

Clause 2 in Report No. 3 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on February 16, 2017.

2

Options for Establishing a York Region Planning Advisory Committee

Committee of the Whole recommends:

1. Receipt of the presentation by Paul Freeman, Director, Long Range Planning.
 2. Adoption of the following recommendations contained in the report dated January 27, 2017 from the Commissioner of Corporate Services and Chief Planner:
 1. Council establish a new dedicated York Region Planning Advisory Committee to provide advice to Council on key Regional planning matters, as outlined in the proposed Terms of Reference (Attachment 2).
 2. Staff be directed to initiate recruitment of resident Planning Advisory Committee members and report back to Council with recommended members for appointment.
 3. The Regional Clerk circulate this report and attachment to the Clerks of the local municipalities.
-

Report dated January 27, 2107 from the Commissioner of Corporate Services and the Chief Planner now follows:

1. Recommendations

It is recommended that:

1. Council establish a new dedicated York Region Planning Advisory Committee to provide advice to Council on key Regional planning matters, as outlined in the proposed Terms of Reference (Attachment 2).
2. Staff be directed to initiate recruitment of resident Planning Advisory Committee members and report back to Council with recommended members for appointment.

3. The Regional Clerk circulate this report and attachment to the Clerks of the local municipalities.

2. Purpose

This report provides Council with options for establishing a York Region Planning Advisory Committee, as required by recent amendments to the *Planning Act*. It requests Council's endorsement of a recommended option and direction to recruit members for appointment by Council.

3. Background

Recent amendments to the *Planning Act* require York Region to establish a Planning Advisory Committee

Bill 73, the *Smart Growth for Our Communities Act, 2015* became law in December 2015 and made a number of amendments to the *Planning Act*. Most of the amendments came into force on July 1, 2016. On [November 17, 2016](#), Council received a report regarding the implications of the amendments for the Region's planning process.

One of the amendments to the *Planning Act* requires upper-tier and single-tier municipalities to establish planning advisory committees. The Province has stated that the amendment is intended to increase resident involvement in the planning process, and to help facilitate collaboration and the exchange of ideas between council and the public. The use of planning advisory committees remains voluntary for local municipalities.

The *Planning Act* provides few criteria, giving the Region flexibility to determine the committee's scope

While the Region now has a statutory responsibility to establish a planning advisory committee, the Province has provided flexibility for the Region to determine how the requirement is met based on the following criteria set out in Section 8 of the *Planning Act*:

- Members of the committee are appointed by Council.
- At least one member must be a resident of the municipality. Resident members cannot be a member of a municipal council or a Regional employee.
- Members may receive remuneration and expenses as determined by Council.

The committee's role is to provide Council with advice on planning matters, with Council responsible for determining the specific matters to be considered by the advisory committee. Council continues to maintain its decision-making role with respect to planning matters.

4. Analysis and Implications

Municipalities are in the early stages of addressing the *Planning Act* advisory committee requirement with different approaches

The Province has indicated municipalities may use one or more existing citizen advisory committees to address the *Planning Act* advisory committee requirement. Some municipalities, such as Waterloo and Halton Regions, already have a number of advisory committees in place meeting the criteria. Examples include environment, transportation, and heritage committees. Membership composition of municipal advisory committees ranges; some committees have mixed council/resident representation, while others have resident members only.

Other municipalities, such as the Counties of Simcoe and Peterborough and the City of Orillia, are establishing new committees dedicated to considering planning matters. A number of municipalities are still exploring options and will report to their councils in the coming months on how they intend to meet the requirement.

Staff considered three options for establishing a York Region Planning Advisory Committee

To develop options for meeting the requirement for a planning advisory committee, staff reviewed the processes and protocols for other York Region advisory committees and researched approaches being taken by other municipalities. Three options were considered and are outlined in this report. They are:

- **Option 1:** Expand the mandate of existing York Region advisory committees to include reviewing planning matters, as directed by Council.
- **Option 2:** Establish a new dedicated York Region Planning Advisory Committee to consider all Planning and Economic Development reports, applications and/or approvals.
- **Option 3:** Establish a new dedicated York Region Planning Advisory Committee to consider key Regional planning matters.

