

AGREEMENT
FOR PLAN REVIEW, TECHNICAL CLEARANCE AND FEE COLLECTION

BETWEEN
THE CORPORATION OF THE CITY OF MISSISSAUGA
(the "City of Mississauga")

AND

CREDIT VALLEY CONSERVATION AUTHORITY
HALTON REGION CONSERVATION AUTHORITY
THE TORONTO AND REGION CONSERVATION AUTHORITY

("Conservation Authorities")

Date: July 16, 1997

Revised: August 19, 1998

Revised: June 14, 2005

1. THE PURPOSE of this agreement is to:

- a) provide for Conservation Authority's plan review and technical clearance expertise to assist the City of Mississauga to make decisions on planning applications; and
- b) streamline the municipal planning system where opportunities exist to facilitate as much as possible the creation of a "one stop" planning system operating from the City of Mississauga.

2. ROLES AND RESPONSIBILITIES

The Corporation of the City of Mississauga (hereinafter the "City of Mississauga") and the Conservation Authorities agree that:

- a) the City of Mississauga will screen planning and development applications received by it and forward those applications which require conservation authority review to the appropriate Conservation Authority. The screening of the applications will occur in accordance with the Screening Procedures as set out in Schedule 1 attached. The Screening Procedures may be revised from time to time on written consent of each of the Parties;
- b) the Conservation Authorities will provide the City of Mississauga with plan review and technical clearance services, as set out on Schedule 2 attached, in accordance with the Provincial Policy Statements by fulfilling the functions described below:
 - (i) define features and assess the long-term ecological function and biodiversity of natural heritage systems, identifying opportunities, where applicable, for restoration or improvements. Examine the functions of these features and establish requirements and conditions, to determine the need for and adequacy of studies (including environmental impact studies) which assess impacts and propose appropriate development limits defined through policy, mitigation, restoration and/or enhancement measures related to:
 - significant wetlands;
 - significant wildlife habitat;
 - habitats of threatened and endangered species;
 - fish habitat;
 - significant areas of natural and scientific interest;
 - significant woodlands;
 - significant valley lands;
 - flood and erosion dynamic beach hazards;
 - flood and erosion watercourse and valley land hazards;
 - ground water recharge areas;

- ground water quantity and quality;
 - surface water quantity and quality.
- (ii) identify the need for a ground water and surface water taking permit;
- (iii) identify the need for an application to be processed and work through an application for mitigation and compensation under the *Federal Fisheries Act*;
- (iv) advise on the potential need for an application under the *Lakes and Rivers Improvement Act* or any other applicable legislation;
- (v) assist in the technical aspects of applying alternative development standards as a best management practice for stormwater management purposes and enhancement of natural heritage features and functions.
- c) the lead agency for each of the items described in 2b) above is shown on Schedule 3 attached;
- d) any information or data sources provided by the Province or generated through municipal or watershed studies will be shared;
- e) notwithstanding the purpose of this agreement it is recognized that:
- (i) the Conservation Authority will review and provide comments and advice in the context of the policies and land use designations of approved official plans and other guiding municipal documents;
 - (ii) effective watershed management and environmental protection also requires the appropriate consideration of regional and local natural resources as identified through official plans, municipal studies, watershed and subwatershed studies, Conservation Authority natural heritage mapping or a site specific proposal;
 - (iii) the Conservation Authority will continue to provide comments and recommendations as outlined in 2(b)(i), on planning matters circulated by the City of Mississauga such as official plans and policy amendments and municipal studies; and
 - (iv) nothing precludes the Conservation Authority from commenting to the City of Mississauga as they would normally exercise their rights under the *Planning Act*, the *Conservation Authorities Act*, or other applicable legislation.

