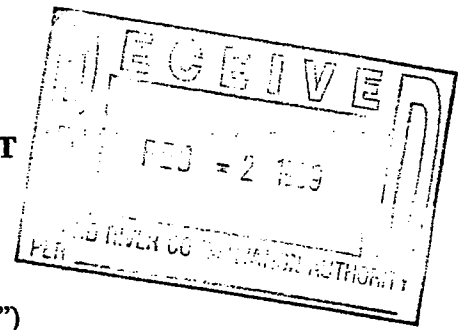


MEMORANDUM OF AGREEMENT

BETWEEN

THE COUNTY OF BRANT
(herein after referred to as the "County")



AND

THE GRAND RIVER CONSERVATION AUTHORITY
(herein after referred to as the "GRCA")

1. PURPOSE

- a) 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 County for certain applications for approval made under the terms of the Planning Act.

2. ROLES AND RESPONSIBILITIES

- a) The GRCA and the County mutually agree that:
 - i) this Memorandum of Agreement applies to the GRCA and the area under its jurisdiction which is located in the County of Brant.
 - ii) the GRCA has the expertise to provide the plan review and technical clearance services to the County identified in this Memorandum of Agreement and that 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 and which authority has not been otherwise delegated by the County;
 - iii) nothing in this Memorandum of Agreement precludes the GRCA from commenting to the County with respect to Conservation Authority issues, including flood hazards and development in the floodplain, as it normally would on an application circulated by the County under the Planning Act;
 - iv) those application types not listed in Appendix A, Schedule 1 will still be circulated to the GRCA for comment from the Conservation Authority perspective;
 - v) the past plan review functions delivered through Conservation Authorities for natural hazard matters will continue to be delivered to the County within the annual budget appropriation for this program approved by the County.

- vi) 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
 - vii) either 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 60 calendar days notice.
- b) The County commits to:
- i) circulate to the GRCA under this Memorandum of Agreement those planning applications listed in Appendix A, Schedule 1.
 - ii) transfer appropriate policy statements guidelines, manuals, information, data and criteria to the GRCA, as it is received from the Province of Ontario under the terms of the Memorandum of Understanding between the Province of Ontario and the County regarding municipal plan review; and,
 - iii) make other agreements for the provision of the plan review and technical clearance services identified in this Memorandum of Agreement, when in the opinion of the County or the GRCA, utilizing 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 County with those services listed in Appendix A, Schedule 2 at no extra cost to the County, i.e. within the annual budget appropriation for the GRCA's programs approved by the County;
 - ii) provide its comments to the County's Planning Division within 10 working days of receipt of an application from the County for the following types of applications: consents, minor variances, site plans, site-specific zoning by-law amendments and site-specific local official plan amendments;
 - iii) provide its comments to the County's Planning Division within 60 calendar days of receipt of an application from the County for the following types of applications: plan of subdivision and plan of condominium;
 - iv) comment on whether the application complies with the Provincial Policy Statement and Guidelines in the plan review services it provides to the County;
 - v) apply all relevant Provincial and County operational procedures and guidelines in the plan review and technical clearance services it provides the County;

- vi) not disseminate any data, maps, information or other documents either received directly from the Province or identified as "Provincial data" by the County;
- vii) disseminate County data, maps, information or other documents when requested, and only in accordance with County policies and procedures; and
- viii) make provision for its staff to attend Ontario Municipal Board Hearings, upon the request of County staff, with respect to the plan review and technical clearance services provided pursuant to this Memorandum of Agreement, at no extra cost to the County (i.e., within the annual budget appropriation, for the GRCA's programs approved by the County).

3. TIMEFRAME FOR IMPLEMENTATION

- a) This Memorandum of Agreement will take effect on Feb/10/99.

The parties have duly executed this Memorandum of Agreement.

GRAND RIVER CONSERVATION AUTHORITY

DATE

A.R. Holman

Feb 10/99

THE COUNTY OF BRANT

DATE

[Signature]
Mayor

January 19, 1999

[Signature]
Clerk

MEMORANDUM OF AGREEMENT

APPENDIX A - SCHEDULE 1

CIRCULATION STATUS BY APPLICATION TYPE AND DEFINITIONS

1. The County advises the GRCA that under this agreement it will circulate the following types of applications, made to the County under the provisions of the Planning Act, to the GRCA for comment as per the functions listed in Appendix A, Schedule 2;
 - Consents
 - Minor Variances
 - Site Plans
 - Site-specific local Official Plan Amendments; and,
 - Site-specific Zoning By-Law Amendments
 - Subdivisions; and
 - Condominiums;

2. **“Plan Review”** as applied in Appendix A, Schedule 2, includes:
 - i) screening development applications to determine if and where a Provincial interest under the terms of the Planning Act may be affected;
 - ii) identifying the need for technical reports to be generated in the approval process for a development application; and,
 - iii) recommending conditions of approval to be considered by the County as the approval authority.

3. **“Technical Clearance”** as applied in Appendix A, Schedule 2, includes:
 - i) assessing those technical reports or data submitted by the applicant to determine if the reports have been prepared in accordance with relevant guidelines and standards.

County of Brant

APPENDIX A - SCHEDULE 2

SERVICES TO BE PROVIDED BY THE GRCA TO THE COUNTY OF BRANT

1. Provision of Planning Application Process Functions Formerly Undertaken by the Ministry of Environment and Energy

Function	Plan Review	Technical Clearance
Review for Site Specific Storm Water Planning	*	*
Review Sub-Watershed Planning/Master Drainage Planning	*	

2. Provision of Planning Application Process Functions Formerly Undertaken by the Ministry of Natural Resources

Function	Plan Review	Technical Clearance
Identify Flood Hazards	*	*
Identify Erosion Hazards (adjacent to rivers and streams)	*	*
Review and Identify Wetlands	*	
Clear Wetland Impact Mitigation Measures	*	*
Identify Groundwater Recharge Areas	*	
Identify Wildlife Habitats	*	
Identify Areas of Natural & Scientific Interest	*	
Identify Ecosystem Impacts	*	
Identify Natural Heritage Areas	*	
Identify Fish Habitat	*	
Clear Fish Habitat Impact Mitigation and Compensation Measures	*	*
Identify Need for Lakes and Rivers Permit	*	
Clear Lakes and Rivers Permit		*