Attachment 1 provides a description of each option and the results of staff's analysis.

Expanding the mandate of existing York Region advisory committees to include reviewing planning matters is not feasible due to their specialized focus

As stated, municipalities may use existing advisory committees to meet the requirement (Option 1). The Region has two advisory committees in place – the Agricultural Advisory Liaison Group and the Accessibility Advisory Committee. Both report to Council through Committee of the Whole, and from time to time consider planning matters that intersect with their subject areas.

The two York Region advisory committees have specialized focuses and corresponding membership requirements. The Accessibility Advisory Committee is required by the *Accessibility for Ontarians with Disabilities Act, 2005* to advise Council on meeting the Region's legislated responsibilities relating to accessibility matters. The Agricultural Advisory Liaison Group is made up of members with specific expertise on agriculture, food production and rural issues in York Region and advises Council and staff on matters in those areas.

Due to these factors, it is not recommended that these committees be used to fulfill the planning advisory committee requirement as significant amendments to their mandate and membership would be required. Expanding the role of these committees would detract from their respective mandates.

Establishing a new dedicated Planning Advisory Committee to consider all Planning and Economic Development reports and planning applications would be challenging and duplicate existing processes

Staff considered establishing a new committee comprised of elected officials and resident members to consider and provide advice on all Planning and Economic Development reports and planning applications (Option 2). The wide range of items to be reviewed would necessitate monthly meetings, in advance of Committee of the Whole, to provide advice on reports and applications.

This approach would give significant weight to the committee. However, a large proportion of the matters approved by the Region are subject to extensive public processes at the local municipal level which meet and exceed the requirements of the *Planning Act*. In addition to duplicating existing processes, engaging the committee on all applications would not be feasible due to tight statutory review timelines, which can often be challenging to meet. This option could prolong the review of planning applications and increase the risk of non-decision appeals to the Ontario Municipal Board.

Options for Establishing a York Region Planning Advisory Committee

Staff recommend a new dedicated Planning Advisory Committee to provide advice on key Regional planning matters

Similar to the second option, staff propose a new advisory committee to advise on key Regional planning matters (Option 3), with a focus on issues affecting the long-term community vision for the Region. It is recommended such matters include:

- Proposed new or revised plans, legislation and initiatives from Provincial ministries, Federal departments and other agencies that affect planning issues in York Region.
- Updates and amendments to the Regional Official Plan.
- Other studies warranting additional consideration, as referred by Regional Council or staff.

Based on an analysis of historic activity in these areas, staff propose that meetings be scheduled quarterly, with no less than two meeting held per year. Additional meetings may be held if needed at the call of the Committee Chair.

Option 3 provides an opportunity for staff to benefit from early input from the committee on emerging planning matters and Regional policy development or amendment. The committee's advice would inform the development of policy and staff recommendations to Council. This option poses minimal impact on the statutory review timelines under the *Planning Act*, and avoids duplication with Committee of the Whole and local municipal consultation processes.

Following Council's endorsement of the recommended option, staff will initiate a recruitment process for resident members

It is recommended the Planning Advisory Committee have eight to twelve members, including residents and members of Regional Council, and be representative of the Region's urban, urbanizing and rural areas.

Recruitment will proceed using the criteria defined in the Terms of Reference (Attachment 2). The call for resident representation will be publicly advertised through print and electronic media, including posting on York.ca. Applicants will submit their application to the Office of the Regional Clerk. To support delivery of the committee's mandate, preference will be given to persons with general knowledge of land use planning matters, including legislation, concepts and processes. Qualified applicants will be interviewed by a panel of staff members.

Based on the results of the interview process, staff will report back to Council with recommended resident members for appointment by Council. Staff propose the Chair and Vice-Chair of the Planning Advisory Committee be elected by the

members of the committee. It is anticipated meetings of the Planning Advisory Committee would begin in 2018.

