

**PROTOCOL**

**FOR PLAN REVIEW AND TECHNICAL CLEARANCE**

**BETWEEN**

**THE REGIONAL MUNICIPALITY OF PEEL**  
*(The Region)*

**AND**

**CREDIT VALLEY CONSERVATION AUTHORITY**

**THE HALTON REGION CONSERVATION AUTHORITY**

**TORONTO AND REGION  
CONSERVATION AUTHORITY**  
*(The Conservation Authorities)*

December, 2002



## 1. Context

*Directions for Success: Investing in Peel's Future*, the Strategic Plan of the Region of Peel recognizes the importance of the natural environment through "Promoting the efficient and sustainable use of land" and through the identification and protection of "important natural features and environmentally sensitive areas", (Strategic Directions 2.1 and 3.4). Furthermore, it is a goal of the Region of Peel Official Plan, "To create and maintain a system of viable, well-functioning environmental features to ensure a healthy, resilient and self-sustaining natural environment within Peel Region". These documents also impose a responsibility to ensure the prevention of loss of life and minimization of property damage in natural hazard areas.

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 of Peel, its Area Municipalities and the Conservation Authorities. This Protocol serves to guide the Conservation Authorities in assisting the Region of Peel to carry out their shared responsibility to foster an ecosystem approach to sustainable living and thereby achieve the goals set out in the Region of Peel Strategic Plan and Official Plan.

## 2. Definitions

### a) "Plan Review" means:

- i) reviewing development applications under the *Planning Act*, and the *Niagara Escarpment Planning and Development Act* objectives in a timely manner;
- ii) identifying the need for and review of technical reports; and,
- iii) specifying conditions of approval.

### b) "Technical Clearance" means:

- i) assessing technical reports submitted by the proponent to determine if the reports satisfy the conditions specified; and,
- ii) clearing the conditions.

## 3. THE PURPOSE of this protocol is to:

- i) establish the parameters of the plan review and technical clearance expertise that the Conservation Authorities will provide to assist the Region of Peel, (the Region) to make decisions on planning applications and,
- ii) streamline the municipal planning process where opportunities exist.

#### 4. STATEMENT OF PRINCIPLES

For the purposes of this protocol it is understood and agreed by the parties that:

- i) the Conservation Authorities will review and provide comments on development applications and provide advice in the context of the Provincial Policy Statement, the *Conservation Authorities Act*, the *Environmental Assessment Act*, the *Fisheries Act*, the *Niagara Escarpment Planning and Development Act* and Niagara Escarpment Plan, the *Planning Act*, the *Oak Ridges Moraine Conservation Act* and Oak Ridges Moraine Conservation Plan, the Region of Peel Official Plan and the policies and land use designations of approved Area Municipal official plans, other strategic municipal documents, (sub)watershed plans and conservation authority policy documents and other applicable legislation as may from time to time be enacted;
- ii) the goals of effective watershed management and environmental protection and enhancement, including, air quality, healthy rivers, biodiversity and sustainable living require the consideration of provincial, regional and local scale natural resources as identified in official and secondary plans, or through municipal studies, watershed and sub-watershed studies, or area specific studies;
- iii) the Conservation Authorities will provide comments and recommendations as outlined in 5(iii), on planning matters circulated by the Region such as amendments to the Region of Peel Official Plan, Area Municipal official plans and amendments, and municipal studies, including planning applications submitted to the Region by the Peel Area Municipalities and other agencies; and
- iv) nothing in this protocol precludes the Conservation Authorities from providing comments to the Region in accordance with their powers under the *Planning Act*, the *Conservation Authorities Act* or other applicable legislation.

