

Ontario Street Corridor Secondary Plan Study
Memorandum of Understanding

This Memorandum of Understanding this _____ day of _____ 2022

between

The Corporation of the City of St. Catharines

(hereinafter referred to as the “City”)

and

The Regional Municipality of Niagara

(hereinafter referred to as the “Region”)

Part 1 - Project Overview and Objectives

1.0 Introduction

On May 30, 2022 City Council endorsed Terms of Reference to undertake the Ontario Street Corridor Secondary Plan Study.

This Memorandum of Understanding (herein referred to as the “MOU”) has been developed to outline the roles and responsibilities of the City and the Region in undertaking the Ontario Street Corridor Secondary Plan Study, and the creation of a Secondary Plan for the subject area. The MOU shall set out all duties and obligations of the Parties with respect to undertaking the Study, and the development of a draft Secondary Plan for consideration of formal approval.

- b) The Ontario Street Corridor Secondary Plan Study area is an important area for the City and the Region as it represents a significant brownfield redevelopment opportunity in the middle of the City. It supports a dynamic and connected mixed-use, sustainable neighbourhood, and is also an opportunity to enhance and integrate the Ontario Street corridor from the QEW Highway to Welland Avenue as a major street corridor and ‘gateway’ into the City, and into the downtown, which is a provincially designated Urban Growth Centre.
- c) The City will establish a Technical Advisory Committee at the onset of the study process, consisting of representatives of City staff, Region staff, and the Niagara Peninsula Conservation Authority. The Technical Advisory Committee will identify, direct, guide, evaluate and recommend study components, and will include technical review of all study terms of reference, components, requirements, and submissions.

Part 2 - Parties’ Roles and Responsibilities for the Ontario Street Corridor Secondary Plan Study

2.0 Preamble

- a) The Parties agree that the Region will be a collaborative partner in the development and review of the Ontario Street Corridor Secondary Plan Study, and the preparation of a Secondary Plan for consideration of formal approval.
- b) The specific and shared responsibilities of each party are outlined below:

2.1 The Regional Municipality of Niagara

- a) The Region has approval authority over local Official Plan Amendments. The Region's partnership in the preparation of the Secondary Plan does not obligate Regional Council to approve the Official Plan Amendment to establish the Ontario Street Corridor Secondary Plan. Pending the outcome of the Study and review of final documents, consideration of an Official Plan Amendment to establish an Ontario Street Corridor Secondary Plan may be exempt from Regional Council approval per the Region's exemption policies in the Region's Official Plan.
- b) Region staff may report to Regional Council on status and progress of the Ontario Street Corridor Secondary Plan Study.
- c) Provide one (1) Region staff representative from Planning and Development Services to sit on the Study Technical Advisory Committee, and to act as a key Region point of contact and liaison for the Study.
- d) Provide the City and any consultants working with the City (on retainer or through a memorandum of understanding) with relevant planning information and/or data to support the study. Prior to commencing any associated background technical studies, it is recommended that applicable consultant(s) contact the Region to review the project scope and technical study requirements. The information to be provided in accordance with this MOU will be accurate to the best of knowledge of the staff members extracting planning information and/or data to support the study but subject to the limitations contained in the databases relied upon by such staff members. City and any persons, including consultants, developers, and land owners with whom the City may share (or ask the Region to share with directly) the information provided, shall rely on the information provided at their own risk and Niagara Region disclaims liability for any loss resulting from such reliance.
- e) Provide a peer review from a Region perspective of terms of reference and outputs of all background technical studies that may be required to help inform the Study, including but not limited to:
 - i. Planning Justification
 - ii. Transportation Analysis
 - iii. Servicing Analysis

- iv. Site Condition Analysis, including environmental planning studies
 - v. Environmental Site Assessment / Remediation
 - vi. Archaeological Assessment and Cultural Heritage Review
 - vii. Urban Design
- f) Provide to City staff and the Technical Advisory Committee, where required, and when available, other Region staff representation with professional expertise in required technical disciplines (Planning, Urban Design, Transportation, Infrastructure, Environmental & Remediation) in a manner to provide technical review and input into study components, including any background technical studies undertaken by consultants, and specifics and evaluation with respect to future planned or on-going Region Capital works projects within or in proximity to the Study area boundaries; and to attend public engagement events where warranted.

2.2 The City of St. Catharines

- a) Project management, administration, coordination of the Ontario Street Corridor Secondary Plan Study, including the Technical Advisory Committee.
- b) Management of any consultants that are retained by the City to help inform and assist with the Study, and payment of all fees and costs associated with the retained consultants.
- c) Coordination of meetings and sharing of information with the Region pertaining to all stakeholders involved in the Study.
- d) Coordination and preparation of all background materials related to the Study.
- e) Preparation of all Background documents and proposed plans related to the Study, including those identified in the Study Terms of Reference, as follows:
 - i) Background Analysis Report
 - ii) Community Vision and Alternative Concepts Report
 - iii) Detailed Analysis / Preferred Land Use Concept Plan Report
 - iv) Draft Ontario Street Corridor Secondary Plan
 - v) Final Ontario Street Corridor Secondary Plan
- f) Coordinate, administer and lead the Study public engagement strategy.

- g) Prepare and present all reports to City Council on Study status, background reports, and study recommendations.

2.3 Shared Responsibilities

- a) The City and Region have agreed to work collaboratively to successfully complete the Ontario Street Corridor Secondary Plan Study. Both will draw in internal expertise, providing input, analysis, and recommendations on all study components and requirements to inform the Study, and preparation of a recommended Secondary Plan.

2.4 Timing and Financial Responsibility

- a) The Parties agree that the Ontario Street Corridor Secondary Plan Study will be formally managed and financed by the City. For greater certainty, all costs and liabilities associated with any contract directly between the City, property owners, associated property owner representatives, or consultants that may be retained by the City, will be the responsibility of the City.
- b) The Region is contributing to this project through a Smarter Niagara Incentive Program (SNIP) planning grant. The use of this grant shall be subject to the terms of the Smarter Niagara Incentive Program.
- c) Estimated time for project completion is 30 months from endorsement of this Memorandum of Understanding by City and Regional Councils.
- d) All costs associated with any Region peer review of any background technical studies required by landowners and/or development proponents shall be the responsibility of the landowner and/or development proponent.

Part 3 - Endorsements

Project Name Ontario Street Corridor Secondary Plan Study		
Project Sponsors The Regional Municipality of Niagara City of St. Catharines	Target Project Completion Date Q4, 2024	
Project Manager City of St. Catharines, Planning and Building Services Department	Version No. 1.0	Version Date 06/14/2022

Endorsement of the Memorandum of Understanding

The following signatures represent the endorsement of the Memorandum of Understanding by the respective parties as it pertains to the Ontario Street Corridor Secondary Plan Study.

Signatures

I, we have reviewed the Memorandum of Understanding and verify the roles and responsibilities outlined within are acceptable.

The Regional Municipality of Niagara

Regional Chair

Regional Clerk

Date

City of St. Catharines

Mayor

City Clerk

Date