5. Financial Considerations

Administering a new Planning Advisory Committee will pose additional costs, including the need for one additional full-time employee

Based on staff's experience with the Region's other advisory committees, it is anticipated there will be additional costs to administer the committee, including one additional full-time employee (FTE). The additional FTE will be addressed through the 2018 budget process. Other costs associated with the committee will include advertising to recruit resident members, printing materials for meetings, and additional resources to deliver the meetings outside of regular working hours to facilitate resident participation.

Consistent with the practice of the Region's other advisory committees, resident members will not be remunerated.

6. Local Municipal Impact

Many local municipalities have various advisory committees to inform planning processes. The proposed York Region Planning Advisory Committee will have a Regional focus and, through citizen representation, will provide an opportunity for resident perspective on planning matters. Staff will endeavour to ensure balanced geographic representation for the filling of resident positions.

7. Conclusion

Recent amendments to the *Planning Act* require York Region to establish a Planning Advisory Committee. Staff reviewed other municipal practices and plans to meet this requirement, and developed three options. After considering each of the options, staff recommend a new dedicated Planning Advisory Committee responsible for considering key Regional planning matters (Option 3). In staff's opinion this option best complements the Region's current committee structure, and provides residents who are Planning Advisory Committee members with an opportunity to provide input to Council on issues affecting the Region's long-term community vision.

Options for Establishing a York Region Planning Advisory Committee

Pending Council endorsement of the recommended option, staff will initiate a recruitment process for resident members and recommend members for Council appointment.

For more information on this report, please contact Paul Freeman, Director, Long Range Planning at 1-877-464-9675 ext. 71534.

The Senior Management Group has reviewed this report.

January 27, 2017

Attachments (2)

7264191

Accessible formats or communication supports are available upon request

York Region Planning Advisory Committee – Options Considered

Option	Membership	Matters Considered	Meeting Frequency	Comments
<p>1. Expand the mandate of existing York Region advisory committees:</p> <ul style="list-style-type: none"> ○ Agricultural Advisory Liaison Group ○ Accessibility Advisory Committee 	<p>Six members, including one member of Regional Council.</p> <p>Seven to fifteen members, including up to three members of Regional Council.</p>	<p>Advises Council and staff on agriculture, food and rural issues in York Region.</p> <p>Advises Council on the implementation and effectiveness of Ontario's accessibility legislation.</p>	<p>Quarterly</p> <p>Every other month (September to June)</p>	<p>Option not deemed viable due to specialized focuses and representation on both committees.</p> <p>Specialized focus and membership comprised of representatives from agricultural industry associations.</p> <p>Required by Provincial legislation (<i>Accessibility for Ontarians with Disabilities Act, 2005</i>) with a prescribed mandate and membership</p>
<p>2. Establish a new dedicated advisory committee to consider all Planning and Economic Development reports, applications and/or approvals</p>	<p>Varies, could include members of Council and resident members.</p>	<p>All Planning and Economic Development reports, applications and/or approvals.</p>	<p>Monthly, in advance of Committee of the Whole.</p>	<p>Option not deemed viable, as it:</p> <ul style="list-style-type: none"> ○ Duplicates function of Committee of the Whole and existing public consultation processes, including local municipal consultations ○ Delays review of planning applications, posing challenges for meeting timelines under the <i>Planning Act</i>

Option	Membership	Matters Considered	Meeting Frequency	Comments
<p>3. Establish a new dedicated advisory committee to consider key Regional planning matters</p>	<p>Eight to twelve members, including:</p> <ul style="list-style-type: none"> ○ Seven to eleven resident members. ○ One to three members of Regional Council, plus the Regional Chairman and CEO as ex-officio member. 	<p>Key land use planning matters in York Region that impact the long-term community vision for the Region. This includes:</p> <ul style="list-style-type: none"> ○ Proposed new/revised plans, legislation and initiatives from Provincial ministries or Federal departments. ○ Updates and amendments to the Regional Official Plan. ○ Other studies warranting additional consideration, as referred by Council or staff. 	<p>Scheduled quarterly, with a minimum of two meetings held per year and additional meetings held if needed.</p>	<p>Recommended option, as it:</p> <ul style="list-style-type: none"> ○ Avoids duplication with Committee of the Whole and existing public consultation process ○ Allows early input on emerging planning matters and Regional policy development or amendments ○ Poses minimal impact on statutory decision timelines under the <i>Planning Act</i> ○ Requires additional staff resources to administer, including one additional full-time employee, and expenses associated with printing and recruitment of resident members.

