

Bill 229 – Municipal Planning MOU's

Municipality of West Elgin Council Meeting

June 9, 2022

Presented by:

Valerie Towsley,

Watershed Resource Planner

Mark Peacock, P. Eng.,

CAO / Secretary-Treasurer

What the MOU is and what it does

- ▶ Formalizes the current planning services provided to the municipality
- ▶ Provides the municipality with more say on what specifically the LTVCA will be reviewing and providing comments on
- ▶ Defines report back requirements of the LTVCA to the municipality
- ▶ Formalizes fees for planning and that the municipality will be collecting these fees at application submission, on behalf of the LTVCA

Time line

- ▶ Memorandums of Understanding (MOU) between conservation authorities and member municipalities in accordance with regulations governing municipal programs and services must be completed by January 1, 2024.
- ▶ For the planning section of the MOU's, staff utilized Conservation Ontario / AMO draft template that was provided, KCCA, LTVCA and two member municipalities worked on it as a potential joint MOU for our shared municipal partner (in 2019).

MOU Review



- ▶ Staff sought review of the draft MOU from neighbouring CA's, but didn't get anything back until after the draft MOU was submitted to our member municipalities through the respective planning departments
- ▶ A number of municipalities that have received the draft MOU have got back to us with comments
- ▶ Comments generally have to do with specific County/municipality planning processes

Comments from Initial Review

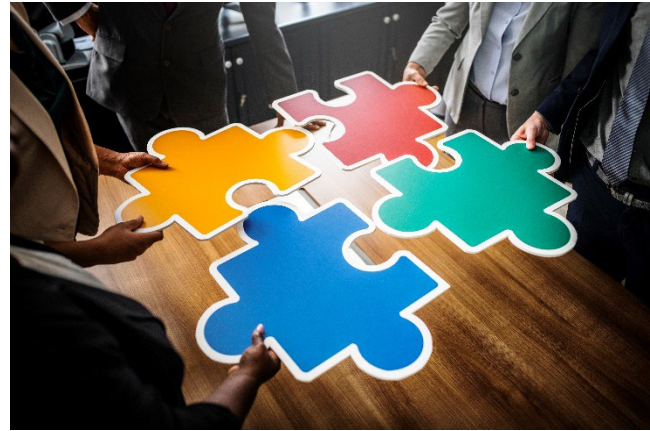


- ▶ Several comments were received back from a couple of the neighbour CA's and 5 municipalities so far, LTVCA has incorporated comments into revisions
- ▶ One suggestion was to provide the draft MOU to Counties within our jurisdiction for them to sign off on as CA's provide plan review services for items such as severances and subdivisions, etc. (e.g. Essex County, Elgin County and Middlesex County) - this will be done
- ▶ This will be a further discussion with our member municipalities within those Counties on this matter

Agreements signed by Nov. 2022

- ▶ Our goal will be to have signed MOU's with all of our member municipalities prior to the November 2022 municipal elections as the Board of Directors and municipal councillors currently elected, have the most knowledge of the Bill 229 changes and process that the CA's are currently going through
- ▶ But, we will take the time we need and the member municipalities need to make sure we have a solid MOU that is clear for both parties to follow and are in agreement with the contents of the MOU

Staff and Council Review



- ▶ CA staff are continuing to go through any feed back from member municipalities and arrange for meetings with each municipality
- ▶ Once the municipal planning department and CA finalized the draft MOU, it is now being presented to each member municipality for Council endorsement
- ▶ That is why we are here today

Current Review / Response to Applications / LTVCA Performance

- ▶ The LTVCA tracks all planning applications to ensure timelines provided by the province and the municipality are met
- ▶ The performance for timely response is noted below:
 - 2020 – 100% of applications met timelines
 - 2021 – 100% of application met timelines

Elements of Agreement vs Levy

- ▶ **Mandatory Elements:**
 - Natural Hazards
- ▶ **Non-Mandatory Elements:**
 - Natural Heritage
 - Species At Risk

Breakdown of Planning Budget / Levy

LTVCA Planning Budget

Non Mandatory Levy - Planning

- ▶ Total Municipal Levy: \$ 17,300
- ▶ West Elgin share: \$ 745

Mandatory Levy - Planning

- ▶ Municipal Levy: \$110,000
- ▶ Self Generated: \$ 14,300
- ▶ West Elgin share: \$ 1,101

Note: Fees will allow addition of staffing to address significant increase in circulations

Questions



New Planning Fee Schedule

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Background

- ▶ As part of the new Planning MOU's, a new fee schedule is required
- ▶ Of particular note, all other neighbouring conservation authorities surrounding our jurisdiction already charge fees for the review of municipal planning applications / submissions
- ▶ In the past, the LTVCA Board of Directors did not want to move forward with charging planning fees as it was determined that the Provinces payment could offset the cost of running the planning program

Funding Challenges

- ▶ Unfortunately, with the Province reducing our transfer payment, the costs of providing this service to our member municipalities are not being recuperated as in the past
- ▶ At the same time workloads have increased substantially
- ▶ There are no grants that could offset the costs and we don't wish to download further expenses onto our member municipalities
- ▶ As a result, a new fee schedule has been generated by reviewing our neighbouring CA's planning fee schedules

Fees Review



- ▶ Of the four neighbouring CA fee schedules, LTVCA staff determined that using ERCA's fee schedule would be the most appropriate
- ▶ The fees were the lowest of all the neighbouring CA's and it was thought that using the lower fee rate would give us an opportunity to adjust any fees if costs were exceeded
- ▶ The proposed fee schedule is included in the MOU Agreement in Schedule 3

LTVCA Planning Fee Schedule

LTVCA Board
Approved:
April 21, 2022

<u>Plan Review Fee Schedule</u>	<u>New LTVCA Planning Fee Schedule</u>
legal / private / realtor inquiries (fee charged for each assessment roll number, not by ownership)	\$125.00
clearance letters for subdivision/condominium approval (applies to each phase of subd. requested) (from draft plan to clearance, including SWM review) (where permit fee not required)	a. \$115/lot (max \$10,000 per phase) (outside of regulated area) b. \$350/lot (within regulated area) c. \$1,200 preliminary SWM review
a. \$115/lot (max \$10,000 per phase) detailed SWM Review and all other review (outside of regulated area) b. \$350/lot detailed SWM Review and all other review (within regulated area with each lot receiving a permit) (current fee)	
major OPA/ZBLA industrial, commercial, institutional, subdivision, etc.	\$300.00 (no SWM review required)
minor OPA/ZBLA single lot/unit residence	\$200.00
consent	\$200.00
minor variance	\$115.00
site plan control / approval	\$200.00
OPA / ZBLA combination	\$275.00
consent / minor variance with ZBLA combination	\$250.00
consent with minor variance combination	\$250.00
multiple consent applications on a single application	\$115.00/lot (unregulated) \$350.00/lot (regulated)
input and review of relevant EIS's / DAR's / EA's and other major studies, proponent driven	\$1,500.00
LTVCA staff appearing as an expert witness at a Committee of Adjustment hearing or Ontario Land Tribunal hearing:	
a. Acting on behalf of the municipality	a. no fee charged
b. At the request of the proponent	b. hourly rate

Questions

