

MEMORANDUM OF AGREEMENT dated day of , 1997.

BETWEEN

THE CORPORATION OF THE CITY OF GUELPH

(Hereinafter referred to as the "City")

AND

THE GRAND RIVER CONSERVATION AUTHORITY

(Hereinafter referred to as the "GRCA")

1. PURPOSE

The purpose of this Memorandum of Agreement is to describe the framework within which the GRCA will provide specified plan review and technical clearance services to the City.

2. ROLES AND RESPONSIBILITIES

(a) The City and the GRCA mutually agree that:

- i) this Memorandum of Agreement applies to the GRCA and the area under its jurisdiction which is located in the City of Guelph;
- ii) the GRCA desires and has the expertise to provide the plan review and technical clearance services to the City identified in this Memorandum of Agreement and that the City is relying on said expertise. The parties acknowledge that the City remains the approval authority for those planning applications for which the City 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.

(b) The City commits to:

- i) circulate to the GRCA under this Memorandum of Agreement those development/planning applications listed in Appendix A, Schedule 1;
- ii) transfer appropriate policy statements, guidelines, manuals, maps, information, data and criteria from the City to the GRCA, and transfer said material to the GRCA as it is received from the Province of Ontario, or make arrangements to have said material transferred directly from the Province to the GRCA, to reflect the terms of this Memorandum of Agreement; and
- 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 City and the GRCA, utilizing the services of the GRCA as specified in this agreement could result in a conflict of interest for the GRCA.

(c) The GRCA commits to:

- i) provide the City with those services listed in Appendix A, Schedule 2 at no extra cost to the City, i.e., within the annual budget appropriation for the GRCA programs approved by the City;
- ii) provide its comments to the City Planning and Business Development Department within 30 calendar days of receipt of an application from the City, except for minor variance and consent applications, in which case the GRCA shall provide its comments within 10 calendar days of receipt of the application;
- iii) comment on whether the application complied with applicable Provincial Policies as set out in the Provincial Policy Statement and in the City's Official Plan, and other planning documents as mutually agreed upon by the Parties, in the plan review services it provides the City;
- iv) apply all relevant Provincial and City operational procedures and guidelines in the plan review and technical clearance services it provides the City;
- v) not disseminate any data, maps, information or other documents either received directly from the Province or identified as "Provincial data" by

the City;

- vi) disseminate City data, maps, information or other documents when requested, only in accordance with City policies and procedures; and
- vii) make provision for staff to attend Ontario Municipal Board Hearings, upon the request of the City, with respect to the plan review and technical clearance services provided pursuant to this Memorandum of Agreement, at no extra cost to the City (i.e. within the annual budget appropriation for the GRCA program approved by the City).


3. TIME FRAME FOR IMPLEMENTATION


This Memorandum of Agreement will take effect on April 1, 1997.

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

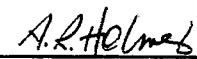
Signed, Sealed and Delivered

) **THE CORPORATION OF THE CITY OF**
) **GUELPH**

)
) 
) _____
) Joe Young, Mayor

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) _____
) Lois A. Giles - City Clerk

) **GRAND RIVER CONSERVATION AUTHORITY**

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) Name: Allan Holmes
) Title: Chief Administrative Officer

) I have authority to bind the Corporation.

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APPENDIX A - SCHEDULE 1

CIRCULATION STATUS BY APPLICATION TYPE AND DEFINITIONS

1. The City advises the GRCA that under this agreement it will circulate the following types of development/planning applications to the GRCA for comment as per the items in Appendix A, Schedules 2 and 3:

Subdivisions;
Condominiums;
Consents;
Official Plans;
Official Plan Amendments;
Comprehensive Zoning By-laws;
Zoning By-law Amendments;
Minor Variances; and, where deemed necessary by the City,
Site Plans.

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.

CITY of Guelph
 APRIL 1997

SERVICES TO BE PROVIDED BY GRCA TO CITY AT NO EXTRA COST

APPENDIX A - SCHEDULE 2

MINISTRY OF NATURAL RESOURCES (MNR)	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
Identify need for and conduct technical review of reports on wetland areas impacts and mitigation measures	X	X
Comment on and conduct technical review of reports on fish habitat impacts and mitigation (MNR to be consulted if there is a fisheries impact)	X	X
Review for site specific (off site) stormwater planning issues	X	X
Identify need for and conduct technical review of stormwater management facilities design reports	X	X
Review for sub-watershed planning/master drainage planning	X	
Comment on flood hazards	X	X
Comment and issue permit for development in floodplains	X	X
Review impact on significant Wildlife habitat	X	X
Review impact on habitats of threatened and endangered species	X	X
Review impact on significant areas of natural and scientific interest	X	X

MINISTRY OF NATURAL RESOURCES (MNR)	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
Review impact on significant Woodlands	X	X
Review impact on significant Valleylands	X	X
Comments on lakes and rivers impacts (except fisheries). MNR to be notified if there is a fisheries impact	X	
Comment on shorelines impact	X	X
Review and comment on top of bank erosion limits	X	X
Identify if Crown Land involved and notify MNR if applicable	X	
Review and comment on natural resource - related impacts on groundwater recharge/discharge areas where there is a fisheries impact	X	