York Region Planning Advisory Committee

Terms of Reference

Description

The York Region Planning Advisory Committee is a committee appointed by Regional Council pursuant to the *Planning Act*. Members of the Planning Advisory Committee are bound by these Terms of Reference and are responsible to Regional Council. The Planning Advisory Committee will report to Regional Council through the Planning and Economic Development section of Committee of the Whole.

Mandate

The mandate of the Planning Advisory Committee is to provide Regional Council and staff with advice regarding key land use planning matters in York Region. Members will provide input on issues that impact the long-term community vision for the Region.

This mandate will be fulfilled by considering and providing input on matters such as:

1. Proposed new or revised plans, legislation and initiatives from Provincial ministries, Federal departments and other agencies that affect planning issues in York Region.
2. Updates and amendments to the Regional Official Plan.
3. Other studies warranting additional consideration, as referred by Regional Council or staff.

Membership

1. Composition

The Planning Advisory Committee will consist of a minimum of eight to a maximum of twelve members. The membership shall be composed of:

1. Seven to eleven resident members. Resident members must be residents of York Region who are not Regional employees or members of a municipal council. Resident member appointments shall be made with the objective of representation from the Region's urban, urbanizing and rural areas.
2. One to three members of Regional Council, plus the Regional Chairman and CEO as an ex-officio member.

Regional Council has final approval of the representatives. Resident members will be required to sign a Planning Advisory Committee Membership Responsibility Agreement (Appendix 1).

2. Qualifications

To support delivery of the Planning Advisory Committee's mandate, preference will be given to persons with general knowledge of land use planning matters, including planning legislation, concepts or processes.

Resident members shall represent the interests of the broader community and shall not be directly affiliated with the development industry or other specific interest group related to the planning and development industry.

3. Terms of Office

Members appointed to the Planning Advisory Committee will serve for a term of up to four years to coincide with the term of Regional Council. Resident members remain eligible for reappointment but must reapply for consideration after each municipal election.

Resident members may serve for a maximum of two consecutive Council terms, subject to Council approval. Resident members who have served for the maximum term will not be eligible for re-appointment for the next four years.

4. Recruitment

The call for resident representation will be publicly advertised through print and electronic media, including posting on York.ca. Applicants will submit their application to the Office of the Regional Clerk. Qualified applicants will be interviewed by a panel of Regional staff.

5. Appointment of Chair and Vice-Chair

The Planning Advisory Committee Chair and Vice-Chair shall be elected by the advisory committee members. If necessary, the committee may select an Acting Chair for a portion of, or an entire meeting.

6. Membership Review

The membership will be reviewed and evaluated annually based on the ability of members to carry out advisory duties, attendance and participation. Council has the ability to remove resident members from the committee should they fail to fulfill the responsibilities of the Planning Advisory Committee Membership Responsibility Agreement.

7. Resignation of Members

Resignation of a member during the term must be given in writing to the Regional Clerk's Office. Regional Council may choose not to fill a vacancy, except where a resignation will leave the Planning Advisory Committee without resident representation.

In order to maintain a high level of commitment, members may be required to resign if they have been absent for more than two consecutive meetings without good cause.

8. Reimbursement of Expenses

Members of the Planning Advisory Committee serve without remuneration. Members will be compensated by the Region for any approved expenses related to carrying out their duties as committee members, in accordance with the Region's expense claims policy. Reimbursement of any approved expenses will be made annually.

Meetings

A majority of the membership shall constitute a quorum with at least one member of Council and one resident member present, unless the membership is comprised of an equal number, in which case the quorum is one-half of the membership.

Planning Advisory Committee meetings shall be scheduled on a quarterly basis, with no less than two meetings held per year. Additional meetings may be scheduled as required at the call of the Committee Chair. Meetings will generally be held at the York Region Administrative Centre, located at 17250 Yonge Street in Newmarket.

