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August 16, 2018

Grey County

Attention: Randy Scherzer, Director of Planning

Re: Memorandum of Understanding – Planning Services

Background: Saugeen Valley Conservation Authority (“SVCA”) currently has in place Memorandum of Agreements (now replaced by the term Memorandum of Understanding (“MOU”)) with upper and lower tier watershed municipalities. Those MOUs provide the framework for the effective and timely provision of comments and services by SVCA to the Counties and municipalities with respect to land use planning matters. SVCA, and in some cases the County/Municipality, recognized the need to review and update those agreements. In July 2017 SVCA provided a proposed and significantly revised MOU to its municipal partners. The significant revisions were to remove the reference to Natural Heritage issues as well as the review of such issues and to limit commenting by SVCA to those geographic areas regulated by SVCA. That change was the result of a motion by the full Authority in October 2016. The proposed MOUs recognize that County and local councils have the statutory authority for land use planning.

Municipal Response to Proposed MOU: Most County and Municipal staffs were clear in their preference to have SVCA continue to provide the same Natural Heritage review services as well as commenting on local planning documents throughout the watershed as is currently the case. Those staff were asked to have their respective councils make a formal request to SVCA to that effect for consideration by the Authority Members. That formal request was made by Grey County and Southgate councils.

SVCA was also asked to include wording with respect to pre-submission consultation and with respect to a Communications and Issues Resolution Protocol. The Authority has agreed to those two requests.

SVCA Response to Council Requests: At its July 17th Authority meeting the Authority Members considered the request by Grey County and Southgate councils with respect to the Natural Heritage issue. The Members considered that request in the context of a strong Authority desire to improve the efficiency of SVCA. A key component of improved efficiency is the concentration by SVCA staff on the SVCA’s core mandate. SVCA’s core role in municipal plan input and review is to ensure that municipalities give appropriate regard to section 3.1 of the Provincial Policy Statement in their planning activities and further that the SVCA review be limited to areas regulated by Ontario Regulation 169/06 as amended. After much discussion, the councils’ request for continuing the planning services currently provided with respect to Natural Heritage, local planning document comments and planning reviews outside the SVCA regulated areas was respectfully denied by motion of the Authority.



Watershed Member Municipalities

Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands, Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce, Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North, Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

New MOUs: An MOU between the parties continues to be a useful tool as it will outline with clarity the role of those parties in the planning process. An MOU will further assist the County/Municipality and landowners/applicants by:

- Outlining SVCA's role in pre-submission consultation which is an important aspect requested by the County/Municipality. This provision can significantly assist in making the process more efficient for all the parties.
- Identify the protocol in cases where there is a hazard feature noted but the feature is not identified in SVCA mapping.
- Provide a communication and dispute protocol.
- Allow for consolidated fee collection which is a benefit to the landowner/proponent.

At a stated time SVCA staff will cease providing Natural Heritage services and current MOAs will be terminated and hopefully new MOUs will be in place. SVCA recognizes that the County/Municipalities require significant lead time to determine the preferred option for replacing the planning input and review services currently provided by SVCA. We understand that either having trained staff to perform those tasks or hiring outside consultants may take considerable time to put in place. County/Municipal budget concerns also factor into the timing for the transition. We are certainly willing to work with County/Municipal staff to assist them in their deliberations during the transition. We suggest a realistic effective date for a new MOU would be on or before January 1, 2020 and wish to work toward that date as a firm deadline. Please let us know if that is a reasonable date from your perspective. We understand that Huron County does its own Natural Heritage review using its staff, so they may be a useful source of information on how that works for them.

Next Steps: We suggest the next steps would include:

- County/Municipal staff informing their respective councils of the change in SVCA's role with respect to planning services.
- Agreement on the termination date for the provision of SVCA's current planning services (January 1, 2020).
- Finalize the terms and conditions of a new MOU.

Please do not hesitate to contact us should you wish clarification on any aspects of this issue.

Regards,



Wayne Brohman
General Manager/Secretary-Treasurer
Saugeen Conservation



Luke Charbonneau
Chair
Saugeen Conservation