
REPORT TITLE: **Proposed Memorandum of Understanding with the Ministry of Municipal Affairs and Housing**

FROM: Kealy Dedman, Commissioner of Public Works

RECOMMENDATION

- 1. That the Chief Administrative Officer be directed to execute the Memorandum of Understanding provided as Appendix II to the report of the Commissioner of Public Works, listed on the June 27, 2024 Regional Council agenda titled “Proposed Memorandum of Understanding with the Ministry of Municipal Affairs and Housing”, subject to any required refinements to ensure it is scoped to address the Region’s interests in providing infrastructure and Regional services; and**
- 2. That the Regional Clerk forward a copy of the subject report to the City of Brampton, the City of Mississauga, the Town of Caledon, and the Ministry of Municipal Affairs and Housing.**

REPORT HIGHLIGHTS

- On June 13, 2024, a letter was received from the Ministry of Municipal Affairs and Housing requesting Peel Region to sign a Memorandum of Understanding (MOU). The intent of the MOU is to support a collaborative approach to the transition of the Region’s land use planning responsibilities. A copy of the letter and a Draft MOU are provided as Appendix I and II to this report.
- The letter and the Draft MOU recognize that following the removal of the Region’s land use planning responsibilities on July 1, 2024, the Region will continue to participate in land use planning processes, but only to the extent that it relates to the delivery of Regional infrastructure and services.
- Regional staff have reviewed the Draft MOU and recommend the addition of specific language to ensure clarity for Peel Region’s scope, role and duration.
- On this basis, Regional staff recommend signing the MOU, subject to working with the Ministry to address certain refinements to clarify the specific nature of the Region’s role in providing Regional infrastructure and services and supporting a transitional period for service delivery continuity.

DISCUSSION

1. Background

In November 2022, the Province announced changes to the *Planning Act* that would identify certain upper-tier municipalities, including Peel Region, as “upper-tier municipalities without planning responsibilities”. This change will come into effect on July 1, 2024. Following this

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date, the Region will no longer be a land use planning approval authority and will no longer be responsible for the Regional Official Plan.

Following July 1, 2024, there will also be a change to the role of the Ministry of Municipal Affairs and Housing – the Ministry will be the approval authority for certain changes to the official plans of the Local Municipalities in Peel. This responsibility was previously held by the Region. As a result, there is an opportunity to clarify the responsibilities of the Region and Ministry as they pertain to planning and the Ministry's role as approval authority for official plans in Peel.

In a letter dated June 13, 2024, the Ministry of Municipal Affairs and Housing provided Peel Region with a draft Memorandum of Understanding (MOU) intended to clarify the roles and responsibilities of the Ministry and the Region related to land use planning following July 1, 2024. A copy of the letter and the draft MOU are provided as Appendices I and II to this report.

2. Summary of the Proposed MOU

A summary of the key content in the Draft MOU sent by the Ministry is provided below:

a) Purpose

The purpose of the MOU is to clarify the roles and responsibilities of the Ministry, to identify the specific matters where the Region has an ongoing interest related to land use planning, to establish processes for information sharing and supporting the Ministry's role as an approval authority, and to eliminate duplication.

b) Goals

The MOU identifies a number of goals, including expediting development approvals, establishing clear timelines and procedures for the Ministry's consultation with the Region, ensuring that infrastructure and land use planning decision-making is coordinated, and minimizing disruption in the transition of planning roles and responsibilities.

c) Roles & Responsibilities

The MOU sets out the following roles and responsibilities:

- **Ministry of Municipal Affairs and Housing**
The Ministry will be the approval authority for official plans and official plan amendments (OP/As) adopted by the Local Municipalities (except for those exempt by regulation), will provide the Region opportunity to comment on an official plan or amendment for which the Ministry is the approval authority (including new official plans, comprehensive official plan updates, and plans for protected major transit station areas), may seek input from the Region on other official plan and official plan amendments, and may seek the Region's support at the Ontario Land Tribunal.
- **Peel Region**
The Region will work collaboratively with the Ministry and the Local Municipalities to ensure an efficient transition, will provide information and support to the Ministry on matters that relate to land use planning, will work with the Ministry to transfer

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relevant planning records to the Ministry or applicable Local Municipality, and will participate in consultations with the Ministry on Local Official Plan policies and processes and contribute to the Provincial decision making process, particularly regarding infrastructure planning to support growth.

- Shared
The Ministry and Region will maintain open communication and collaboration channels to facilitate information exchange, address emerging issues, and ensure a coordinated approach to transition.

Overall, the Draft MOU recognizes the Region's role in supporting the transition of planning responsibilities and, given changes to authorities, how the Region will continue as a participant in these processes, specifically as they relate to delivering Regional infrastructure and services.

The Ministry has requested comments on the Draft by June 21, 2024, in order to facilitate the signing of the MOU prior to July 1, 2024. Regional staff and Ministry staff also met on June 19th and discussed possible amendments to the MOU and the need to extend timelines to ensure Council direction and coordinated internal comments. Regional staff have identified areas where changes would improve the clarity of the MOU by more clearly articulating Peel Region's scope, role and duration for transition and ongoing involvement related to delivering infrastructure and Regional Services.

As the intent of the MOU is consistent with the Region's approach to transition, Regional staff recommend that Peel Region sign the MOU, subject to addressing the changes to increase clarity as described above.

RISK CONSIDERATIONS

Given the change in legislative authority, the upload and download of responsibilities from Peel Region, and acknowledging the transitional period to ensure continued service delivery, entering into a Memorandum of Understanding ensures required clarity for service provision and supports while supporting the intent of the *More Homes Built Faster Act* (Bill 23).

BILL 112 RISKS AND IMPLICATIONS

On June 8, 2023, the Province passed Bill 112, the *Hazel McCallion Act (Peel Dissolution), 2023*, which was initially intended to dissolve the Region of Peel and provided for a Transition Board to make recommendations to the province on how to implement the restructuring. On June 6, 2024, Bill 185 took effect, amending Bill 112 and reversing the decision to dissolve the Region of Peel. Bill 185 changed the name of the legislation to the *Hazel McCallion Act (Peel Restructuring), 2023* and recalibrated the Transition Board's mandate to focus on making recommendations on land use planning; water and wastewater; storm water; highways; and waste management. Final details of the Transition Board's recommendations, any associated provincial decision and impacts on Peel services are not known at this time and will be addressed in future reporting to Regional Council.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the recommendations in this report.

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CONCLUSION

Regional staff will continue to work with the Ministry to finalize the MOU, in addition to local municipalities and the Conservation Authorities, in support of a smooth and efficient transition of land use planning responsibilities following July 1, 2024. Updates to Regional Council on these efforts will continue to be provided as appropriate.

APPENDICES

Appendix I - Ministry of Municipal Affairs and Housing Letter dated June 13, 2024

Appendix II - Draft MOU between the Ministry of Municipal Affairs and Housing and Peel Region



Kealy Dedman, Commissioner of Public Works

Authored By Tara Buonpensiero, Chief Planner & Director, Planning and Development Services