3. TERM AND IMPLEMENTATION

- (1) The City of Mississauga and the Conservation Authority agree:
 - a) the term of this agreement shall be for a period of three years from the date of execution by the City of Mississauga and the agreement shall be automatically extended for additional three-year terms, on the same terms and conditions as contained herein at the discretion of the City of Mississauga and the Conservation Authority, until terminated by either party in accordance with subsection 3(2) herein. Notwithstanding the above, the Screening Map may be updated at any time at the discretion of the City of Mississauga and the Conservation Authority;
 - b) that the City of Mississauga Planning and Building Department will monitor the Agreement and request a meeting with the Conservation Authority at least three months prior to the renewal date to review the terms of this Agreement, to incorporate changes in programs of the Parties or changes in Provincial policies;
 - c) to explore further opportunities to streamline the plan review system as it relates to Provincial and Regional/local interests;
 - d) to make provisions for Conservation Authority's staff to attend Ontario Municipal Board Hearings with City of Mississauga staff, with respect to the plan review and technical clearance services provided pursuant to this agreement. Where City of Mississauga staff are attending Hearings in which matters of mutual interest are at issue, City staff may attend to represent both the City and the Conservation Authority's interests, at the mutual agreement of both parties. Notwithstanding the aforesaid, the Conservation Authority will not be precluded from independently appealing a decision to the Ontario Municipal Board if they so choose;
 - e) that fees for plan review and technical clearance services shall be set by the Conservation Authority, as reflected in an approved Schedule of Fees and any approved revisions to be provided to the City of Mississauga to the Commissioner of Planning and Building Department and the Secretary-Treasurer of the Committee of Adjustment. The City of Mississauga shall collect the Application Fee (TRCA), Preliminary Analysis Fee (CVC), or Review Fee (HRCAs) and remit any fees collected in a timely manner with the details of the application to the Conservation Authority;
 - f) that the Conservation Authority shall be responsible for collecting any further Processing/Approvals/and/or Final Clearance Fees as required;

g) that the City of Mississauga shall revise their development application forms to clearly indicate that additional fees may be collected for complex proposals at the sole discretion of the Conservation Authority. The collection of these additional fees will be the sole responsibility of the Conservation Authority;

h) that each Conservation Authority shall periodically provide to the City of Mississauga updated digital information to amend the Screening Map, as described in Schedule 2.

(2) Any party may terminate this agreement at any time upon delivering thirty days written notice of termination, by prepaid registered mail, to all of the other parties, which notice shall be deemed to be received on the fifth business day from the date of mailing.

(3) Any notice to be given pursuant to this agreement shall be delivered to the parties at the following address:

City of Mississauga
300 City Centre Drive, Mississauga, ON L5B 3C1
Attention: Commissioner of Planning and Building

Credit Valley Conservation Authority
1255 Derry Road West, Mississauga, ON L5N 6R4
Attention: General Manager

The Toronto and Region Conservation Authority
5 Shoreham Drive, Downsview, ON M3N 1S4
Attention: Director, Development Services Division

Halton Region Conservation Authority
2596 Britannia Road, West R.R.2, Milton, ON L9T 2X6
Attention: Chief Administrative Officer

Authorizing By-law Number: 0446-2005

Enacted On: November 23, 2005

THE CORPORATION OF THE CITY OF MISSISSAUGA

Crystal Greer
Crystal Greer, City Clerk
Corporate Services

December 6/05
Date

E.R. Sajeki
Edward R. Sajeki, Commissioner
Planning and Building

Dec. 6/05
Date

CREDIT VALLEY CONSERVATION AUTHORITY

Rae Horst
Rae Horst
General Manager

Sept 19'05
Date

THE TORONTO & REGION CONSERVATION AUTHORITY

Brian Denney
Brian Denney
Chief Administrative Officer

Aug 24/05
Date

HALTON REGION CONSERVATION AUTHORITY

T.P. Maguire-Garber
Theresa Maguire-Garber
Chief Administrative Officer

Oct 28/05
Date

Screening Procedure

SCHEDULE -1

1. The following Screening Criteria is to be used in conjunction with the Conservation Authority Screening Map to provide the City of Mississauga with a reference for the circulation of development applications and/or policy documents.
2. All policy documents that may affect environmental and/or hazardous issues and/or Conservation Authority lands should be circulated to the appropriate Conservation Authority for comment, e.g. Official Plan Amendments, Policy Amendments, Background Municipal Studies, Subwatershed Studies, Environmental Assessments and other environmental studies, Parkway Belt Exemptions, and Parkway Belt West Plan Amendments.
3. Where the land area of a development application is wholly, or partially within or abutting the Conservation Authority Screening Area described on the Screening Map*, the following applications should be forwarded, along with the required fee, to the appropriate Conservation Authority as part of the approvals process:
 - a. Site Specific Official Plan Amendment applications.
 - b. Site Specific Rezoning and Minister's Zoning Order applications.
 - c. Plan of Subdivision applications including applications over 5 hectares which are outside the screening area. If there are a number of adjacent development sites each less than 5 hectares and outside of the screening area, those development applications may be circulated to the appropriate Conservation Authority for review.
 - d. Plan of Condominium applications which have not received previous site plan or subdivision approval, including applications over 5 hectares which are outside the screening area.
 - e. Consent applications involving easements, creation of new lots or part lots, and/or lot boundary adjustments or additions.
 - f. Minor Variance applications within or abutting the screening areas for which there is a question as to whether the Conservation Authority's interests may be affected. Where the Conservation Authority has determined that the application does not affect their program or policy interests, no Conservation Authority review fee shall be required.
 - g. Site Plan Approval applications pursuant to Section 41 of the *Planning Act*.
4. For Building Permit applications, the City of Mississauga will advise applicants to confirm any requirements directly with the relevant Conservation Authority and ensure that the application is in accordance with the requirements of the *Ontario Building Code* that building permits shall not be issued for properties that may be subject to flood hazards, until such time as requisite clearances have been

