

## MEMORANDUM OF AGREEMENT

**BETWEEN:** The United Counties of Leeds and Grenville

hereinafter called the "*Counties*"

**AND** the: South Nation Conservation Authority  
Rideau Valley Conservation Authority and  
Cataraqui Region Conservation Authority

hereinafter called the "Conservation Partners"

### A. PURPOSE

The purpose of this Memorandum of Agreement is to establish the framework within which the Conservation Partners will provide specific plan review and technical clearance services to the Counties.

The agreement describes services in addition to those activities that the Conservation Partners undertake as part of their own legislated mandate or by agreement with others.

### B. GENERAL

1. This Agreement applies within the entire jurisdiction of the Counties where the Counties is the approval authority.
2. The Conservation Partners will have on staff or retain for the duration of this agreement qualified professionals to undertake the requirements of the Memorandum of Agreement.
3. The 'Counties requires the Conservation Partners expertise for technical review of reports supporting development proposals, in accordance with Annex "A" Services.
4. The Conservation Partners acknowledge that the Counties is the approval authority for those planning applications for which technical review is required from the Conservation Partners pursuant to this Agreement.
5. This Agreement may be amended by mutual agreement from time to time to reflect changes in programs funding and personnel in both parties, or changes in provincial policy.

6. Either party may end this agreement at any time by written notice to all other parties to the Agreement with a minimum of 90 days' notice.
7. This agreement will commence and take effect October 1<sup>st</sup>, 2012.

### **C. ROLES AND RESPONSIBILITIES**

#### **The Counties commits to:**

1. Identify the application and required technical studies as listed in Annex "A" for circulation to the appropriate Conservation Authority.
2. Transfer the necessary policies, maps; documents and revisions/amendments required to undertake technical plan review.
3. Retain consultants where, in the opinion of the Counties or an individual Conservation Authority, there may be a perceived conflict of interest as defined in the Conflict of Interest Act.
4. Ensure the fees charged by the Conservation Partners are fair and reasonable for those functions undertaken within this agreement.
5. Collect the initial plan review fee from the applicant on behalf of the applicable conservation authority.
6. Agree to defer decisions on applications pending full payment by the Applicant to the applicable conservation authority.
7. Agree to cover the costs on a per diem basis for conservation authority staff to prepare and attend Ontario Municipal Board hearings in support of decisions and positions taken by the Counties arising from the technical review service where extraordinary costs are incurred.
8. Provide an evaluation of each conservation authority's participation in the delegated approval function on a periodic basis.

#### **The Conservation Partners each commit to:**

1. Provide a technical review of reports submitted by the Counties in accordance with Annex "A", on a fee for service basis with the applicant.

2. Review technical studies in the context of the policies of the Counties, local Official Plan policies and with full regard to the Provincial Policy Statement and associated guidelines.
3. Provide detailed comments on the technical studies and, as required, recommend conditions of approval.
4. Provide technical clearance of any conditions resulting from technical studies.
5. Provide comments within 30 days of a request for comments from the Counties on applications deemed complete by the Counties in that complete and adequate studies and/or other relevant information has been received from the applicant.
6. Develop checklists in consultation with the Counties to assist the Counties in determining the completeness of submissions.
7. Make provisions for staff to attend Ontario Municipal Board hearings as required, with respect to their review and technical clearance and to provide a fair accounting to the Counties where extraordinary costs are incurred.
8. Make provision for staff to attend pre-consultation meetings with the applicant and other application related meetings such as Counties Council and Committees of Council.
9. Collect data throughout the terms of this contract to contribute to the evaluation of the effectiveness of this agreement. This will include, but not be limited to, the actual cost and time required to perform the functions and the effectiveness of approval conditions in achieving planning objectives.

