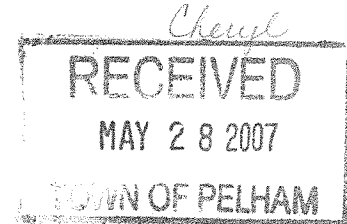


May 18, 2007

Our Ref.: PRC 3-2007 May 14, 2007

Ms. Cheryl Miclette
Town of Pelham
P.O. Box 400
20 Pelham Town Square
Fonthill, Ontario L0S 1E0



Dear Ms. Miclette,

Memorandum of Understanding


We are pleased to advise that the Planning Review Committee at its meeting of May 14, 2007, approved the following recommendation:

That the draft MOU be received **as amended** and forwarded to the municipalities for signature before it is brought back to the Planning & Public Works Committee meeting, possibly on June 6, for approval.

A copy of the Memorandum of Understanding is enclosed for consideration by your Council.

Please note that Regional staff would be available to attend the Committee/Council meeting where this is addressed if requested.

Yours truly,


Pam Gilroy
Regional Clerk
/bs

- c. C. Larmour, Director of Planning Services
- C. Cambray, Commissioner of Planning and Development
- K. Weaver, Manager, Special Initiatives

July 27, 2007

Our Ref.:

PPW 10-2007, July 18, 2007

CAO 8-2007

C.02.0040

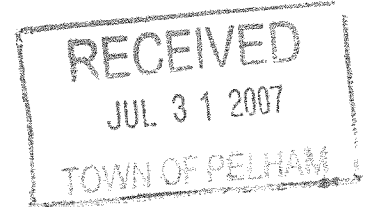
Ms. Cheryl Miclette
Clerk

Town of Pelham

P.O. Box 400

20 Pelham Town Square Fonthill, ON L0S 1E0

Dear Ms. Ms. Miclette:




Memorandum of Understanding – Planning System in Niagara

Please be advised that, at its meeting of July 26, 2007, Regional Council approved the Memorandum of Understanding – Planning System in Niagara. We have enclosed an original copy of the memorandum for your records.

Please ensure that your Planning Departments are made aware of the approval.

Yours truly,


Pam Gilroy
Regional Clerk
/wm

cc: M. Trojan, Chief Administrative Officer
K. Weaver, Manager, Special Initiatives

MEMORANDUM OF UNDERSTANDING

between

The Regional Municipality of Niagara

The Town of Fort Erie

The Town of Grimsby

The Town of Lincoln

The City of Niagara Falls

The Town of Niagara-on-the-Lake

The Town of Pelham

The City of Port Colborne

The City of St. Catharines

The City of Thorold

The Township of Wainfleet

The City of Welland

The Township of West Lincoln

The Niagara Peninsula Conservation Authority

for

Improving the Planning Function in Niagara

Part 1

Preamble

Introduction

This Memorandum of Understanding (hereinafter referred to as MOU) has been developed in response to expected improvements to the planning function in Niagara. More specifically, this MOU is the first step in implementing the directions approved by Regional Council under Report CAO 15-2006 on July 27, 2006.

This MOU was collaboratively developed by a representative group of staff persons from the signatory agencies. The MOU 'Team' was created following a call for volunteers representing the Technical Review Committee made up of Niagara Area Planners – the MOU itself was subject to review and refinement by area Planning Directors, area CAOs, the Planning Review Committee (comprised of elected representatives from all signatory organizations), and the respective Councils and Authority Board of the signatory organizations.

This MOU is primarily an instrument of improved (and continuously improving) relationship management among the signatories. The alternative approach would have been to create a more regulatory 'how to' document. The consensus of the MOU Team was that a regulatory approach would be too limiting and not encourage the strong emphasis on continuous improvement that is reflected through the relationship management approach that has guided this document.

Objectives

The Objectives that have informed and guided the development of this MOU are those expressed and approved under Recommendation 1 of Report CAO 15 - 2006, as follows:

- to identify respective roles and reduce duplication with regard to planning functions;
- to develop effective, efficient collaborative processes for policy development and development review;
- to develop a communication protocol for Regional and Local Planners to work together more effectively and efficiently; and,
- to hear and understand what the community wants; to ensure that community aspirations are considered and communicated in the planning process; to develop a transparent, easily understood process of community engagement.

