

MEMORANDUM OF AGREEMENT

BETWEEN: THE COUNTY OF LANARK,

hereinafter called the "County"

AND: THE RIDEAU VALLEY CONSERVATION AUTHORITY and
THE MISSISSIPPI VALLEY CONSERVATION,

hereinafter called the "Conservation Authorities"

A. PURPOSE

The purpose of this Memorandum of Agreement is to establish the framework within which the Rideau Valley Conservation Authority and the Mississippi Valley Conservation, will provide specific plan review and technical clearance services to the County of Lanark.

The agreement describes services in addition to those activities that the Conservation Authorities normally 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 County.
2. The Conservation Authorities 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 County requires the Conservation Authorities' expertise for technical review of reports supporting development proposals, in accordance with Annex "A": Services.
4. The Conservation Authorities acknowledge that the County is the approval authority for those planning applications for which technical review is required from the Conservation Authorities 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 January 1, 2009.

C. ROLES AND RESPONSIBILITIES

The County commits to:

1. Identify the application and required technical studies as listed in Annex "A" for circulation to the Conservation Authorities.
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 County or the Conservation Authorities, there may be a perceived conflict of interest.
4. Ensure the fees charged by the Conservation Authorities are fair and reasonable for those functions undertaken within this agreement.
5. Agree to defer decisions on applications pending full payment by the Applicant to the Conservation Authorities.
6. Agree to cover the costs for Conservation Authorities' staff to prepare and attend Ontario Municipal Board hearings in support of decisions and positions taken by the County arising from the technical review service where extraordinary costs are incurred.
7. Provide an evaluation of the Conservation Authorities' participation in the delegated approval function on a periodic basis.
8. Collect the initial plan review fee from the applicant on behalf of the Conservation Authorities.

The Conservation Authorities commit to:

1. Provide a technical review of reports submitted by the County 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 County, 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 County and receipt of a complete and adequate study and/or other relevant information from the applicant.
6. 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 County where extraordinary costs are incurred.
7. Make provision for staff to attend pre-consultation meetings with the applicant and other application related meetings such as County Council and Committees of Council.
8. Report and provide guidance to the County where there may be a perceived conflict of interest.
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

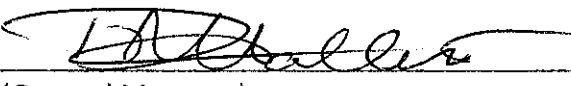
Signatures

RIDEAU VALLEY CONSERVATION AUTHORITY:



(Chair) Sept. 8/09

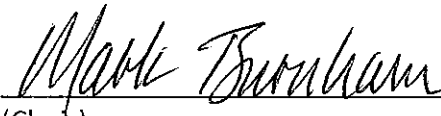
(Date)



(General Manager) Sept 4 /09


(Date)

MISSISSIPPI VALLEY CONSERVATION:



(Chair) 26 Sept '09

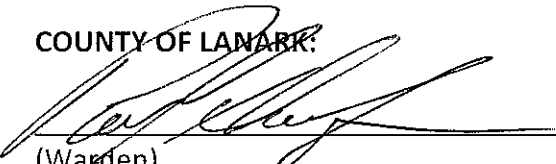
(Date)



(General Manager) Sept 25/09

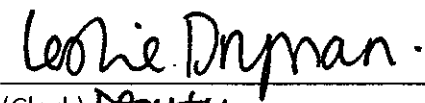
(Date)

COUNTY OF LANARK:



(Warden) Aug. 28, 2009

(Date)



(Clerk) Deputy Aug. 28, 2009

(Date)

ANNEX "A": SERVICES

1. The following planning applications are those for which the County of Lanark has approval authority. The County or its agent will circulate them to the Conservation Authorities for technical review when deemed necessary by the County.
 - 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 County and the Provincial Policy Statement; and
 - b) ensuring that the recommendations of the study are appropriate and feasible.

3. The specific technical review functions for which the County will seek information of the conservation authorities are:
 - a) Review of hydrogeological reports, terrain analysis studies, rural servicing options reports and cumulative impact studies required to support development on private services. [Exception: within the Township of Beckwith, said reports will be submitted to Golder Associates (or other such firm as directed by the Township) for review.]
 - b) Review of proponent prepared Environmental Impact Statements for wetlands, Areas of Natural and Scientific Interest (ANSI) as well as fish habitat, wildlife habitat, woodlots, etc.
 - c) Review of studies that support applications affected by environmental constraints including organic soils and unstable slopes.
 - d) Review of the hydrogeological component of any site specific study resulting from the transfer of provincial review functions such as aggregate extraction proposals including cumulative impact studies.

- e) Review of site drainage plans including stormwater management reports, sediment and erosion control plans.
- f) Flood plain management issues.
- g) Lake capacity modeling assessments.