

DATE: November 18, 2024

REPORT NO: PW-28-2024

SUBJECT: **2024 Memorandum of Understanding for Engineering Function and Review in Niagara**

CONTACT: Jennifer Bernard, C.E.T., Coordinator of Engineering Services
Mike DiPaola, P.Eng., Director of Public Works & Recreation

OVERVIEW:

- Bill 23, More Homes Built Faster Act, made changes to the Planning Act that will remove the land use planning review function of the Niagara Region on March 31, 2025. This required the 2019 Memorandum of Understanding for Planning Function and Services in Niagara to be revised.
- The 2024 Memorandum of Understanding for Engineering Function and Review in Niagara is now finalized for endorsement by area municipalities.

RECOMMENDATION:

1. That, Recommendation Report PW-28-2024 titled, titled “2024 Memorandum of Understanding for Engineering Function and Review in Niagara”, dated November 18, 2024, be received; and,
2. That, Council endorse the 2024 Memorandum of Understanding, attached as Schedule “A”; and
3. That, Administration be directed to sign the 2024 Memorandum of Understanding, attached as Schedule “A”.

ALIGNMENT TO STRATEGIC PLAN:

Theme #1

- **BUILD** a safe, connected, caring and active community

Theme #2

- **CHAMPION** strategic and responsible growth

BACKGROUND:

The 2019 Memorandum of Understanding (MOU) for Planning Function and Engineering Review Services in Niagara, outlined the roles and responsibilities of the Niagara Region and area municipalities related to development application reviews under the Planning Act. Bill 23, More Homes Built Faster Act, received Royal Assent on November 28, 2022 and made significant changes to the Planning Act. One such change was to remove the land use planning review function of the Niagara Region as of March 31, 2025. This required revisions to the MOU to reflect that change.

CURRENT SITUATION:

The 2019 MOU was updated to remove the land use planning review function of the Niagara Region and will now only pertain to engineering review of development applications. The purpose of the 2024 MOU is to update and clarify the respective engineering roles and responsibilities of the Niagara Region and area municipalities. The 2024 MOU was developed by the MOU Working Group in consultation with the Public Works Officials and Niagara Area Planners. Administration provided comments on the draft that are reflected in the final version of the 2024 MOU.

The 2024 MOU was endorsed by Regional Council on October 9, 2024, it is now with the area municipalities for endorsement.

FINANCIAL IMPLICATIONS:

There are no financial implications for the Township related to this MOU. As outlined in the 2024 MOU, where the Niagara Region will have a responsibility to provide engineering review of development applications or technical studies, their review fees will be the responsibility of the applicant. The fees will be collected by the Township and remitted to the Niagara Region.

INTER-DEPARTMENTAL COMMENTS:

This report has been reviewed by the Planning Department, CAO, and Clerk's office.

CONCLUSION:

In summary, it is recommended that Council endorse the 2024 MOU and Administration be directed to sign the document.

SCHEDULE(S):

Schedule "A" – 2024 Memorandum of Understanding for Engineering Function and Review in Niagara

Prepared & Submitted by:

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**Approved by:
Truper McBride, CAO**