#### **D. ATTACHMENTS**

ANNEX "A" Services

Memorandum of Agreement  
Between the United Counties of Leeds and Grenville and  
the South Nation, Rideau Valley and Cataraqui Region Conservation Authorities

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**Signatures**

**South Nation Conservation**

  
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**Chair**

24 Dec / 12

**Date**


  
\_\_\_\_\_

**General Manager**

24 Dec / 12

**Date**

**Rideau Valley Conservation Authority**

  
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**Chair**

May 23, 2013

**Date**

  
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**General Manager**

May 23, 2013

**Date**

**Cataraqui Region Conservation Authority**

  
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**Chair**

June 24 / 2013

**Date**

  
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**General Manager**


2013 06 24

**Date**

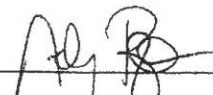
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**United Counties of Leeds and Grenville**

  
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**Mel Campbell, Warden**

November 22, 2012  
Date

  
\_\_\_\_\_  
**Andy Brown, CAO**

November 22, 2012  
Date

## **ANNEX "A" SERVICES**

1. The following planning applications are those for which the United Counties of Leeds and Grenville have approval authority powers. The Counties or its agent will circulate to the appropriate Conservation Partner for technical review when deemed necessary by the Counties.
  - a) Plan of Subdivision
  - b) Plan of Condominium
  - c) Consents
  - d) Part Lot Control Bylaws
  
2. "Technical Review" is defined as:
  - a) assessing technical reports submitted by the applicant's consultant to determine if the reports have been prepared in accordance with policies and standards of the Counties and consistent with the Provincial Policy Statement and attendant guidelines; and
  - b) ensuring that the recommendations of the study are appropriate and feasible.
  
3. The specific technical review functions for which the Counties will seek information of the Conservation Partners are:
  - a) Review of proponent prepared Environmental Impact Statements for wetlands, Areas of Natural and Scientific Interest (ANSI) as well as fish habitat, wildlife habitat, woodlots, valleylands etc.
  - b) Review of studies that support applications affected by environmental constraints including organic soils and unstable slopes.
  - c) Review of site drainage plans including stormwater management reports, sediment and erosion control plans.

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- d) Flood plain management issues.
- e) Lake capacity modeling assessments.



BY – LAW No. 12-63

**The Corporation of the United Counties of Leeds and Grenville**

**A BY-LAW TO AUTHORIZE THE EXECUTION OF MEMORANDUM OF AGREEMENT BETWEEN THE UNITED COUNTIES OF LEEDS AND GRENVILLE AND THE SOUTH NATION CONSERVATION AUTHORITY, THE RIDEAU VALLEY CONSERVATION AUTHORITY AND THE CATARAQUI REGION CONSERVATION AUTHORITY (the "Conservation Partners")**

**WHEREAS** it is deemed desirable for the United Counties of Leeds and Grenville to enter into an Memorandum of Agreement with the South Nation Conservation Authority, the Rideau Valley Conservation Authority and the Cataraqui Region Conservation Authority for specific plan review and technical clearance services to the Counties; and

**WHEREAS** the United Counties of Leeds and Grenville is the approval authority for planning applications for development proposals for which technical review is required from the Conservation Partners for the reports as set out in Annex "A" to the Agreement; and

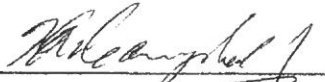
**WHEREAS** the United Counties of Leeds and Grenville and the Conservation Authorities have agreed to the responsibilities set out in the attached Memorandum of Agreement;

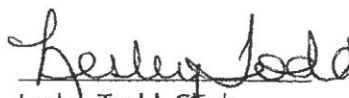
**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE UNITED COUNTIES OF LEEDS AND GRENVILLE HEREBY ENACTS AS FOLLOWS:**

1. **THAT** the Warden and the Clerk are hereby authorized to execute the attached agreement between the United Counties of Leeds and Grenville and the South Nation Conservation Authority, the Rideau Valley Conservation Authority, and the Cataraqui Region Conservation Authority; and
2. **THAT** this Agreement will commence and take effect October 1, 2012; and
3. **THAT** other By-laws, or parts of By-laws, contrary or inconsistent with this By-law, are hereby repealed; and
4. **THAT** the attached agreement forms part of this by-law.



By-law read a first, second and third time, and finally passed this 22<sup>nd</sup> day of November, 2012.

  
Mel Campbell, Warden

  
Lesley Todd, Clerk

