

MEMORANDUM OF AGREEMENT dated *26th* day of *September*, 2013.

BETWEEN

THE CORPORATION OF THE TOWNSHIP OF CHATSWORTH

(Hereinafter referred to as the "Township")

AND

THE SAUGEEN VALLEY CONSERVATION AUTHORITY

(Hereinafter referred to as the "SVCA")

1. PURPOSE

The purpose of this Memorandum of Agreement is to describe the framework within which the SVCA will provide specified Planning Act application review and technical clearance services to the Township.

2. ROLES AND RESPONSIBILITIES

(a) ***The Township and the SVCA mutually agree that:***

- i) *this Memorandum of Agreement applies to the SVCA and the area under its jurisdiction which is located in the Township of Chatsworth;*
- ii) *the SVCA desires and has the expertise to provide the plan review and technical clearance services to the Township identified in this Memorandum of Agreement and that the Township is relying on said expertise. The parties acknowledge that the Township remains the approval authority for those planning applications for which the Township is so designated by statute;*
- iii) *nothing in this Memorandum of Agreement precludes the SVCA from commenting to the Township from a Conservation Authority perspective, as it normally would on an application circulated by the Township under the Planning Act, including appeals to the Ontario Municipal Board for such matters as the Authority deems to be within its mandate.*
- v) *this Memorandum of Agreement may be amended by mutual agreement, in writing, from time to time to reflect changes in the programs of parties to this Memorandum of Agreement, or as a result of changes in provincial or County policies, or as a result of subsequent discussions between the parties hereto; and*

- vi) *any party to this Memorandum of Agreement may terminate the agreement at any time, in writing to the other party to the agreement, with a minimum of six months notice.*
- vii) *nothing in this Memorandum of Agreement precludes the SVCA from administering and enforcing its Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 169/06), under Section 28 of the Conservation Authorities Act, R.S.O. 1990, Chap. C.27.*

(b) **The Township commits to:**

- i) *circulate to the SVCA under this Memorandum of Agreement all those development/planning applications listed in Appendix A, Schedule 1;*
- ii) *transfer appropriate policy statements, guidelines, manuals, maps, information, data and criteria from the Township to the SVCA, and transfer said material to the SVCA as it is received from the Province of Ontario or County of Grey, or make arrangements to have said material transferred directly from the Province or County to the SVCA to reflect the terms of this Memorandum of Agreement;*
- iii) *make other arrangements to provide the plan review and technical clearance services identified in this Memorandum of Agreement, when in the opinion of the Township and the SVCA utilizing the services of the SVCA as specified in this agreement could result in a conflict of interest for the SVCA; and,*
- iv) *collect fees as prescribed in Appendix A, Schedule 3(a) on behalf of the SVCA.*

(c) **The SVCA commits to:**

- i) *provide the Township with those services listed in Appendix A, Schedule 2 at no extra cost to the Township;*
- ii) *provide its comments to the Township prior to the public hearing, or public meeting, or due date for submitting comments as indicated on the circulated application or notice, or request an extension with reasons;*
- iii) *comment on whether the application complies with applicable Provincial Policies as set out in the Provincial Policy Statement and in the County of Grey and Local Official Plans, and other planning documents as mutually agreed upon by the Parties, in the plan review services it*

provides the Township;

- iv) apply all relevant Provincial and Municipal operational procedures and guidelines in the plan review and technical clearance services it provides the Township;
- v) not disseminate any data, maps, information or other documents either received directly from the Province or identified as "Provincial data" by the Township, unless permission has been obtained;
- vi) disseminate Municipal data, maps, information or other documents when requested, only in accordance with Township policies and procedures; and,
- vii) make provision for staff to attend Ontario Municipal Board Hearings, upon the request of the Township, with respect to the plan review and technical clearance services provided pursuant to this Memorandum of Agreement, at no extra cost to the Township.

3. TIME FRAME FOR IMPLEMENTATION

This Memorandum of Agreement will take effect on November 1, 2013.

The parties have duly executed this Memorandum of Agreement under the hands of their authorized Officers.