#### 5. ROLES AND RESPONSIBILITIES

The Region and the Conservation Authorities agree that:

- i) the Region is responsible for having regard for Provincial interests and the Regional Official Plan policies with respect to any planning applications for which it has approval authority or otherwise comments on;
- ii) any information or data sources provided by the Province or generated through municipal or watershed studies will be shared where possible;
- iii) the Conservation Authorities will provide the Region with plan review and technical clearance services for all development applications under the *Planning Act*, the *Niagara Escarpment Planning and Development Act* and Niagara Escarpment Plan and having regard to the Region of Peel Official Plan, Provincial Policy Statements and the *Oak Ridges Moraine Conservation Act* and the Oak Ridges Moraine Conservation 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. The Conservation Authorities agree to provide to the Region the following services:

- (a) define features/functions, establish requirements and conditions to determine the need for and adequacy of studies (including environmental impact studies) to assess impacts and propose mitigation restoration and/or enhancement measures related to:

Surface water, including:

flood and erosion watercourse and valleyland hazards  
 flood and erosion dynamic beach hazards  
 kettle lakes  
 permanent and intermittent streams  
 seepage areas and springs  
 shorelines  
 wetlands  
 surface water quantity and quality  
 baseflows

Ground water including:

groundwater recharge and discharge areas  
 groundwater quantity and quality  
 headwaters  
 underground aquifers

Terrestrial features/functions including:

biodiversity within terrestrial features  
 ecosystem linkages and corridors  
 environmentally significant areas  
 landform conservation  
 sand barrens, savannahs and tall grass prairies  
 species of interest/species of conservation concern  
 valley land  
 areas of natural and scientific interest  
 woodlands

Habitats including:

fish habitat  
 habitats of vulnerable, threatened, rare and endangered species  
 wildlife habitat  
 wildlife corridors

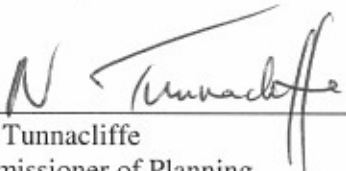
- (b) identify the need for a permit to take water (groundwater or surface water);
- (c) identify the need for an application to be processed under the *Federal Fisheries Act*, the *Conservation Authorities Act*, the *Lakes and Rivers Improvement Act*, the *Public Lands Act* or any other applicable legislation;
- (d) assist in the technical aspects of applying sustainable development standards and smart growth principles;

## 6. TERM AND IMPLEMENTATION

The Region and the Conservation Authorities agree:

- i) to review and amend this protocol periodically to reflect changes in programs of the parties or as a result of changes in provincial policies or as a result of subsequent discussions;
- ii) to continue to explore further opportunities to streamline the plan review process as it relates to Provincial and regional/local interests;
- iii) to make provision for Conservation Authorities' staff to attend Ontario Municipal Board Hearings to represent the Region's interests, upon the request of Regional staff, with respect to the plan review and technical clearance services provided pursuant to this agreement, at no extra cost to the Region. Nothing in this Protocol shall limit the Conservation Authorities from independently appealing a decision to the Ontario Municipal Board;
- iv) that the Region will collect the Preliminary Analysis Fee for applications to amend the Region of Peel Official Plan and remit any fees collected upon circulation of the application to the Conservation Authorities; fees for plan review and technical clearance services will be set by the Conservation Authorities;
- v) that the Conservation Authorities will be responsible for collecting any further Processing/Approvals and/or Final Clearance Fees as required; and,
- vi) that the Conservation Authorities will provide the Region with an approved Schedule of fees and updates thereto in a timely manner.

### REGIONAL MUNICIPALITY OF PEEL

  
 \_\_\_\_\_  
 Nick Tunnacliffe  
 Commissioner of Planning

17 Dec 02  
 Date

### CREDIT VALLEY CONSERVATION AUTHORITY

  
 \_\_\_\_\_  
 Rae Horst  
 General Manager

Dec 19'02  
 Date

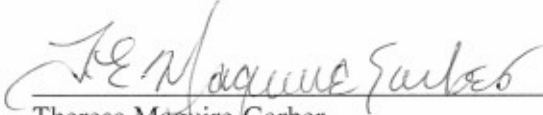
**TORONTO & REGION CONSERVATION AUTHORITY**



Craig Mather  
Chief Administrative Officer

Jan 28/03  
Date

**THE HALTON REGION CONSERVATION AUTHORITY**



Theresa Maguire-Garber  
C.A.O./Secretary-Treasurer

Jan 7/03  
Date