As further enhancements to those key objectives, the MOU Team identified some specific action-oriented objectives that will guide the immediate MOU and subsequent efforts at continuous improvement.

These objectives flow from the Planning Function Review process and are predicated on staging implementation in a reasonable yet aggressive timeframe. To explain, there are some current challenges related to the capacity of some partners to take on additional responsibilities without progressive support, while at the same time, the inconsistencies in planning processes create impediments to meeting the objectives endorsed under CAO 15-2006 (as expressed above).

Therefore, the ultimate goal is stated as:

To have an, integrated and seamless planning system that is embraced and easily understood by Councils, the public and the applicants that encourages participation in policy development and application processing.

An, integrated and seamless planning system includes:

- The collaborative development of policy to ensure that the planning system is speaking with one voice;
- delegation of responsibility is predicated on regular and current compliance of area municipal comprehensive Official Plans, Secondary Plans and Zoning By-laws with the Regional Policy Plan;
- ensuring that activities are value added;
- streamlined processes – operate on a ‘one window’ functionality;
- appropriate and relevant information for decisions is in the right place at the right time;
- placing authority and responsibility as close to each other as possible; and,
- consistency of policy interpretation, implementation and applications processing approaches by all signatories is necessary.

The Parties believe that an integrated and seamless planning system for Niagara will be a keystone in the achievement of a single, integrated, and seamless planning system as a contribution to a ‘One Voice’ agenda. To that end, the Parties believe that the Niagara Planning System will evolve in the direction of common policies for Niagara. This will come about over time as the Parties to this MOU collaborate in policy development. The result of this collaborative process will be a set of policies to which all parties will agree. The focus of the process will be on those matters of interest for which common ground is evident. When consolidated, these policies will effectively constitute an integrated planning system speaking with one voice. At the same time, each planning jurisdiction within Niagara will continue to develop and implement planning policies of a distinctly local nature to address matters of local importance, primarily through Secondary Plans, comprehensive zoning, and development control.

Authority

There are a number of land use policy planning approvals that rightly are addressed at the Regional Municipality level – these will be retained as expressed in the MOU. However,

the Council of the Regional Municipality is empowered, by The Planning Act, to delegate all or parts of its approval authorities to its Area Municipalities subject to such conditions as the Regional Council deems appropriate. Indeed, the Regional Municipality already considers application for exemptions of local Official Plan Amendments (LOPAs) – this MOU will remove the requirement of requesting an exemption for certain types of LOPAs, and provide final approval directly to the area municipality.

In 1996, the Province of Ontario transferred the responsibility to review planning applications for Provincial interests to the Regional Municipality of Niagara on behalf of the Ministry of Municipal Affairs and Housing, Ministry of the Environment, Ministry of Natural Resources, Ministry of Culture and Ministry of Agriculture, Food and Rural Affairs.

The NPCA is an autonomous corporate body established under the Conservation Authorities Act to work in partnership with our member municipalities and the Province to further the conservation, restoration, development and management of the renewable natural resources and hazard lands within the jurisdiction. The NPCA has been actively involved in the municipal planning process since 1979. The NPCA's planning program started out focusing on ensuring that new development is not adversely affected by flood and erosion problems associated with riverine systems as well as the Great Lakes Shoreline. Over time, the Ministry of Natural Resources (MNR) has delegated certain provincial responsibilities to Conservation Authorities. The delegation of floodplain management began in the late 1970's; hazard land management (which includes valleyland management and the management of local areas susceptible to flood and erosion risks) was delegated in 1983; Great Lakes shoreline management was delegated to the NPCA in 1988. In the past, the Conservation Authority implemented regulations governing filling activities in fill-regulated areas, construction activities in floodplains and alterations to waterways. In 1998, the Province amended Section 28 of the Conservation Authorities Act to more clearly specify lands, which could be subject to regulation (including development in and adjacent to valleylands, Great Lakes shoreline flood, erosion and dynamic beach hazards, wetlands and alterations to watercourses). In May 2006, Ontario Regulation 155/06 Niagara Peninsula Conservation Authority: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses came into effect.