Signed, Sealed and Delivered

) **THE CORPORATION OF THE TOWNSHIP OF**
) **CHATSWORTH**

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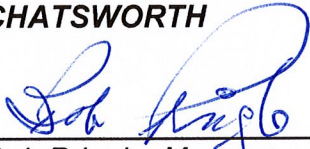
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Bob Pringle, Mayor



Will Moore, Chief Administrative Officer/Clerk

) SAUGEEN VALLEY CONSERVATION AUTHORITY

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) Wayne Brohman,
General Manager/Secretary Treasurer

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) Bill Scriven, Chairman
We have authority to bind the Corporation

APPENDIX A - SCHEDULE 1

CIRCULATION STATUS BY APPLICATION TYPE AND DEFINITIONS

1. *The Township of Chatsworth advises the SVCA that under this Agreement it will circulate the following types of development/planning applications to the SVCA for comment as per the items in Appendix A, Schedule 2:*

*Subdivisions (unless circulated by the County of Grey);
Condominiums (unless circulated by the County of Grey);
Consents;
County and Township Official Plans (unless circulated by the County of Grey);
County and Township Official Plan Amendments (unless cir. by Co. of Grey);
Part Lot Control By-laws (unless circulated by the County of Grey);
Comprehensive Zoning By-laws;
Zoning By-law Amendments;
Minor Variances; and,
Site Plans, where deemed necessary by the Township or as requested by the SVCA.*

2. *“Development/planning application review” as defined in Appendix A, Schedule 2 includes:*
 - i) *reviewing development applications to determine if and where a Provincial interest or Official Plan policy may be affected;*
 - ii) *identifying the need for and adequacy of technical reports and proposing mitigation measures for applications;*
 - iii) *assisting in the preparation of terms of reference for studies and reports;*
 - iv) *specifying conditions of approval; and,*
 - v) *providing advice and recommendations on the boundaries of Areas of Natural and Scientific Interest and Provincially Significant Wetlands.*
3. *“Technical Clearance” as defined in Appendix A, Schedule 2 includes:*
 - i) *assessing technical reports submitted by the proponent’s consultants to determine if the reports have been prepared in accordance with Provincial, County, Municipal, and Authority guidelines and standards.*

APPENDIX A - SCHEDULE 2

SERVICES TO BE PROVIDED BY SVCA TO CHATSWORTH AT NO EXTRA COST

DESCRIPTION	LIST OF FUNCTIONS FOR DEVELOPMENT/PLANNING APPLICATION REVIEW AND TECHNICAL CLEARANCE	
	DEVELOPMENT/PLANNING APPLICATION REVIEW	TECHNICAL CLEARANCE
<i>Identify need for and conduct technical review of reports on wetland areas impacts and mitigation measures</i>	X	X
<i>Comment on and conduct technical review of reports on fish habitat impacts and mitigation</i>	X	X
<i>Review for site specific (off site) stormwater planning issues</i>	X	X
<i>Identify need for and conduct technical review of stormwater management facilities design reports</i>	X	X
<i>Review for sub-watershed planning/master drainage planning</i>	X	
<i>Comment on natural hazards</i>	X	X
<i>Comment and issue permit for development in Regulated Areas</i>	X	X
<i>Review impact on significant Wildlife habitat</i>	X	X
<i>Review impact on habitat of threatened and endangered species</i>	X	X
<i>Review impact on significant areas of natural and scientific interest</i>	X	X
<i>Review impact on significant Woodlands</i>	X	X

<i>Review impact on significant Valleylands</i>	X	X
<i>Comment on lakes and rivers impacts</i>	X	X
<i>Comment on shorelines impact</i>	X	X
<i>Review and comment on erosion limits</i>	X	X
<i>Identify if Crown Land involved and notify MNR if applicable</i>	X	
<i>Review and comment on natural resource - related impacts on groundwater recharge/discharge areas where there is a fisheries or wetland impact</i>	X	X

APPENDIX A
SCHEDULE 3(a)

FEE SCHEDULE – Township of Chatsworth

APPLICATION REVIEW FEE

- *The Application Review Fee shall be charged to all applicants.*
- *The Application Review Fee shall be collected by the Township on behalf of the Authority and remitted to the Authority quarterly, or in accordance with any other mutually agreeable timeframe.*
- *No Application Review Fee shall be charged for municipally sponsored applications.*
- *For any application that is circulated by the County and not the Township (e.g. Plan of Subdivision) then the Application Review Fee shall be collected by the Authority from the applicant.*

