
REPORT TITLE: **Establishment of the Planning and Growth Management and Planning Advisory Committees**

FROM: Kealy Dedman, Commissioner of Public Works

RECOMMENDATION

1. That staff report back to a future meeting of Regional Council regarding the re-establishment of a modified Planning and Growth Management Committee, upon completion of the Province's regional government review and upon proclamation of the provisions of Bill 23 *More Homes Built Faster Act, 2022* related to the removal of Regional planning responsibilities; and
2. That a Planning Advisory Committee not be established at this time.

REPORT HIGHLIGHTS

- At the Regional Council meeting on December 8, 2022, staff were directed to report back to Regional Council with updated terms of reference for the Planning and Growth Management Committee and on the need to establish a Planning Advisory Committee.
 - The Planning and Growth Management Committee was established in 2021 as a committee of Regional Council to provide strategic guidance on regional planning and growth management matters and facilitate focused discussion and provide recommendations to Regional Council on the Peel 2051 Regional Official Plan Review and Municipal Comprehensive Review.
 - The Region will function as an upper tier without planning responsibilities upon proclamation of changes to the *Planning Act* introduced in Bill 23 *More Homes Built Faster Act, 2022*.
 - Most reporting at this time is related to Bill 23 *More Homes Built Faster Act, 2022* and Bill 39 *Better Municipal Governance Act, 2022* which have impacts on the Region that extend beyond planning, and therefore, staff would continue reporting to Regional Council at this time, and a recommendation on Planning and Growth Management Committee would be provided upon completion of the Province's regional governance review.
 - A Planning Advisory Committee, a public led planning and growth management sub-committee, will no longer be a legislative requirement for the Region once the Region's planning responsibilities are removed upon full proclamation of the applicable provisions of Bill 23 *More Homes Built Faster Act, 2022*.
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Establishment of the Planning and Growth Management and Planning Advisory Committees

DISCUSSION

1. Background

At the December 8, 2022 Regional Council meeting, staff brought forth a report to Regional Council regarding Council appointments to various committees, local boards, special purpose bodies and conservation authorities, where Regional Council directed:

“That staff report to a future meeting of Regional Council with updated terms of reference for the Planning and Growth Management Committee and to finalize a recommendation on the need to establish a Planning Advisory Committee”

This report responds to the direction from Council.

2. Planning and Growth Management Committee

a) Background

At the January 14, 2021, Regional Council meeting, Council approved the Terms of Reference to establish the Planning and Growth Management Committee (PGMC) to provide strategic guidance and recommendations to Regional Council on matters related to official plan policy and growth management. The PGMC’s roles and responsibilities included the review of:

- Background information, draft polices and mapping on the Region’s Official Plan Review and Municipal Comprehensive Review (MCR) to plan for growth;
- Privately or publicly initiated Regional Official Plan Amendments;
- Local municipal Official Plan Amendments;
- Growth management related matters; and
- Regional input on Provincial planning and growth management matters.

The Committee received presentations, information and recommendation reports and public delegations on matters related to the Peel 2051 Regional Official Plan Review and MCR. The Committee last met on April 7, 2022, prior to Regional Council adoption of the New Region of Peel Official Plan on April 28, 2022.

b) Proposed Direction

As mentioned previously, PGMC was established to provide strategic advice on regional planning and growth management matters and facilitate focused discussion on the Peel 2051 Regional Official Plan Review and MCR. The initial intent and purpose of the PGMC when established in 2021 has been largely fulfilled with the adoption and approval of the new Region of Peel Official Plan in 2022.

As a result of the recent statutory changes brought about by provisions in Bill 23 *More Homes Built Faster Act, 2022* (Bill 23), the Region’s responsibilities related to land use planning are to be removed on a date to be proclaimed by the Lieutenant Governor (Bill 23 defines the Region as an “upper-tier municipality without planning responsibilities”). In addition to changes from Bill 23, regional governance including Regional roles and responsibilities are being reviewed and are to be confirmed through a facilitated process

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further to provincial announcements made contemporaneously with the introduction of Bill 39 *Better Municipal Governance Act, 2022* (Bill 39).

These legislative processes are still underway and until they are finalized and the province releases further regulations to provide clarity, the future role of the Region in planning and growth management remains unclear. Further, there has been no indication provided by the Province on the timing of release of potential new legislation or direction. Typically, once new legislation is released, staff must report to Regional Council within tight timeframes which may not align with the predetermined schedule of a committee. As such, it is recommended that the re-establishment of a PGMC, or similar committee, be deferred until full proclamation of the relevant provisions of Bill 23 and the completion of the regional governance review. In the interim, all planning and growth management related reports will continue to be brought directly to Regional Council within the Planning and Growth Management section. This will ensure all members of Regional Council continue to be involved in all discussions and decisions on such matters.

3. Planning Advisory Committee

a) Background

As a result of changes to the *Planning Act* by Bill 73: *Smart Growth for our Communities Act, 2015*, the Province required upper and single-tier municipalities to establish a Planning Advisory Committee (PAC). The purpose of a PAC is to provide greater opportunity for residents to provide input and participate in Regional planning.

On January 10, 2019, Regional Council approved a Terms of Reference and provided direction to establish a PAC. At the time, it was recommended the committee function as a sub-committee to provide public input on planning matters with no decision-making authority.

The mandate of the PAC was to:

- Provide ongoing input on the Region's long-term community vision and initiatives, and key land use planning matters;
- Champion land use planning literacy, education, and outreach in the Region of Peel; and
- Promote input from members of the public on planning matters in the Region of Peel.

The process to recruit members to the PAC was paused when the 2019 Regional Governance Review was initiated by the Province and continued to be on pause due to the COVID-19 Pandemic. The start-up of the PAC was planned to be initiated in 2023 to coincide with the 2022-2026 Term of Council.

b) Proposed Direction

The establishment of a PAC with public membership is currently a legislated requirement under the *Planning Act* until such time that the provisions in Bill 23 removing Regional planning responsibilities come into effect. It is recommended a PAC not be established as the Region's planning responsibilities are to be removed, which would also remove

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the legislative requirement to appoint a PAC. Should anything change in legislation that would require a PAC, staff will report back to Regional Council.

RISK CONSIDERATIONS

By not establishing a PAC, the Region is in technical non-compliance with existing legislative requirements. Given the pending proclamation in force of the provisions of Bill 23 removing planning responsibilities from the Region of Peel, and the corresponding provisions that will no longer require the Region to establish a PAC, not doing so at this time is viewed as presenting minimal risk.

CONCLUSION

The report responds to the direction given at the December 8, 2022 Regional Council meeting to report back with a revised terms of reference for PGMC and final recommendation of a PAC. Upon full proclamation of Bill 23, the Region's planning roles and responsibilities are to be removed, including the requirement for a PAC. Additionally, local and regional roles and responsibilities, including regional planning are to be reviewed through a provincially appointed facilitator announced with the introduction of Bill 39. The future role the Region will continue to play in planning and growth management is still unknown at this time.

As a result of Bill 23 and Bill 39 affecting the Region more broadly, related items would be more appropriately discussed at Regional Council under the Planning and Growth Management section of the agenda rather than a planning and growth management focused Committee of Council. Further, due to the unknown timing of additional information being released from the Province related to Bill 23, staff will need to take items to Regional Council on an unpredictable schedule which may not align with the predetermined schedule of a committee. Reconsideration to establish a PGMC, or variation of a sub-committee, will be revisited upon full proclamation of Bill 23 and completion of the regional governance review.



Kealy Dedman, Commissioner of Public Works

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