

SERVICE AGREEMENT  
FOR PLAN REVIEW, TECHNICAL CLEARANCE & FEE COLLECTION

BETWEEN  
THE CORPORATION OF TOWN OF MONO  
(the "Town of Mono")

AND

CREDIT VALLEY CONSERVATION AUTHORITY  
THE NOTTAWASAGA VALLEY CONSERVATION AUTHORITY  
THE TORONTO AND REGION CONSERVATION AUTHORITY

("Conservation Authorities" or "CAs")

Date: November 14<sup>th</sup>, 2016,

1. THE PURPOSE of this agreement is to:

- a) provide for Conservation Authorities plan review and technical clearance expertise to assist the Town of Mono to make decisions on planning (and where applicable, infrastructure) applications; and,
- b) streamline the municipal planning system where opportunities exist to facilitate as much as possible the creation of a "one stop" planning system operating from the Town of Mono; and,
- c) to provide for a similar review process for any application in each of the 3 Conservation Authorities having jurisdiction in the Town of Mono.

2. ROLES AND RESPONSIBILITIES

The Corporation of the Town of Mono (hereinafter the "Town of Mono") and the Conservation Authorities agree that:

- a) the Town of Mono will screen planning and development as well as infrastructure applications received by it and forward those applications which require conservation authority review to the appropriate Conservation Authority. The screening of the applications will occur in accordance with the Screening Procedures as set out in Schedule 1 attached. The Screening Procedures may be revised from time to time on written consent of each of the Parties;
- b) the Conservation Authorities will provide the Town of Mono with plan review and technical clearance services, as set out in Schedule 2 attached, in accordance with the Provincial Policy Statements, and Provincial plans, and provide assistance to Town of Mono staff in assessing the adequacy of technical environmental studies in meeting the Town's Official Plan policy requirements and objectives by fulfilling the functions described below:
  - (i) define features and assess the long-term ecological function and biodiversity of natural heritage systems, identifying opportunities where applicable for restoration or improvements. Examine the functions of these features, and establish requirements and conditions, to determine the need for and adequacy of studies (including environmental impact studies) which assess impacts and propose appropriate development limits defined through policy, mitigation, restoration and/or enhancement measures related to:
    - significant wetlands and wetlands;
    - significant wildlife habitat;
    - habitats of threatened and endangered species;
    - watercourses, fish and aquatic habitat;
    - areas of natural and scientific interest;
    - significant woodlands and woodlands;
    - significant valley lands , valley lands and stream corridors;
    - natural hazards (flooding and erosion);
    - hazardous sites (unstable soils or bedrock unstable slopes);
    - ground water recharge areas;

- ground water quantity and quality
  - surface water quantity and quality.
- (ii) identify where appropriate the Department of Fisheries and Oceans self-assessment process pursuant to the Federal Fisheries Act and other similar pieces of legislation affecting the interests of the Conservation Authorities;
- (iv) assist in the technical aspects of applying alternative development standards as a best management practice for stormwater management purposes and enhancement of natural heritage features and functions; and
- (v) assist where appropriate in the implementation of the Source Water Protection Plan.
- d) any information or data sources provided by the Province or generated through municipal or watershed studies will be shared;
- e) notwithstanding the purpose of this Agreement it is recognized that:
- (i) the Conservation Authorities will review and provide comments and advice in the context of the policies and land use designations of approved official plans, zoning bylaws and other guiding municipal documents; and,
- (ii) effective watershed management and environmental protection also requires the appropriate consideration of regional and local natural resources as identified through official and secondary plans, municipal studies, watershed and subwatershed studies, Conservation Authority natural heritage mapping, or a site specific proposal; and,
- (iii) the Conservation Authorities will continue to provide comments and recommendations as outlined in 2(b)(i), on planning matters circulated by the Town of Mono such as official plans and policy amendments and municipal studies; and
- (iv) nothing precludes the Conservation Authorities from commenting to the Town of Mono, and implementing their Regulatory responsibilities, as they would normally exercise their rights under the *Planning Act*, the *Conservation Authorities Act*, *Environmental Assessment Act*, *delegated responsibilities*, or other applicable legislation.
- (v) the Conservation Authorities will review and provide comments and advice in the context of the policies and programs of the Conservation Authority, which will may include but is not limited to consideration of cumulative impacts, natural heritage systems, and the need for enhancements to the existing natural heritage system;
- (vii) under certain circumstances, as identified by the CAs, or Town of Mono, the CAs may recommend that the Town of Mono attain an external peer review of technical reports, where a potential conflict of interest has been identified,

and/or where it has otherwise been identified as being in the best interest of the Town.

