.

“Technical Clearance” is defined as:

- d) assessing technical reports submitted by the proponent to determine if the reports satisfy the conditions specified; and
- e) clearing conditions of approval.

3. **THE PURPOSE** of this Partnership Memorandum is to:

- a) establish the parameters of the plan review and technical clearance expertise that the Conservation Authorities will provide to assist the Region when making decisions on planning applications, where the Region is the approval authority or a commenting agency; and,
- b) streamline the municipal planning system where opportunities exist.

4. STATEMENT OF PRINCIPLES

Notwithstanding the purpose of this Partnership Memorandum and the Roles and Responsibilities set out in Section 5, it is recognized that the Conservation Authorities will continue to fulfill their own mandate and provide the Region comments in the context of:

- a) the Conservation Authorities will review and provide comments and advice in the context of the Provincial Policy Statement, the *Conservation Authorities Act*, the *Environmental Assessment Act*, the *Fisheries Act*, the *Oak Ridges Moraine Act* and the Oak Ridges Moraine Conservation Plan, the *Planning Act*, the *Greenbelt Act* and the Greenbelt Plan, the *Clean Water Act*, the *Lake Simcoe Protection Act* and the Lake Simcoe Protection Plan, the York Region Official Plan policies and land use designations of approved Local official plans, other guiding municipal and Conservation Authority documents and other applicable legislation as may from time to time be enacted;
- b) the Conservation Authorities will review and provide comments and advice in the context of the goals of effective watershed management and environmental protection and enhancement, including air and water quality, biodiversity and sustainable living, which requires the appropriate consideration of provincial, regional and local natural resources as identified through official and secondary plans, municipal studies, watershed and subwatershed studies, or a site specific proposal;
- c) the Conservation Authorities will continue to provide comments and recommendations as outlined in Section 5, on planning matters circulated by the Region such as regional and local official plans and policy amendments and municipal studies; and
- d) nothing, in this Partnership Memorandum, precludes the Conservation Authorities from commenting to the Region as they would normally exercise their rights under the *Planning Act*, the *Conservation Authorities Act*, or other applicable legislation.
- e) the Region and the Conservation Authorities may seek additional technical expertise in matters of Provincial or Regional interest, from third parties, as required.

5. ROLES AND RESPONSIBILITIES

The Region and the Conservation Authorities agree that:

- a) the Region is responsible for ensuring consistency with Provincial policies and Regional Official Plan policies, with respect to any planning applications for which the Region has approval authority or otherwise comment on;
- b) any information or data sources provided by the Province or generated through municipal or watershed studies will be shared;
- c) the Conservation Authorities will provide the Region with plan review and technical clearance services which will ensure consistency with Natural Heritage and Natural Hazard policies of the applicable Provincial Policy Statement, where the Region does not have appropriate internal services available, in accordance with Provincial Policy Statements and all other applicable provincial planning legislation (refer to Section 4a), as articulated and expanded on in the Regional Official Plan, in a timely fashion, and will make recommendations to the approval authority on development applications, on behalf of the Region, and copy the Region on all correspondence;
- d) the Conservation Authorities will identify or interpret features/functions, and establish requirements and conditions, to determine the need for and adequacy of studies (including environmental impact studies) which assess impacts and propose mitigation measures to the Region or on behalf of the Region, as appropriate; and
- e) the Conservation Authorities will assist the Region in the technical aspects of applying sustainable alternative development standards as a best management practice.

6. IMPLEMENTATION

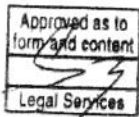
The Region and the Conservation Authorities agree:

- a) to review and amend this Partnership Memorandum on a periodic basis to reflect changes in programs of the parties or as a result of changes in provincial policies or as a result of subsequent discussions;
- b) to ensure staff is aware of this Partnership Memorandum, as required;

- c) to explore further opportunities to streamline the plan review system as it relates to Provincial and regional/local interests;
- d) to make provisions, on a general basis, for Conservation Authority staff to attend Ontario Municipal Board hearings, upon the request of Regional staff, with respect to the plan review and technical clearance services provided pursuant to this Partnership Memorandum, at no cost to the Region. Notwithstanding this clause, the Conservation Authorities are in no way limited from independently appealing a decision to the Ontario Municipal Board;
- e) that fees for plan review and technical clearance services will be set by the Conservation Authorities;
- f) that the Conservation Authorities will be responsible for collecting any Processing/Approvals and/or Final Clearance Fees as required; and
- g) that the Conservation Authorities provide the Region with an approved Schedule of Fees and any approved revised schedules as they occur.

IN WITNESS WHEREOF the parties hereto have affixed their seals properly attested, this 30th day of September, 2009.

Authorized by Clause
10 of Report 6
of the Regional Planning
and Economic
Development Committee,
and Adopted by Regional
Council at its meeting held
on September 24, 2009.



THE REGIONAL MUNICIPALITY OF YORK

Bill Fisch
Bill Fisch, Chair

(c/s)

Denis Kelly
Denis Kelly, Clerk

**TORONTO AND REGION CONSERVATION
AUTHORITY**

Gerri Lynn O'Connor
Gerri Lynn O'Connor, Chair

(c/s)

Brian Denney
Brian Denney, Chief Administrative Officer

**LAKE SIMCOE REGION CONSERVATION
AUTHORITY**

Virginia Hackson
Virginia Hackson, Chair

(c/s)

D. Gayle Wood
D. Gayle Wood, Chief Administrative
Officer/Secretary-Treasurer