provided by the applicable Conservation Authority. Where the land area of a Building Permit Application is wholly or partially within the Conservation Authority Screening Area described on the Screening Map* and in accordance with the following criteria, the relevant Conservation Authority will review the subject application:

5. Any works proposed within or adjacent to a valley or stream corridor or other areas regulated by the Conservation Authorities, may require Conservation Authority approval for a Fill, Construction and Alteration to Waterways permit under the Conservation Authority's respective Ontario Regulations. Where it has been identified by the Conservation Authorities that such permits are required, this requirement shall be identified in, and where feasible be a condition of, all *Planning Act* approvals provided by the City of Mississauga.
6. For all development applications not within the Valley and Stream Corridor, regulated areas, or other areas of concern to the Conservation Authorities, the City of Mississauga will be solely responsible for the review, approval, inspection and enforcement of erosion and sediment control measures during the construction period.
7. Within the area of interest of the Conservation Authority, landscape and planting requirements, in addition to sediment and control requirements, may be applied by the Conservation Authorities, and shall be considered by City of Mississauga staff in their review of affected applications.
8. For all applications listed in number 3 (above), the Conservation Authority may require review of, and/or request additional studies in support of, proposed or requisite stormwater management measures.
9. The City of Mississauga and the Conservation Authority recognize that sediment and erosion control generated through land development, including servicing, is a primary concern for the protection of all watercourses, drainage features and other natural heritage features throughout the municipality. As such:
 - a) The City of Mississauga agrees to:
 - i) Maintain a sediment and erosion control by-law; and
 - ii) Review and update development standards with the Conservation Authority as new technology and/or criteria relevant to erosion control are developed.
 - b) The Conservation Authority agrees to:
 - i) investigate a process with the Ontario Ministry of Natural Resources and Fisheries and Oceans Canada to coordinate the compliance and enforcement

process to ensure that all applicable legislation is being used to address sediment and erosion control; and

ii) to provide sediment and erosion control guidelines, as updated, and provide information on new technology as it becomes available.

*The location of natural features (e.g. tableland woodlots) outside of the screening area are provided for information purposes. Applications which include, or are adjacent to, these natural features are not required to be circulated to the Conservation Authority. Development applications may, however, be circulated to the Conservation Authority for comment where, in the opinion of staff, such comment would assist in the evaluation of the development application.

SCHEDULE-2

1. "Plan Review" is defined as:
 - (i) reviewing development applications in a timely manner recognizing the *Planning Act* objectives;
 - (ii) delineating the limits of the natural features and systems;
 - (iii) identifying the need for technical reports; and
 - (iv) specifying conditions of approval.
2. "Technical Clearance" is defined as:
 - (i) assessing technical reports submitted by the proponent to determine if the reports satisfy the conditions specified; and
 - (ii) clearing the conditions.
3. "Screening Map" is defined as:
 - (i) a map delineating the area of the interest of the Conservation Authority as may be relevant to policy formulation or development applications. Specifically, the area of interest may include wetlands, valley and stream corridors, regional storm flood plains, watercourses, environmentally significant areas, Areas of Natural and Scientific Interest, rare threatened and endangered species' habitats, woodlands, lake waterfront areas, special policy areas and fisheries habitats.

SCHEDULE-3

LEAD AGENCIES BY PROVINCIAL INTEREST

*	Wetlands	CA/R (for those identified in the
*	Wildlife Habitat	CA
*	Endangered & Threatened Species	CA/R
*	Fish Habitat	CA
*	Area of Natural and Scientific Interest	CA/R
	Woodlands	CA/CM/R (for those identified in the
*	Valley lands	CA
*	Flood, Erosion, Valley Land Hazard	CA
*	Flood and Erosion Dynamic Beach Hazard	CA
*	Ground Water Recharge/Discharge	CA
*	Ground Water Quality and Quantity	R (for water supply)
*	Permits to Take Water	CA (for water resources)
*	Surface Water Quality and Quantity	CA/MOE
		CM/CA

R = Region of Peel

ROP: Region's Official Plan

CM = City of Mississauga

CA = Conservation Authorities

MOE = Ministry of Environment