

MEMORANDUM OF AGREEMENT dated 28th day of MAY , 1997.

BETWEEN

THE CORPORATION OF THE COUNTY OF WELLINGTON

(Hereinafter referred to as the "County")

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 plan review and technical clearance services to the County.

2. ROLES AND RESPONSIBILITIES

(a) The County 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 County of Wellington,*
- ii) the SVCA desires and has the expertise to provide the plan review and technical clearance services to the County identified in this Memorandum of Agreement and that the County is relying on said expertise. The parties acknowledge that the County remains the approval authority for those planning applications for which the County is so designated by statute;*
- iii) 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 policies, or as a result of subsequent discussions between the parties hereto; and*
- iv) 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; and.*

- iv) *apply all relevant Provincial and County operational procedures and guidelines in the plan review and technical clearance services it provides the County;*
- v) *not disseminate any data, maps, information or other documents either received directly from the Province or identified as "Provincial data" by the County;*
- vii) *make provision for staff to attend Ontario Municipal Board Hearings, upon the request of the County, with respect to the plan review and technical clearance services provided pursuant to this Memorandum of Agreement, at no extra cost to the County.*
- viii) *provide the County and local municipalities with a letter indicating that planning applications need not be circulated to the Authority unless the County or local municipality consider it necessary after screening the proposed development in accordance with Appendix A, Schedule 1.*

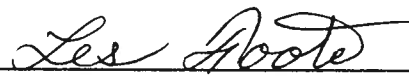
3. TIME FRAME FOR IMPLEMENTATION

This Memorandum of Agreement will take effect on MAY 28, 1997.

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

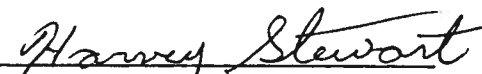
Signed, Sealed and Delivered

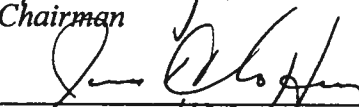
) **THE CORPORATION OF THE COUNTY OF**
) **WELLINGTON**

) 
) _____
) *Warden*

) 
) _____
) *James C. Andrews, CAO and Clerk*

) **SAUGEEN VALLEY CONSERVATION AUTHORITY**

) 
) _____
) *Chairman*

) 
) _____
) *Name: James C. Coffey*
) *Title: General Manager/Secretary-Treasurer*

) *I have authority to bind the Corporation.*

APPENDIX A - SCHEDULE 1

CIRCULATION STATUS BY APPLICATION TYPE AND DEFINITIONS

1. *The County advises the SVCA that under this agreement the County and local municipalities will screen planning/development applications and will forward those applications to the SVCA which they deem necessary for review and will pay the appropriate fees as set out in Appendix A - Schedule 3. The following will provide a general guideline for applications requiring review:*

- a) *Minor Variance:* *not to be circulated under normal circumstances unless there is a natural heritage or natural hazard.*
- b) *Consents:* *circulated where in or adjacent to a natural heritage feature or natural hazard area. Lot line adjustments, lots for agriculture, urban infill (outside natural hazard areas) and technical severances not circulated normally.*
- c) *Official Plan & Zoning Amendments:*
Circulated when in or adjacent to a natural heritage feature or natural hazard area. Text change only or minor change in use or where the principle of development has already been established such as in draft approval subdivisions not normally circulated.
- d) *Subdivisions:* *Always circulated. Condominium conversions not normally circulated.*
- e) *Site Plans:* *circulated when there is a natural heritage or natural hazards concern or where there is a related storm water issue beyond municipal engineering practice.*

The County Planning Department is circulating all planning applications and will make its best efforts to identify issues of concern to Conservation Authorities requiring their review.