### 3. TERM AND IMPLEMENTATION

- (1) The Town of Mono and the Conservation Authorities agree:
  - a) the term of this Agreement shall be for a period of three years from the date of execution by the Town of Mono and the Agreement shall be automatically extended for additional three-year terms, on the same terms and conditions as contained herein at the discretion of the Town and the Conservation Authorities, until terminated by any of the parties in accordance with subsection 3(2) herein. Notwithstanding the above, the Screening Zone Maps may be updated at any time at the discretion of the Town of Mono and the Conservation Authorities;
  - b) that The Town of Mono and the Conservation Authorities will generally review this Agreement, to consider changes in programs of the parties or changes in Provincial policies, at least three months prior to the expiry of each three-year term. The Town's Planning and Building Department will monitor the agreement and its expiry;
  - c) to explore further opportunities to streamline the plan review system as it relates to Provincial and regional/local interests;
  - d) to make provisions for Conservation Authorities staff to attend Ontario Municipal Board Hearings with Town of Mono staff, with respect to the plan review and technical clearance services provided pursuant to this agreement. Where Town of Mono staff are attending Hearings in which matters of mutual interest are at issue, Town staff may attend to represent both agencies' interests, at the mutual agreement of both parties. Notwithstanding the aforesaid, the Conservation Authorities will not be precluded from independently appealing a decision to the Ontario Municipal Board if they so choose;
  - e) that fees for plan review and technical clearance services shall be set by the Conservation Authorities, as reflected in approved Schedule of Fees and any approved Revised Schedules to be provided to the Town of Mono as they occur. The Town of Mono shall collect the Application Fee (TRCA), Preliminary Analysis Fee (CVC), or Review Fee (NVCA), and remit any fees collected in a timely manner with the application to the Conservation Authority.
  - f) that the Conservation Authorities shall be responsible for collecting any further Processing/Approvals/and/or Final Clearance Fees as required;
  - g) that the Town of Mono shall revise their development application forms to include reference to the Conservation Authorities fees and/or attach the Authorities' information and invoice sheets to application forms. And, that Town of Mono staff will actively ensure that applicants are well informed with respect to the need to address the payment of any additional CA fees where applicable; and

- h) that each Conservation Authority shall provide to the Town of Mono a Screening Map, as described in Schedule 2, updated periodically.
- (2) Any party may terminate this Agreement at any time upon delivering thirty days written notice of termination, by prepaid registered mail, to all of the other parties, which notice shall be deemed to be received on the third business day from the date of mailing.
- (3) Any notice to be given pursuant to this Agreement shall be delivered to the parties at the following address:

Town of Mono  
 347209 Mono Centre Road  
 Mono, ON L9W 6S3  
 Attention: Chief Administrative Officer

Credit Valley Conservation  
 1255 Old Derry Road, Mississauga, ON L5N 6R4  
 Attention: General Manager

Nottawasaga Valley Conservation Authority  
 8195 8<sup>th</sup> line, Utopia, ON L0M 1T0  
 Attention: Chief Administrative Officer

The Toronto and Region Conservation Authority  
 5 Shoreham Drive, Downsview, ON M3N 1S4  
 Attention: Senior Director, Planning, Greenspace and Communications

THE CORPORATION OF THE TOWN OF MONO

By-Law No.

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Mark Early  
 Chief Administrative Officer .....

Date

CREDIT VALLEY CONSERVATION AUTHORITY

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Deb Martin Downs  
 General Manager

Date

THE TORONTO & REGION CONSERVATION AUTHORITY

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Brian Denney  
 Chief Executive Officer

Date

THE NOTTAWWSAGA VALLEY CONSERVATION AUTHORITY

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Doug Lougheed, Chair

Date

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Gayle Wood  
Chief Administrative Officer

Date

## SCHEDULE -1

### *Screening Procedure*

1. The following Screening Criteria is to be used in conjunction with the Conservation Authority (CA) Screening Map to provide the Town of Mono with a reference for the circulation of development applications and/or policy documents.
2. All policy documents that may affect environmental and/or hazardous issues and/or CA lands should be circulated to the appropriate CA for comment, e.g. Official Plan and Secondary Plan Amendments, Policy Amendments, Background Municipal Studies, Subwatershed Studies, Environmental Assessments, infrastructure master plans, and other environmental studies.
3. Where the land area of a development application is wholly, or partially within or abutting the CA Screening Area described on the Screening Map\*, the following applications: should be forwarded, along with the required Preliminary Analysis or Review Fee, to the appropriate CA, as part of the approvals process:
  - a. Site Specific Official Plan Amendment Applications.
  - b. Comprehensive, Town of Mono initiated, and site specific Rezoning and Minister's Zoning Order Applications.
  - c. All Plan of Subdivision Applications within the screening area, in addition to applications 5 hectares or greater which are outside the screening area. If there are a number of adjacent development sites each less than 5 hectares and outside of the screening area, those development applications may be circulated to the appropriate CA for review. The CAs will be asked to assess whether additional technical studies are required, or revisions to conditions of draft approval are appropriate, when a request for renewal of draft approval has been received.
  - d. Plan of Condominium Applications, including applications 5 hectares or greater which are outside the screening area.
  - e. Consent Applications involving easements, creation of new lots or part lots, and/or lot boundary adjustments or additions.
  - f. All Minor Variance Applications within the screening area. Minor Variance applications outside of, or adjacent to the screening areas for which there is question as to whether the CA's interests may be affected will be circulated to the appropriate CA. For applications adjacent to, or outside of the screening area, which are circulated to the CAs for comments, or those applications within the screening area that are determined by the CAs to not affect their program or policy interests, the CA will confirm whether a review fee shall be required.
  - g. Site Plan Approval Applications (pursuant to Section 41 of the *Planning Act*). Site Plan Approval Applications wholly or partially within or abutting the screening area and applications 5 hectares or greater which are outside the screening area.
  - h. Applications for part lot control (or exemptions thereof).

