

DATE: February 12, 2024

REPORT NO: PD-09-2024

SUBJECT: **Information report – Site Plan and Development Agreement Approval Update**

CONTACT: Gerrit Boerema, Manager of Planning

OVERVIEW:

- In September of 2022 Township Council delegated site plan approval and the signing of site plan and development agreements to the Director of Planning and Building as required by the Province through Bill 109.
- Planning Staff are providing a report on the site plans and development agreements that have been received and approved since the last report in May of 2023 – [PD-23-2023](#).
- Since the last update report, eight site plans and development agreement applications have been received and three site plan and development agreements have been approved.

RECOMMENDATION:

That, Information report, PD-09-2024, regarding “Site Plan and Development Agreement Approval Update,” dated February 12, 2024, be received for information purposes.

ALIGNMENT TO STRATEGIC PLAN:

Theme #

- **Champion - Strategic Responsible Growth**

BACKGROUND:

In early 2022 the Province approved Bill 109, the More Homes for Everyone Act, and 2022 which made significant changes to the Planning Act and Planning Approvals process. One of the requirements of the bill was to require municipalities to delegate site plan approval to staff and impose tighter timelines on site plan approval or pay refunds for planning fees to applicants. In that same year, Council delegated site plan and development agreement approval authority, including the authority to enter into agreements, to the Director of

Planning and Building. As part of that delegation, there was a commitment to provide regular updates to Council on the status of site plan and development agreement applications and approvals.

The last report, [PD-23-2023](#), was provided to Council in May of 2023. A number of the site plans and development agreements from that report have been completed while a number remain outstanding for various reasons mostly relating to delays on the applicants side.

CURRENT SITUATION:

Since the last report was provided, three site plans and development agreements have been approved. The Township is in compliance with Bill 109 on the remainder of the applications as many have been submitted before the July 1st 2023 implementation. The table below shows applications from 2021 to current day, including site plans that were submitted prior to delegation.

Green – Approved and Agreement Signed

Yellow – Approved but agreement not signed and/or securities not collected

Red – within approvals process

File Name & Number	Location	Description	Complete Application Date
Domaine Queulus 2100-014-21	3651 Sixteen Road	Addition to Winery. Applicant not proceeding at this time. Site plan file to be closed.	August 31, 2021
Dehaan Homes – Crossings on the Twenty North 2100-016-21	St. Catharines Street	Originally site plan for 10 condominium units, now development agreement under the new Bill 23	October 2021
Bristol Motors 2100-019-21	7484 RR 20	Amendment to site plan for fencing and other site works. Waiting on road allowance work.	December 2021
Carlton 2100-022-21	6696 Canborough Road	Yurt/On-Farm Diversification Use	March 2021 APPROVED: October 17 2023
Big Country Raw 2100-005-22	6159 Spring Creek Road	Site Plan for building addition including cold storage	Revised/Updated submission January 2024
2373744 Ontario Inc. 2100-008-22	9006 RR 20	New Gas Station (Third round of site plan review)	September 2022
Global West Realty 2100-009-22	2173 RR 20	New Gas Station (Minor Variance under appeal)	September 2022
194733 Ontario Ltd. 2100-001-23	2941 Industrial Park Road	New industrial building for concrete distribution.	March 2023 APPROVED SEPTEMBER 5

			2023 (UNDER CONSTRUCTION)
LeBlanc 2100-002-23	218 St. Catharines Street	New Auto Shop Building	April 2023
House of Dwyer Company LTD 2100-003-23	6209 Skyway Road	New concrete mixing plant	October 2023 APPROVE: December 20 2023 (not yet constructed)
DSBN – Gainsborough Public School 2100-004-23	5459 Regional Road 20	New gymnasium addition	January 2024
VanRyn 2100-005-23	8248 Concession 3 Rd	Expansion to salvage yard/storage use	December 2023
2728210 Ontario Inc. 2100-006-23	5144 Canborough Road	New commercial building	December 2023
Avertex 2100-007-23	2749 Thompson Road	Industrial Building Addition	December 2023
Galaxy Pallets 2100-001-24	124 Erie Street	Industrial Building Addition	January 2024
CA Real Estate Holdings 2100-002-24	197 Griffin Street	Commercial/Residential renovation and addition	January 2024
McFeeters 2100-003-24	2824 S.Grimsbey Road 21	Updates to site plan and buffers	February 2024

In most cases where the site plan is still within the approvals process, there have been delays on the applicant side of the process or issues with the site plan that still need to be revised and resubmitted to staff for review. Township staff are currently in compliance with Bill 109 timelines.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report; however, as a result of Bill 109, which was given Royal Assent in 2022, site plan applications not approved within the required timeline, submitted after July 1st, 2023, will require the municipality to provide a refund of a portion or all of the application fee.

Site plans are required to be approved within 60 days for no refund. Approval between 61-89 days a 50% refund is required, between 90-119 days a 75% refund, and over 120 days a full refund.

Staff are working to ensure that applications for site plan approval are complete and accurate when submitted to ensure that the required timelines are being met.

It is also important to note that development charges, where applicable, are frozen for a

period of 2 years following site plan or zoning bylaw amendment approval. This was implemented through Bill 108 and changes to the Development Charges Act. If a building permit is not applied for within two years following site plan or zoning approval, the most current development charges are applied.

For the three applications that have been approved, highlighted in green in the table above, Development Charges will have been frozen for a period of two years from the date of approval. One development on Industrial Park Road has obtained building permits within the same year as site plan approval and therefore there are no impacts to development charges, however, the other two applications received will be permitted to pay 2023 Development Charge rates if construction occurs within 2 years of site plan approval.

CONCLUSION:

Since the site plan report in May of 2023, three site plans have been approved while seven additional applications have been received. Site plans for the approved applications are attached to this report.

ATTACHMENTS:

1. Carlton Site Plan – 6696 Canborough Road
2. 194733 Ontario Inc. – 2941 Industrial Park Road
3. House of Dwyer Company Ltd. – 6209 Skyway Road

Prepared & Submitted by:

Approved by:



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