The NPCA has a Level II agreement with Fisheries and Oceans Canada (DFO) to administer the review of projects under section 35(1) of the Fisheries Act which states “No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of Fish Habitat” (HADD). Under this agreement, NPCA will assess all proposals within its jurisdiction, regardless of other permitting requirements unless agreed to by DFO under a separate agreement (e.g., Union Gas, some Provincial projects). NPCA screens and processes applications for DFO under the Level II agreement to determine if a HADD will occur as a result of the proposed works. A HADD may occur as a result of any direct or indirect manipulation which changes, alters, disrupts or destroys habitat in or adjacent to the water or which induces probable changes to the conditions of habitat (including, but not limited to, temperature, light, dissolved gasses, water clarity, sediment load and other factors).

It is noted that a portion of Grimsby is under the Hamilton Conservation Authority's jurisdiction.

Part 2

Roles and Responsibilities of Signatories for Policy Planning and Implementation Planning

2.0 General

Preamble

The Parties agree that successfully meeting the objectives for this MOU will require a collaborative approach to Policy and to Implementation Planning.

Policy Planning is understood to mean generally those activities of a community planning nature that are conducted pursuant to Parts III and IV of The Planning Act. Similar planning activities may be conducted pursuant to The Conservation Authorities Act, The Niagara Escarpment Planning and Development Act, and The Environmental Assessment Act and are therefore addressed in this MOU. The Policy Planning function also includes collaborative activities identified as Special Studies which the Parties may undertake from time to time. It is further understood that Regional Planning comments on Policy Planning matters will be restricted to matters of Provincial and/or Regional interest.

Implementation Planning is understood to mean generally those activities that are conducted pursuant to Parts V and VI of The Planning Act. Similar activities may be conducted pursuant to the development permit provisions of The Niagara Escarpment Planning and Development Act. It is further understood that Regional Planning comments on Implementation Planning matters will be restricted to matters of Provincial and/or Regional interest.

2.0.1

The Parties agree that collaboration in Policy Planning will include the following measures for each Policy Planning project:

- pre-consultation with relevant partners prior to project start-up to identify areas of common interest; placement of appropriate representatives on project steering committees;
- agreed-to milestone meetings, consultations, and document review;
- mutually satisfactory review protocols with shared commitment to timeliness; and,
- a fully integrated Geographic Information System.

2.0.2

The Parties agree that the Area Planning Directors and the representative from the NPCA establish a co-ordinating body, upon approval of this MOU, to identify common Policy Planning interests and projects with a view to formulating a collaborative multi-year Policy Planning program for Niagara.

Policy Planning

The following are the means by which Policy Planning will be conducted by the Parties for specific types of policy planning projects.

2.1 Regional Policy Plan and Amendments (RPPAs)

- 2.1.1.1 Approval of the Regional Policy Plan rests with the Province of Ontario.
- 2.1.1.2 Adoption of RPPAs rests with Regional Council.
- 2.1.1.3 Area Municipalities provide comments based on circulation by the Region.
- 2.1.1.4 The Niagara Peninsula Conservation Authority (NPCA) comments to Region based on provisions of Part 3.

2.2 Area Municipal Comprehensive Official Plans and Non Site-Specific LOPAs

- 2.2.1 Approval rests with Regional Council.
- 2.2.2 Area Municipality prepares the Comprehensive Official Plan, collaboratively with direct involvement of Regional Planning and NPCA *prior* to releasing a draft Official Plan for public comment.
- 2.2.3 NPCA provides comments during circulation.

2.3 Area Municipal Site Specific Official Plan Amendments

For the purposes of this Section, 'site specific' means that the proposal:

- is single application on a single property or multiple contiguous properties under single ownership or control; and,
- does not require a Regional Policy Plan Amendment or Secondary Plan.

- 2.3.1 Area Municipality approves.
- 2.3.2 Region provides comments during circulation stage.
- 2.3.3 NPCA provides comments during circulation stage, based on provisions of Part 3.

2.4 Secondary Plans

- 2.4.1 Approval rests with Regional Council.
- 2.4.2 Area Municipality prepares the Secondary Plan, collaboratively with direct involvement of Regional Planning and NPCA *prior* to releasing a draft Secondary Plan for public comment.
- 2.4.3 NPCA provides comments during circulation, based on provisions of Part 3.

2.5 Community Improvement Plans

- 2.5.1 Proponent, either Region or Area Municipality, approves.
- 2.5.2 Proponent municipality prepares the Community Improvement Plan, collaboratively with direct involvement of Regional Planning, area municipality and NPCA *prior* to releasing a draft Community Improvement Plan for public comment.
- 2.5.3 Non-proponent, Region or Area Municipality comments during circulation.
- 2.5.4 NPCA provides comments during circulation as appropriate based on provisions of Part 3.