2. *“Plan Review” as defined in Appendix A, Schedules 2 and 3, includes:*

- i) *screening development applications to determine if and where a Provincial interest 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; and*

- iv) *specifying conditions of approval.*
3. *“Technical Clearance” as defined in Appendix A, Schedules 2 and 3, includes:*
 - i) *assessing technical reports submitted by the proponent’s consultants to determine if the reports have been prepared in accordance with Provincial guidelines and standards.*
 4. *The Saugeen Valley Conservation Authority will retain the right to make comments on any application related to its mandate whether or not it receives circulation of the application.*

SERVICES TO BE PROVIDED BY SVCA TO COUNTY

APPENDIX A - SCHEDULE 2

	LIST OF PLAN REVIEW FUNCTIONS FOR: SUBDIVISIONS/CONDOMINIUMS, CONSENTS, SITE-SPECIFIC OPA'S, SITE-SPECIFIC ZONING BY-LAW AMENDMENTS, MINOR VARIANCES AND SITE PLANS	
DESCRIPTION	PLAN 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 (MNR to be consulted if there is a fisheries impact)</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 flood hazards</i>	X	X
<i>Comment and issue permit for development in floodplains</i>	X	X
<i>Review impact on significant Wildlife habitat</i>	X	X
<i>Review impact on habitats of threatened and endangered species</i>	X	X
<i>Review impact on significant areas of natural and scientific interest</i>	X	X

LIST OF PLAN REVIEW FUNCTIONS FOR: SUBDIVISIONS/CONDOMINIUMS, CONSENTS, SITE-SPECIFIC OPA'S, SITE-SPECIFIC ZONING BY-LAW AMENDMENTS, MINOR VARIANCES AND SITE PLANS		
DESCRIPTION	PLAN REVIEW	TECHNICAL CLEARANCE
<i>Review impact on significant Woodlands</i>	<i>X</i>	<i>X</i>
<i>Review impact on significant Valleylands</i>	<i>X</i>	<i>X</i>
<i>Comments on lakes and rivers impacts (except fisheries). MNR to be notified if there is a fisheries impact</i>	<i>X</i>	
<i>Review and comment on top of bank erosion limits</i>	<i>X</i>	<i>X</i>
<i>Identify if Crown Land involved and notify MNR if applicable</i>	<i>X</i>	
<i>Review and comment on natural resource - related impacts on groundwater recharge/discharge areas where there is a fisheries impact</i>	<i>X</i>	

**FEE SCHEDULE - FOR SVCA SERVICES
APPENDIX A - SCHEDULE 3**

APPLICATION TYPE	PLAN REVIEW FEE	TECHNICAL CLEARANCE FEE
<i>Minor Variance</i>	\$100	<i>hourly rate</i>
<i>Consents</i>	\$100	<i>hourly rate</i>
<i>Official Plan Amendment</i>	<i>hourly rate</i>	<i>hourly rate</i>
<i>Zoning By-law Amendment</i>	<i>hourly rate</i>	<i>hourly rate</i>
<i>Subdivisions/Condominiums</i>	<i>hourly rate</i>	<i>hourly rate</i>
<i>Site Plans</i>	<i>hourly rate</i>	<i>hourly rate</i>

Notes:

1. *Plan Review fees will only be paid on applications referred to the Authority by the municipality and will be collected by the municipality on behalf of the Authority.*
2. *Technical clearances will be imposed by the municipality normally as a condition of approval.*
3. *All technical clearance fees will be collected directly from the applicant by the Conservation Authority.*
4. *Municipal Applications refers to planning initiatives undertaken by the municipality including new planning documents. There will be no charge for reviewing municipal applications.*
5. *The fee for consents is intended to cover the initial cost of review to determine if the principle of development on the site is established. The Authority may respond in any of the following ways:*
 - *no concerns, no conditions required*
 - *consent acceptable, with conditions*
 - *consent not supported (with reasons) recommend refusal*
 - *principle of development not established, studies or information required (specify)*

Should the Authority indicate that the principle of development is not established County staff will recommend that the Land Division Committee either refuse the application or defer the application to allow the applicant to satisfy the Authority's concern. The applicant will then submit any required information to the Authority and pay any required review fees to the Authority. (The Land Division Committee retains the right to make a decision at any time.)