

**DATE:** November 11, 2024

**REPORT NO:** PD-48-2024

**SUBJECT:** **Recommendation Report – Extension of Draft Plan Approval for Crossings on the Twenty North Condominium (DeHaan Homes Inc.) File No. 2100-072-08**

**CONTACT:** Susan Smyth, Senior Planner  
Gerrit Boerema, Acting Director of Planning & Building

**OVERVIEW:**

- The Crossings on the Twenty Condominium Development is divided by the Twenty Mile Creek and the two separate communities were initially approved in 2009 following an appeal to the Ontario Municipal Board.
- The south condominium community received final approval and was registered on November 29, 2022 and construction is finalized, therefore no longer requires any further extensions.
- The north condominium community with 10 townhouse units being proposed, is set to expire on December 12, 2024 following a two year extension that was granted on December 12, 2022.
- The extension is required as the development is a Standard Condominium, which is a type of condominium requiring all of the construction, including the on-site services, infrastructure and the block of townhouses to be completed prior the registration of the Condominium and before each unit can be sold individually.
- DeHaan Homes Inc. is the Owner/Developer and has experienced a number of delays in clearing the conditions of approval including the road upgrades on Regional Road 20, the new pedestrian crossing, and required site remediation.
- DeHaan Homes Inc. entered into a development agreement with the Township in October 2024 and has posted securities. They have also commenced the remediation on the site and are preparing to install services with a target to construct homes in early 2025.
- Administration is recommending a one year extensions to the draft plan on condominium to allow Committee and Council and opportunity to review progress of the construction and clearance of conditions in late 2025.

**RECOMMENDATION:**

1. That, Recommendation Report PD-48-2024, titled “Extension of Draft Plan of Approval for Crossings on the Twenty North Condominium; File No. 2100-072-08”; dated November 11, 2024 be received; and,

2. That, the Draft Plan Approval for Crossings on the Twenty Plan of Condominium North be extended for a period of one year set to expire on December 12, 2025, subject to the conditions of approval included as Schedule B to this report; and,
3. That, Council deem the modifications to the conditions of approval found in Schedule B to be minor; and,
4. That, a notice of extension approval be circulated to relevant agencies and departments.

### **ALIGNMENT TO STRATEGIC PLAN:**

#### **Theme #3**

- **Strategic, Responsible Growth** – Welcoming new residents and businesses and respecting the heritage and rural identity that people value.

### **BACKGROUND:**

The Crossings on the Twenty North Condominium Community is a draft plan approved 10 unit condominium located on the north side of the Twenty Mile Creek on the former Dunnville Spur Railroad Line. The Crossings on the Twenty South Condominium Community is a 24 unit condominium which is fully approved and was registered on November 2022 and is fully constructed.

Both condominiums received draft plan approval in 2009 following an appeal to the Ontario Municipal Board. Township Council has granted a number of extensions in 2012, 2014, 2016, 2018, 2020 and most recently in 2022. There have been a number of delays to the project included required road upgrades on Regional Road 20, a new pedestrian crossing, storm-sewer installation for the Marz Homes development (Smithville Station), modifications to the draft plan, and a record of site condition and associated remediation.

The subject lands are located on the former Dunnville Spur Railway Line and consequently a record of site condition is required to permit the residential development of the lands. On April 11, 2023, an application under the Township's Brownfield Community Improvement program, submitted by DeHaan Homes Inc. was considered by Township Committee and Council through Recommendation Report [PD-19-2023](#).

The Township retained NPG Solutions to review the application. NPG Solutions recommended approval of the proposed environmental remediation of the site as it satisfied the criteria and was compliant with the Townships' planning documents and eligibility requirements under the Township and Region's CIP program. The CIP application for the remediation of the subject lands was ultimately not supported by Council.

### **CURRENT SITUATION:**

The Crossings on the Twenty North Condominium approval is set to expire on December 12, 2024. The majority of the conditions of approval have been satisfied although since this

is a Standard Condominium, the final approval and agreement cannot be completed and registered until construction of the units are completed. Therefore, an extension is required. The applicants have requested a two year extension.

DeHaan Homes Inc. has recently signed a Development Agreement and posted \$581,354.08 in required securities to allow this development to proceed.

The remediation work commenced in early October and will be subject to the Ministry clearance and the Record of Site Condition posted on the registry. The applicant has indicated that services and grading will be install following remediation work and new homes constructed in early 2025.

The overall plan has not changed since the last extension and still generally complies with applicable Provincial, Regional and Local planning policy.

Administration is of the opinion that an extension of one year is appropriate as it would provide sufficient time to allow for the remediation work to be completed, to install services and to start construction the new homes. Administration additionally recommends minor revisions to the conditions of draft plan of approval particularly the owner name, replace the requirements for a 'Site Plan Agreement' with a 'Development Agreement' since site plans are no longer required following the Provincial Bill 109. The full modifications to the conditions can be found in Schedule B.

**FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this report.

**INTER-DEPARTMENTAL AND EXTERNAL COMMENTS:**

The request for extension was circulated to agencies and departments with an interest in the application on September 9, 2024.

The Township Engineering and Public Works staff noted that development engineering design was approved based on the proposed site servicing to include a connection to the watermain on St. Catharines Street, a connection to the existing sanitary sewer located in an easement through the site that flows to the Smithville Pumping Station, and a connection to the existing storm sewer that is located in an easement in the access road through the site. The storm sewer outlets directly to Twenty Mile Creek. No further modifications to the conditions were identified by Public Works and have no concerns with the proposal for an extension of draft plan approval.

The Region offered no objections subject to amending the archaeological clause in the Development Agreement.

The NPCA noted that the conditions still apply and have no concerns with the requested extension.

Refer to Schedule C for the external agency comments.

**CONCLUSION:**

An application for a two-year extension to the Crossings on the Twenty North Draft Plan of Condominium was submitted by the agent Jared Marcus from Arcadis on behalf of DeHaan Homes Inc. in advance of the condo lapsing on December 12, 2024.

Although this development is fifteen years in the approvals process, there has been various setbacks that created delays in the construction of the condominium development community, particularly the site remediation works. As the owner has now entered into a development agreement with the Township and has commenced remediation work, progress is being made and construction of the 10 residential units can be achieved in the next year.

Therefore, Administration staff recommend a one year extension to the draft plan of condominium for the North Community.

**SCHEDULES:**

Schedule A – Crossings on the Twenty Draft Plan of Condominium

Schedule B – Revised Conditions of Approval for Crossings on the Twenty North Condominium

Schedule C – External Agency Comments

**Prepared & Submitted by:**

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Senior Planner

**Reviewed and Approved by:**

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Acting Director of Planning & Building

**Approved by:**

Truper McBride  
CAO