<i>Official Plan Amendment</i>	<i>\$210.00</i>	<i>per application</i>
<i>Zoning By-law Amendment</i>	<i>\$210.00</i>	<i>per application</i>
<i>Consent (Severance)</i>	<i>\$210.00</i>	<i>per each new lot created</i>
<i>Minor Variance</i>	<i>\$160.00</i>	<i>per application</i>
<i>Draft Plan of Subdivision</i>	<i>\$50.00</i>	<i>per each lot or block, with a minimum flat fee of \$540.00 (Note: 0.3 metre reserve blocks shall not be included in the calculation of the number of blocks.)</i>
<i>Draft Plan of Condominium</i>		<i>the lesser of \$50.00 per unit or \$1300.00/ha with a minimum flat fee of \$540.00</i>
<i>Site Plan Application</i>		<i>the lesser of \$50.00 per unit or \$1300.00/ha with a minimum flat fee of \$540.00</i>
<i>Private "Multi-Lot" Residential Developments (as an OPA and/or ZBA)</i>	<i>\$50.00</i>	<i>per unit (parcel) or block with a minimum flat fee of \$540.00</i>
<i>Other Types of Applications not noted above</i>	<i>\$160.00</i>	<i>per application</i>

Notes and Definitions

1. *The SVCA reserves the right to waive the application fee or reduce the fee on a case by case basis.*
2. *Fees for multiple joint applications made at the same time for the same parcel and for the same development proposal for Official Plan Amendments, Zoning By-law Amendments, Minor Variances and Consents will be discounted as follows:*

<i>First application</i>	<i>Full fee per Application Review Fee above</i>
<i>Additional applications</i>	<i>50% of full Application Review Fee per lot/application</i>

Note: The first Application Review Fee shall always be the higher of the applicable fees.

3. *That on January 1st of each year, commencing January 1st, 2014, the fees as listed in Schedule 3 (a) "Fee Schedule" shall automatically increase on a percentage basis, rounded up to the nearest dollar increment, in a manner consistent with the Statistics Canada "Consumer Price Index" for the previous calendar year, if the index shows an increase. Such fee increases shall be implemented when the change is at least \$10.00 for a category (if less than \$10.00 then the increase is deferred and added to the subsequent year increase).*

**APPENDIX A
Schedule 3(b)**

**FEE SCHEDULE – Township of Chatsworth
(fees collected directly from the applicant by the Authority)**

TECHNICAL CLEARANCE FEES

Technical Clearance	Flat Fee (Also See No.11)
1. Site Plans	\$500.00
2. Scoped Site Environmental Impact Studies for proposed mitigation measures related to any natural heritage features(refer to Appendix A, Schedule 2)	\$500.00
3. Full Site Environmental Impact Studies for proposed mitigation measures related to any natural heritage features (refer to Appendix A, Schedule 2)	\$1,250.00
4. Subwatershed Study/Master Drainage Plan or Tributary Study	\$500.00
5. Stormwater management studies and proposed facilities. This fee includes review of all Phases of SWM plans from preliminary or conceptual to final engineering design (Quality, Quantity and Sediment and Erosion Control)	\$95.00/lot or large block plus surcharge where applicable
6. Scoped Site Impact studies and proposed mitigation measures for any proposal that is potentially impacted by natural hazards (flooding, slope stability, shorelines)	\$500.00
7. Full Site Impact studies and proposed mitigation measures for any proposal that is potentially impacted by natural hazards (flooding, slope stability, shorelines)	\$1,250.00
8. Any combination of two of the above	Sum of the two less \$175.00
9. Any combination of three of the above	Sum of the three less \$350.00
10. Any combination of four or more of the above	Sum of the four or more less \$500.00
11. All technical clearance fees are subject to the Supplementary Fee , where applicable, in addition to the flat fee	See note 5 below

Notes and Definitions:

1. For the purpose of the fee schedule in Appendix A – Schedule 3(b), **Scoped Site** studies are generally recommended in situations where the nature of the natural feature or hazard is well documented, similar development has been previously proposed, modelled and analyzed, impacts are not expected due to the location or nature of a proposed development, and mitigation options have been developed.
2. For the purpose of the fee schedule in Appendix A – Schedule 3(b), **Full Site** studies are generally recommended in situations which are more complex, where information is lacking, or where the risk or significance of the impact is high.
3. It is anticipated that the determination of the type of studies required will be made by the Township, following consultation with the SVCA. The fee for the technical clearance is to be paid by the proponent directly to the SVCA.
4. Where a Development, Interference with Wetlands and Alterations to Shorelines and Waterways Regulation permit approval is required in addition to the planning approval, the fee for the SVCA permit may be discounted at the Authority's discretion.
5. For the purpose of the fee schedule in Appendix A – Schedule 3(b), the **Supplementary Fee** applies when the SVCA chooses to use specific technical assistance from another source to supplement their review of a technical document, and thereby direct costs are incurred by the Authority. This fee is in addition to the flat rate fee and is to be paid by the proponent directly to the Authority. The Supplementary Fee charged to the proponent is equal to the costs invoiced to the Authority by the other source for that specific review.