Notwithstanding the above, the CAs may comment on applications located outside of the areas identified on the screening map, should those applications affect the programs or policies of the CAs.

4. For Building Permit Applications, the Town of Mono will advise applicants to confirm any requirements directly with the relevant CA, and ensure that the application is in accordance with the requirements of the *Ontario Building Code* applicable law provisions that building permits shall not be issued for properties that may be subject to flood and erosion hazards or hazardous land (associated with unstable soil or unstable bedrock), until such time as requisite clearances have been provided by the applicable CA. Where the land area of a Building Permit Application is wholly or partially within the CA Screening Area described on the Screening Map\*, the relevant CA will review the subject application.
5. Where an application straddles CA boundaries, both CAs shall be contacted, and at the discretion of the CAs, a lead CA may be identified to coordinate or complete the review on behalf of both CAs.
5. Any works proposed within or adjacent to a valley or stream corridor or other areas regulated by the CAs, may require Conservation Authority approval for a permit under the CAs' respective Ontario Regulations. Where it has been identified by the CAs that such permits are required, this requirement shall be identified in, and where feasible be a condition of, all *Planning Act* approvals provided by the Town of Mono.
6. For all development applications not within the Valley and Stream Corridor, Regulated areas, or other areas of concern to the CAs, the Town of Mono will be solely responsible for the review, approval, inspection and enforcement of erosion and sediment control measures during the construction period.
7. Within the area of interest of the CAs, landscape and planting requirements, in addition to sediment and erosion control requirements may be applied by the CAs, and shall be considered by Town of Mono staff in their review of affected applications.
8. For all applications listed in number 3 (above), the CAs may require review of, and/or request additional studies in support of the proposed application, including but not necessarily limited to a Stormwater Management, Hydrogeological, Geotechnical or Environmental Impact Study,
9. The Town of Mono and the CAs recognize that sediment and erosion control generated through land development, including servicing, is a primary concern for the protection of all watercourses, drainage features and other natural heritage features throughout the municipality. As such:
  - a) The Town of Mono agrees to review and update development standards with the CAs as new technology and/or criteria relevant to erosion control are developed eg. stabilization of disturbed areas; stabilization of SWMs prior to the issuance of building permits, etc.
  - b) The CAs agree to:
    - i) where possible to coordinate the compliance and enforcement process to ensure that all applicable legislation is being used to address sediment and erosion control, where CA permits are issued; and
    - ii) to provide sediment and erosion control guidelines, as updated, and provide information on new technology as it becomes available.

\*The location of natural features (e.g. tableland woodlots) outside of the screening area are provided for information purposes. Applications which include, or are adjacent to, these natural features are generally



not required to be circulated to the CAs. Development applications may, however, be circulated to the CAs for comment where, in the opinion of staff, such comment would assist in the evaluation of the development application.

## SCHEDULE-2

1. "Plan Review" is defined as:
  - (i) reviewing development applications in a timely manner (in accordance with the individual CA service delivery standards) recognizing the *Planning Act* objectives;
  - (ii) delineating the limits of the natural features and systems;
  - (iii) identifying the need for technical reports; and
  - (iv) specifying conditions of approval.
  
2. "Technical Clearance" is defined as:
  - (i) assessing technical reports submitted by the proponent to determine the adequacy of the reports and/or if the reports satisfy the conditions specified; and
  - (ii) clearing the conditions, and/or providing written confirmation that the reports meet the requirements of the CA.
  - (iii) assessing whether the technical reports are consistent with the Town of Mono's environmental policy objectives or requirements, when requested by the Town.
  
3. "Screening Map" is defined as:
  - (i) a map delineating the area of the interest of the Conservation Authority as may be relevant to policy formulation or development applications. Specifically, the area of interest may include wetlands, valley and stream corridors, natural hazard areas (flood and erosion), watercourses, environmentally significant areas, Areas of Natural and Scientific Interest, rare threatened and endangered species' habitats, woodlands, special policy areas and fisheries habitats, targeted natural cover, and an associated area of interest.