2.6 Niagara Escarpment Plan Amendments

- 2.6.1 Approval rests with Province.
- 2.6.2 Region comments during circulation.
- 2.6.3 Area Municipality comments during circulation.
- 2.6.4 NPCA comments during circulation.

2.7 Regional Environmental Assessments

- 2.7.1 Approval rests with Province.
- 2.7.2 Region adopts.
- 2.7.3 Area Municipality comments during circulation.
- 2.7.4 NPCA comments during circulation, based on provisions of Part 3.

2.8 Local Environmental Assessments

- 2.8.1 Approval rests with Province
- 2.8.2 Area Municipality adopts
- 2.8.3 Region comments during circulation, based on screening criteria in Schedule C.
- 2.8.4 NPCA comments based on provisions of Part 3.

2.9 Special Studies

- 2.9.1 The principal or lead proponent of any special study is the agency that is responsible for adopting.
- 2.9.2 In the event of joint studies, all proponent agencies adopt.
- 2.9.3 Relevant partners participate in the process via a collaborative framework that is established at the beginning of the study process.

Implementation Planning

Preamble

The Parties agree that successfully meeting the objectives for this MOU will involve placing responsibility for Implementation Planning primarily with the Area Municipalities as the legislated/delegated approval authority for such activity.

Improvements in Implementation Planning include streamlining of commenting methods and related work processes, as well as engaging in pre-consultation as a means of: early identification of important issues; and, minimizing the volume of applications requiring full circulation.

The following are the means by which Implementation Planning will be conducted by the Parties for specific types of implementation planning activities.

2.10 Comprehensive Zoning By-laws

- 2.10.1 Area Municipality approves.
- 2.10.2 Area municipality prepares the Comprehensive Zoning By-law, collaboratively with direct involvement of Regional Planning and NPCA *prior* to releasing a draft Comprehensive Zoning By-law for public comment.
- 2.10.3 NPCA comments during circulation.

2.11 Zoning Bylaw Amendments

- 2.11.1 Area Municipality approves.
- 2.11.2 Based on Schedule C, Region may comment during circulation.
- 2.11.3 NPCA provides comments upon request by Area Municipality, based on provisions of Part 3.

2.12 Draft Plans of Subdivision

- 2.12.1 Area Municipality approves.
- 2.12.2 Based on Schedule C, Region comments during circulation of new Draft Plans.
- 2.12.3 NPCA provides comments upon request by Area Municipality, based on provisions of Part 3.

2.13 Plans of Condominium

- 2.13.1 Area Municipality approves.
- 2.13.2 Region comments during circulation, for vacant land condominiums and for conversions of rental housing to condominiums, based on Schedule C.
- 2.13.3 NPCA provides comments upon request by Area Municipality, based on provisions of Part 3.

2.14 Consents

- 2.14.1 Area Municipality approves.
- 2.14.2 Based on Schedule C, Region may comment during circulation.
- 2.14.3 NPCA provides comments upon request by Area Municipality, based on provisions of Part 3.

2.15 Minor Variances

- 2.15.1 Area Municipality approves.
- 2.15.2 Based on Schedule C, Region may comment during circulation.
- 2.15.3 NPCA provides comments upon request by Area Municipality, based on provisions of Part 3.

2.16 Site Plan Control

- 2.16.1 Area Municipality approves.
- 2.16.2 Based on Schedule C, Region may comment during circulation.
- 2.16.3 NPCA provides comments upon request by Area Municipality, based on provisions of Part 3.

2.17 Niagara Escarpment Development Permits

- 2.17.1 Region provides comments, upon circulation.
- 2.17.2 Area Municipality provides comments, upon circulation
- 2.17.3 NPCA provides comments, upon circulation.

Part 3

Consolidation of the Review of Planning Applications as they Relate to the Natural Environment

3.1

The Niagara Peninsula Conservation Authority shall be responsible for ensuring the proper review of all planning applications for impacts on the natural environment as required by:

- Municipal planning documents such as the Regional Policy Plan through which the Province implements its requirements under the Planning Act, the Provincial Policy Statement, the Provincial Greenbelt Plan and Places to Grow Plan as they relate to the Natural Heritage and Natural Hazards. In the event of a time lag between Provincial directions given and the incorporation of same into municipal planning documents, reference shall be had to the most recent Provincial direction.
- the Generic Regulations under Section 28 of the Conservation Authorities Act.