Meetings shall be open to the public and will be conducted in accordance with York Region's [Procedure Bylaw 2014-81](#), unless otherwise stated in these Terms of Reference.

The Planning Advisory Committee, by resolution or through its Chair, may invite any individual, interest group, agency or consultant to appear at a meeting as a delegation or to submit or present information which will assist the committee in carrying out its mandate.

Staff Support

Planning and Economic Development Branch staff will provide expertise and other assistance to the Planning Advisory Committee. The Regional Clerk's Office will coordinate and support the committee's meetings. Regional staff will co-ordinate involvement of other Regional Departments and agencies as necessary and prepare reports as required by the work of the committee.

Expenses for the normal ongoing work of the Planning Advisory Committee shall be provided as part of the Region's operating budget.

Conduct and Procedures

1. General

Where not otherwise specified in these Terms of Reference, conduct and procedures of the Planning Advisory Committee will be governed by the relevant sections of York Region's [Procedure Bylaw](#).

2. Conflict of Interest

Resident member Conflict of Interest matters will be addressed through the Planning Advisory Committee Membership Responsibility Agreement. The agreement must be signed by all resident members.

3. Reporting Structure

Planning Advisory Committee activity will be reported to Regional Council through the Planning and Economic Development section of Committee of the Whole through circulation of minutes of meetings.

4. Amendments to the Terms of Reference

These Terms of Reference will be reviewed and amended in the fourth year of every Council term.

Regional Council will have the authority to make changes to these Terms of Reference as required.

Membership Responsibility Agreement

I, _____ understand I have the following responsibilities as a member of the York Region Planning Advisory Committee.

My role is to provide Regional Council and staff with advice regarding key land use planning matters in York Region.

As a member of the York Region Planning Advisory Committee, I understand and agree to carry out the responsibilities set out in this Membership Responsibility Agreement and further detailed in the Terms of Reference.

I understand that if I fail to fulfill those responsibilities, I may be removed as a member of the York Region Planning Advisory Committee.

Responsibilities

- 1) It is considered a conflict of interest if I give advice, in the course of carrying out my duties, that directly benefits my personal, financial or business interests, or the personal, financial or business interest of my immediate family, being my parent, my spouse or my child.
- 2) I am ultimately responsible and accountable for using good judgment in the course of carrying out my duties.
- 3) If I am asked to speak publicly to an organization or professional association as a member of the York Region Planning Advisory Committee I must notify the Region.
- 4) If I choose to speak as a private citizen at a conference, meeting or other public forum and I am not speaking as a representative of the Region, I understand that I do not appear to represent the opinion or policy of the Region and may not present any information I have received or reviewed as a result of my membership on the York Region Planning Advisory Committee.
- 5) If I am approached by the media I will refer all inquiries to the Region's Planning and Economic Development branch.
- 6) I understand that the information discussed at York Region Planning Advisory Committee meetings becomes public record.
- 7) I will not use confidential information shared with the York Region Planning Advisory Committee for personal, financial or business use without written consent from the Region.

**York Region Planning Advisory Committee
Terms of Reference – Appendix 1
Membership Responsibility Agreement**

- 8) I will not use the York Region Planning Advisory Committee mail, phone or email communication list for personal or business purposes and understand that this information must only be used to conduct the business of the York Region Planning Advisory Committee.

- 9) I will not use my personal email, listserv, social media accounts, or other modes of communication to represent the opinions or policies of the Region.

I understand and agree that I will be a member of the York Region Planning Advisory Committee starting on [DATE] and ending on [DATE] unless my membership ends early for any of the reasons outlined in this Membership Responsibility Agreement or the Terms of Reference.

