

HALDIMAND COUNTY
DESIGN CRITERIA

SECTION F
AGREEMENTS

Revised 2015

F 1.01 DRAINAGE

In cases where the development of a subject property could potentially impact drainage on neighbouring properties, or require a legal outlet, a drainage agreement may be required if a suitable easement or block of land is not available. A grading plan may be attached to the drainage agreement as a schedule. The agreement shall be registered on title for each of the affected properties.

F 1.02 PRE-SERVICING AND SUBDIVISION

A Subdivision Agreement is required prior to registration of a plan of subdivision. A pre-servicing agreement is typically completed prior to a Subdivision Agreement to allow for construction to commence prior to registration. However, a pre-servicing agreement is not mandatory and is an elective of the developer.

Pre-servicing and/or Subdivision Agreements, as prepared by Haldimand County, will be completed and forwarded by the Planner in the Planning and Economic Development Department (Planning and Development Division) to the Developer for review and signature, following internal circulation of the agreements to various County Departments and agencies.

Engineering cost estimates shall be submitted by the Developer's Engineer to the Planner, who will then circulate the estimates to the appropriate staff for review. If acceptable, the Planner will include the cost estimates in the applicable Schedules to the Pre-servicing and/or Subdivision Agreements.

The engineering drawings must be approved by the Manager of Engineering Services or designate prior to the finalization of the Draft Subdivision Agreement Schedules.

F 1.03 SERVICING

In cases where the extension of municipal water, sanitary sewer, and/or roads systems are required for a development other than a plan of subdivision, a servicing agreement may be required by the County.

F 1.04 SITE PLAN

In cases where a subject property is affected by site plan control in the applicable zoning by-law, the Developer may be required to enter into Site Plan Agreement with Haldimand County prior to the commencement of construction of any building or service on or within the parcel of land.

F 1.05 GENERAL AGREEMENT PROCESS

When a development application has received the required planning approvals, the following process outlines the major steps in preparing and administering an agreement to permit the development of the lands. This process is coordinated by the Planner in the Planning and Economic Development Department (Planning and Development Division).

- a) Preliminary Review by the Planner and determination of supporting information required (list of supporting information included in Section C);
- b) Submission of required information to the Planner by the Developer's Engineer;
- c) Assembling information and preparation of the draft agreement by the Planner;
- d) Circulation by the Planner of the draft agreement to County staff and applicable agencies for comments;
- e) Preparation of the final agreement by the Planner based on comments from County staff and applicable agencies;
- f) Planner forwards the final agreement to the Developer for review and signature;
- g) Agreement signed by Haldimand County, and where applicable, Haldimand County Hydro Inc.;
- h) Agreement is registered on title by the Developer's solicitor at the cost of the Developer;
- i) Developer provides copy of agreement registration receipt to Planner to confirm this process is complete;
- j) Developer meets the requirements of the agreement; and
- k) Building Permits are released.

F 1.06 OTHER AGREEMENT INFORMATION

- There are fees charged for the preparation and administration of every agreement.
- There may be additional payments required such as development charges, payment of cash-in-lieu of parkland, etc.
- Performance securities are required in most instances.
- Confirmation of Commitment Forms, indicating all professionals and their responsibilities with respect to the project complete with the professionals signatures/stamps and the proponent's signatures, form an integral part of every agreement.

Approvals from other agencies such as the local Conservation Authority, Ministry of the Environment, etc. may also be required.

Please consult a Planner in the Planning and Economic Development Department (Planning and Development Division) for more details.