3.2

The Niagara Peninsula Conservation Authority agrees to prepare and maintain, with the assistance of the Region and Area Municipalities, a Natural Environment Information Map for the Region of Niagara. This map shall define the Region, Area Municipalities and Conservation Authority geographic areas of interest in the Natural Environment as outlined in Schedule A - Criteria for Region of Niagara Natural Environment Information Map.

3.3

In addition to providing comments regarding the Niagara Peninsula Conservation Authority statutory responsibilities, the Conservation Authority shall provide both Provincial Plan Review Comments and/or Technical Clearance for those matters outlined in Schedule B - Matters Subject to Conservation Authority Review and Technical Clearance Regarding Planning Applications Affecting the Natural Environment.

3.4

The Region and the Area Municipalities agree to use the Niagara Peninsula Conservation Authority staff as Planning and Technical Review experts to support the Region and Area Municipalities environmental and resource management responsibilities in accordance with Schedules A and B.

3.5

The Niagara Peninsula Conservation Authority will make provisions for staff to attend Ontario Municipal Board Hearings or similar type hearings and judicial proceedings, upon the request of the Region or Area Municipality, with respect to plan review and technical clearance services provided pursuant to this Memorandum of Agreement. The Conservation Authority Review and technical clearance work will be funded, for the most part, from Review processing fees paid by the applicant in accordance with the Fee Schedule adopted by the Niagara Peninsula Conservation Authority Board.

3.6

The Region and the Area Municipalities both agree to collect Conservation Authority Review Processing Fees up front, at the time of initial application, in accordance with Schedule B - Matters Subject to Conservation Authority Review and Technical Clearance Regarding Planning Applications Affecting the Natural Environment.

3.7

There will be no planning application Conservation Authority Review fees to provide plan input for those official plans, secondary plans, municipal studies, and watershed and sub-watershed studies, etc. of a policy nature prepared by (or for) the Region and/or Area Municipalities.

Part 4

Managing Relationships with Other Governments

4.1

When a planning matter arises in terms of Provincial interest and the administration of same, area municipalities will channel their concerns through the Regional Municipality with the expectation that the Regional Municipality will facilitate/coordinate an understanding between Provincial authorities and local interests.

4.2

When a planning matter arises in terms of Federal interest and the administration of same, area municipalities will channel their concerns through the Regional Municipality with the expectation that the Regional Municipality will facilitate/coordinate an understanding between Federal authorities and local interests.

4.3

Where significant planning matters arise from the efforts and activities of neighbouring municipalities, such as the City of Hamilton and the County of Haldimand in Ontario and Erie and Niagara Counties in Western New York, the signatories will present a unified and singular position with coordination being provided by the Region.

Continuous Improvement Efforts as Part of MOU Implementation: Organization and Topics

4.4 Methodology for Continuous Improvement

- 4.4.1 The Planning Review Committee, or its successor, that has overseen the initial Planning Function Review process as well as the creation of this MOU shall continue to meet on an as-needed basis to monitor the MOU implementation, along with continuous improvement efforts resulting from MOU implementation.
- 4.4.2 Areas Planning Directors and the NPCA representative from the signatories to this MOU shall, upon approval of this MOU, establish a Working Group for the purpose of working on, at a minimum, the continuous improvement initiatives as identified in Section 4.5 of this MOU.

4.5 Topics for Continuous Improvement Efforts

A non-exclusive list of topics for continuous improvement attention, following the endorsement of this MOU, are, in no particular order of importance:

- identify and/or establish ongoing training and guidance for planners in Regional and Provincial Interests – said training to commence within three months of approval of this MOU;
- further refinement to Schedule C;
- concurrent processing of applications – RPPAs, local OPAs, zoning by-law amendments, plans of subdivision, etc.;
- methods of providing comments on implementation processing – electronic means, checklists, etc.;
- consistency of municipal procedures;
- single point for coordination of multi-mandated comments from Region through the Planning and Development Department, not multi-positions from as many as three departments (*for immediate implementation*);
- exploration and establishment of common definitions, general provisions, and zone categories for zoning by-laws;
- responsibilities for clearance of conditions for a variety of applications;
- role of the Ecological and Environmental Advisory Committee (EEAC);
- skill sets and resource alternatives in the system for specialized review functions; and
- a GIS based (Geographical Information System) monitoring system for development / planning applications.