Acceptance of Appointment to York Region Planning Advisory Committee:

Signature: _____

Name: _____

Date: _____



Options for Establishing a York Region Planning Advisory Committee

Presentation to
Committee of the Whole

Paul Freeman, Director, Long Range Planning

February 9, 2017

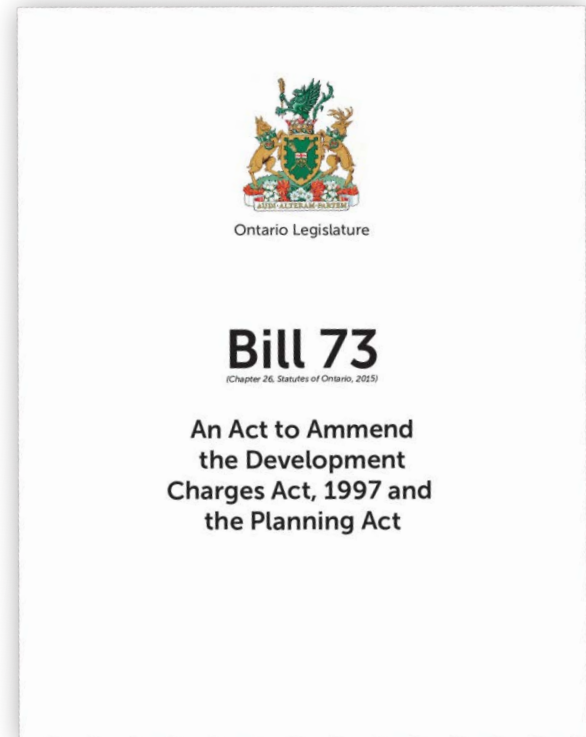
Presentation Overview

1. Review of *Planning Act* requirement
2. Other Municipal Approaches
3. Options Considered
4. Recommended Option
 - Mandate
 - Composition and Meeting Frequency
 - Recruitment
5. Next Steps

York Region is required to establish a planning advisory committee

Planning Act, Section 8:

- Mandatory for Regional municipalities
- ‘Planning advisory committee’ not defined
- Must include at least one resident member
 - Resident members cannot be Regional employees or members of a municipal council



Council has **flexibility** to determine the committee's scope

Some municipalities will utilize existing citizen advisory committees

Mixed Council and Resident Representation



- Natural Heritage
- Agriculture
- Regional Waterfront Parks
- Active Transportation



- Ecological and Environmental
- Heritage Planning
- Active Transportation

Resident Members Only



- Planning Review Panel

The Province has indicated the function can be delivered through **existing advisory committees**

Some municipalities are establishing dedicated planning advisory committees

Mixed Council and Resident Representation



Three members:

- **Two** Members of Council
- **One** Resident Member

Membership Composition Pending Council Approval



Seven members:

- **Five** Members of Council
- **Two** Resident Members



A number of municipalities are **still exploring options** for meeting the PAC requirement

Three options were considered for a York Region Planning Advisory Committee

option **1**

Expand the mandate of **existing** York Region advisory committees

option **2**

Establish a **dedicated** advisory committee to consider **all planning matters**

option **3**

Establish a **dedicated** advisory committee to consider **key Regional planning matters**



Expand the mandate of **existing** York Region advisory committees

Agricultural Advisory Liaison Group

- Specialized focus; representatives from agricultural industry associations

Accessibility Advisory Committee

- Legislated by AODA, 2005 with prescribed mandate and membership

Option not deemed viable due to **specialized focus** and **representation** on both committees

The graphic consists of the word "option" written vertically in white lowercase letters on a green rectangular background. To the right of this background is a large, bold, green number "2".

Establish a **dedicated** advisory committee to consider **all planning matters**

- May duplicate function of Committee of the Whole and existing public consultation processes
- Poses challenges for meeting statutory decision timelines; greater risk of non-decision appeals to the OMB

Option not deemed viable as **administrative challenges** and **duplication** outweigh value added

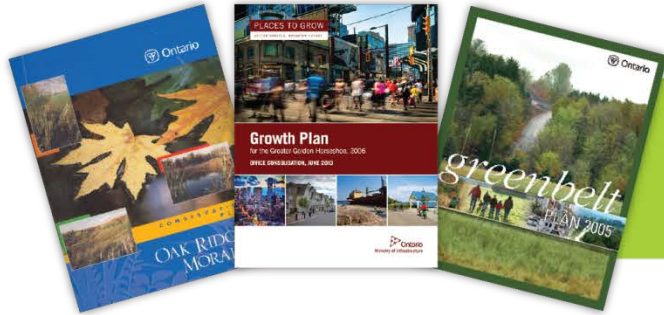


Establish a **dedicated** advisory committee to consider **key Regional planning matters**