Part 5

MOU: Duration and Formal Review

5.1

This MOU shall remain in effect until such time as replaced by an updated MOU (if any) that may result from the mandatory Review that would take place no more than two years from the effective date of this MOU.

5.2

The mandatory Review authorized by Section 5.1, as conducted by Area Planning Directors and the NPCA representative (Technical Review Committee), shall be overseen by the Planning Review Committee (or its successor) with any final recommended changes being subject to full agreement by all signatories hereto.

5.3

Disputes arising from the implementation of this MOU by two or more signatories will be subject to the following stages:

Step 1: a meeting between the Chief Administrative personnel of the signatories in dispute will be convened, with the expected outcome being a mediated solution.

Step 2: in the event that Step 1 fails to result in a resolution to the dispute, the heads of the councils and/or the NPCA Board chair (as the case may be) of the respective signatory agencies will be convened for the purpose of affecting a mediated resolution to the dispute.

Part 6

Schedules

Schedule A

Criteria for Region of Niagara Natural Environment Information Map

The Niagara Peninsula Conservation Authority shall prepare and maintain, with the assistance of the Region of Niagara and Area Municipalities, a Natural Environment Information Map for the Region of Niagara. This map will define most of the Region, Area Municipality and Conservation Authority geographic interests in the Natural Environment and shall include:

- a) all streams and watercourses in the Region of Niagara plus a 15-metre buffer on either side;
- b) the Regional Policy Plan – Environmental Protection designation plus a 30-metre buffer;
- c) the Regional Policy Plan - Environmental Conservation designation;
- d) Lake Ontario and Lake Erie shoreline plus a 50-metre buffer;
- e) regulated Areas under Section 28 of the Conservation Authorities Act; and,
- f) mapping of Natural Heritage Features and Areas as defined by the Provincial Policy Statement, Greenbelt Plan, and any other Provincial Policy Document as they become available.

Schedule B

Matters Subject to Conservation Authority Review and Technical Clearance Regarding Planning Applications Affecting the Natural Environment

Function Subject to Conservation Authority Action	Plan Review	Technical Clearance
Comment on flooding hazards and erosion hazards (including erosion and slope stability limits) along rivers and streams and CA permit requirements	X	X
Comment on flooding hazards, erosion hazards and dynamic beach hazards associated with the Lake Ontario and Lake Erie Shoreline (including shoreline protection) and CA permit requirements	X	X
Comment on hazardous geology (e.g. karst topography)	X	X
Comment on Lakes and Rivers impacts (except fisheries) and notify MNR if applicable (technical clr provided by MNR)	X	
Identify if Crown Land Involved and notify MNR if applicable (technical clr provided by MNR)	X	
Identify ANSIs and comment on ANSI impacts and mitigation measures (MNR to be contacted if necessary)	X	X
Comment on and conduct technical review of significant woodland impacts and mitigation	X	X
Comment on and conduct technical review of significant valleylands impacts and mitigation measures	X	X
Identify need for and conduct technical review of reports on wetland areas (including wetlands under the PPS and Section 28 of the <u>CA Act</u>) impacts and mitigation measures	X	X
Identify wildlife habitats and comment on wildlife habitat impacts and mitigation measures	X	X
Comment on impacts on endangered and threatened species (MNR to be contacted if necessary)	X	X
Comments on and conduct technical review of fish habitat impacts and mitigation (including DFO review where required)	X	X
Identify the need for and conduct technical review of stormwater management plans and design reports (excluding stormwater pipe systems)	X	X
Review for sub-watershed planning/master drainage planning	X	X with Area Municipality
Comment on impacts and conduct technical review of sensitive surface water features, sensitive groundwater features and their hydrologic function (Section 2.2.2 of PPS)	X	X

Schedule C

Regional Planning's Role in Implementation Planning Applications

Official Plan Amendments

All official plan amendments are circulated to the Region

Zoning By-law Amendment Applications

All zoning by-law amendments are circulated to the Region.

Draft Plans of Subdivision

- (a) New Plans - the Area Municipality shall circulate all applications for new draft plans of subdivision to the Regional Planning and Development Department for review and comment.
- (b) Modifications to Approved Plans or Requests to Extend Draft Approval - subject to pre-consultation, the Area Municipality may circulate requests to modify existing draft plans of subdivision or requests to extend draft plan approval to the Regional Planning and Development Department.

Draft Plans of Condominium

- (a) Vacant Land Condominium Plans - the Area Municipality shall circulate all applications for draft plans of vacant land condominium to the Regional Planning and Development Department for review and comment.
- (b) Other types of Condominium Applications - subject to pre-consultation, the Area Municipality may circulate all applications to the Regional Planning and Development Department for review and comment.

Consents

Subject to pre-consultation, the Area Municipality may circulate consent applications to the Regional Planning and Development-Department under the following circumstances:

- lands are located outside of an Urban Area; or,
- property is situated on a Regional road;

Minor Variances

For all Minor Variance applications, the Area Municipality shall not circulate the application to the Regional Planning and Development Department unless the Area Municipality determines that a Provincial or Regional interest may be affected. Where the property is situated on a Regional road, the application shall be circulated directly to the Regional Public Works Department (or Planning and Development if a one-window approach is used).

Site Plan Control

For all Site Plan applications, the Area Municipality shall not circulate the application to the Regional Planning and Development Department unless the Area Municipality determines that a Provincial or Regional interest may be affected. Where the property is situated on a Regional road, the application shall be circulated directly to the Regional Public Works Department (or Planning and Development if a one-window approach is used).

Signatures

The following signatures represent the endorsement of this Memorandum of Understanding by the respective parties:

Town of Fort Erie



Mayor



Clerk

Town of Grimsby

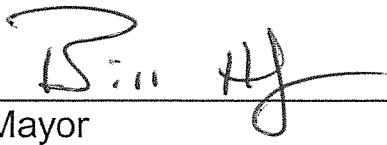


Mayor




Clerk

Town of Lincoln




Mayor




Clerk

City of Niagara Falls

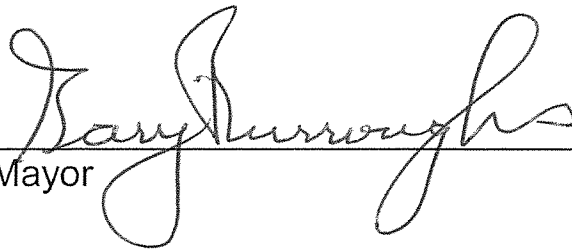



Mayor



Clerk (Acting)

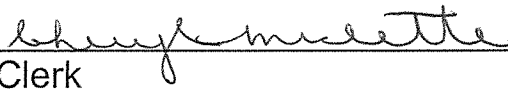
Town of Niagara-on-the-Lake


Mayor

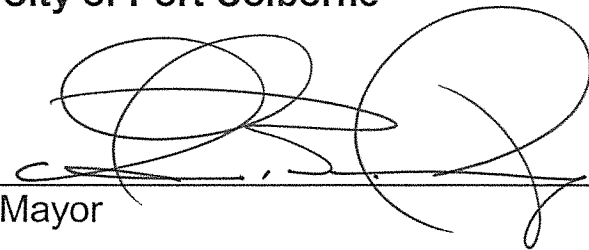

Clerk


Town of Pelham


Mayor

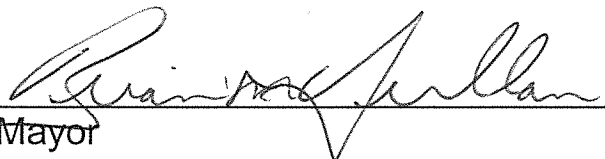

Clerk


City of Port Colborne


Mayor


Clerk

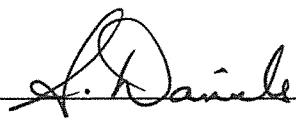
City of St. Catharines


Mayor


Clerk

City of Thorold


Mayor


Clerk

Township of Wainfleet

Burbano Hendra
Mayor

Sherry
Clerk

City of Welland

Danion Goulbourne
Mayor

Gallen
Clerk

Township of West Lincoln

Stefan
Mayor

Stefan
Clerk

Niagara Peninsula Conservation Authority

Shannon
Chairman

ABC
Secretary-Treasurer

Regional Municipality of Niagara

Peter Paulson
Chairman

Pam Young
Clerk