- Early input on Regional and Provincial policy developments and amendments
- Avoids duplication with Committee of the Whole and existing public consultation processes; minimal impact on statutory decision timelines

Recommended option

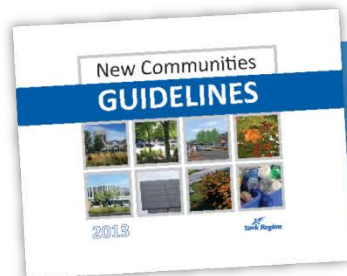
Matters to be Considered by the Planning Advisory Committee



Major Provincial/Federal legislation, policy and initiatives



Regional Official Plan updates and amendments



Other studies, plans, proposals and planning applications (Council/staff discretion)

Planning Advisory Committee proposed to include 8 to 12 members

Mixed Council and resident representation

- 7 to 11 resident members
- 1 to 3 members of Regional Council, plus the Regional Chairman as an ex-officio member

Meetings scheduled quarterly

- Minimum of two meetings held per year with additional meetings held as needed

Preference given to resident members with general knowledge of land use planning

Balanced geographic representation

- Resident members to be representative of the Region's urban, urbanizing and rural areas

Membership Responsibility Agreement

- Appendix A to Terms of Reference
- Outlines responsibilities and Conflict of Interest requirements

Recruitment will be initiated following Council direction to establish the committee

Communications

- Proposed advertising in print and online; media release

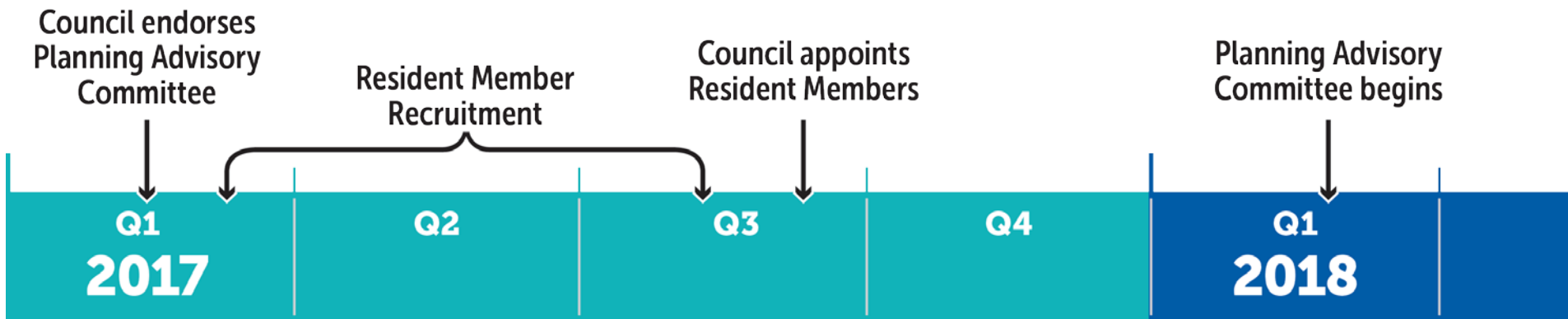
Interviews

- To be conducted with shortlisted candidates by staff panel

Council appointment

- Recruitment results to be provided to Council late 2017 for resident member appointment

Next Steps



Report Recommendations

1. Council establish a new dedicated York Region Planning Advisory Committee to provide advice to Council on key Regional planning matters, as outlined in the proposed Terms of Reference (Attachment 2).
2. Staff be directed to initiate recruitment of resident Planning Advisory Committee members and report back to Council with recommended members for appointment.
3. The Regional Clerk circulate this report and attachment to the Clerks of the local municipalities.