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**Subject:** Development Applications Monitoring Report – 2023 Year End

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, March 6, 2024

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## **Recommendations**

1. That Report PDS 6-2024 **BE RECEIVED** for information; and
2. That a copy of Report PDS 6-2024 **BE CIRCULATED** to Local Area Municipalities, Niagara Peninsula Conservation Authority, Niagara Home Builders Association, Niagara Industrial Association, local Chambers of Commerce, and School Boards.

## **Key Facts**

- The purpose of this report is to inform Regional Council of the 2023 volume of development application activity reviewed by Niagara Region.
- Growth Strategy and Economic Development staff reviewed 794 development applications in 2023 (a slight decrease from 2022 application volumes of 829).
- Growth Strategy and Economic Development staff provided comments for 654 pre-consultation meetings in 2023 (a decrease from 863 pre-consultation meetings in 2022).

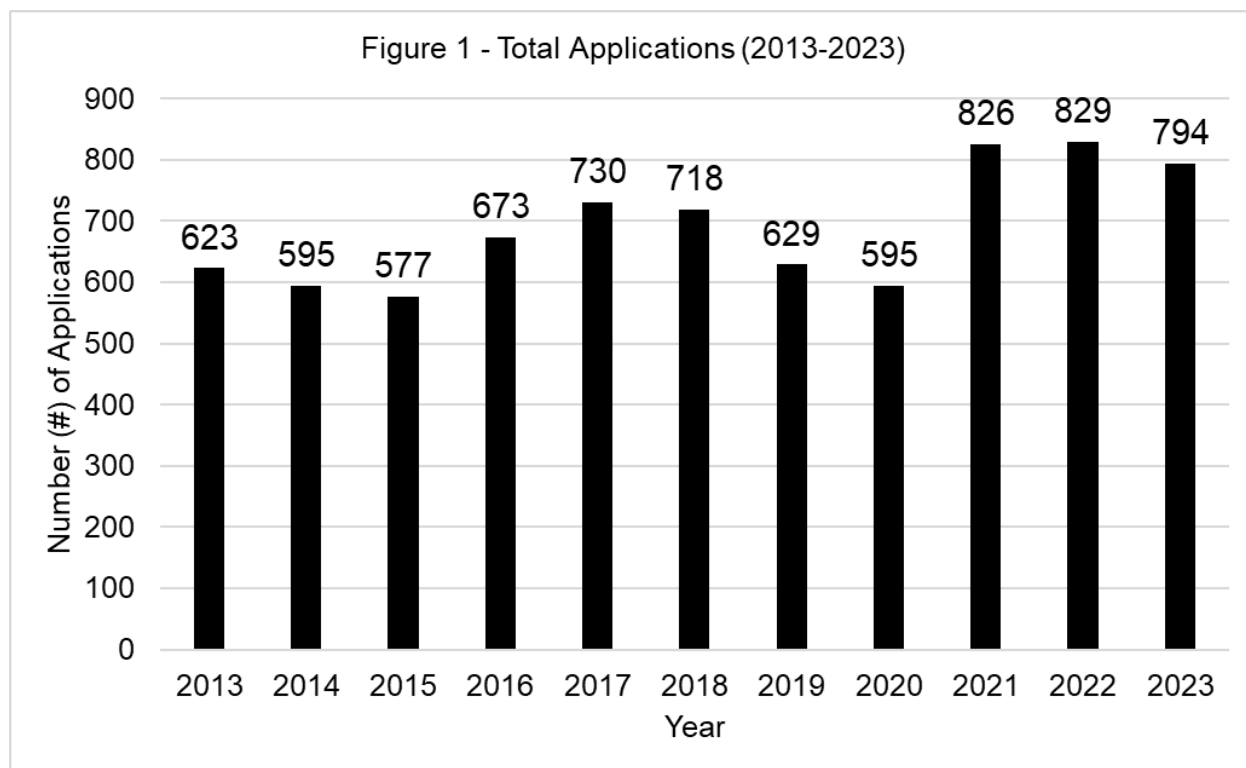
## **Financial Considerations**

There are no direct financial implications associated with this report.

## **Analysis**

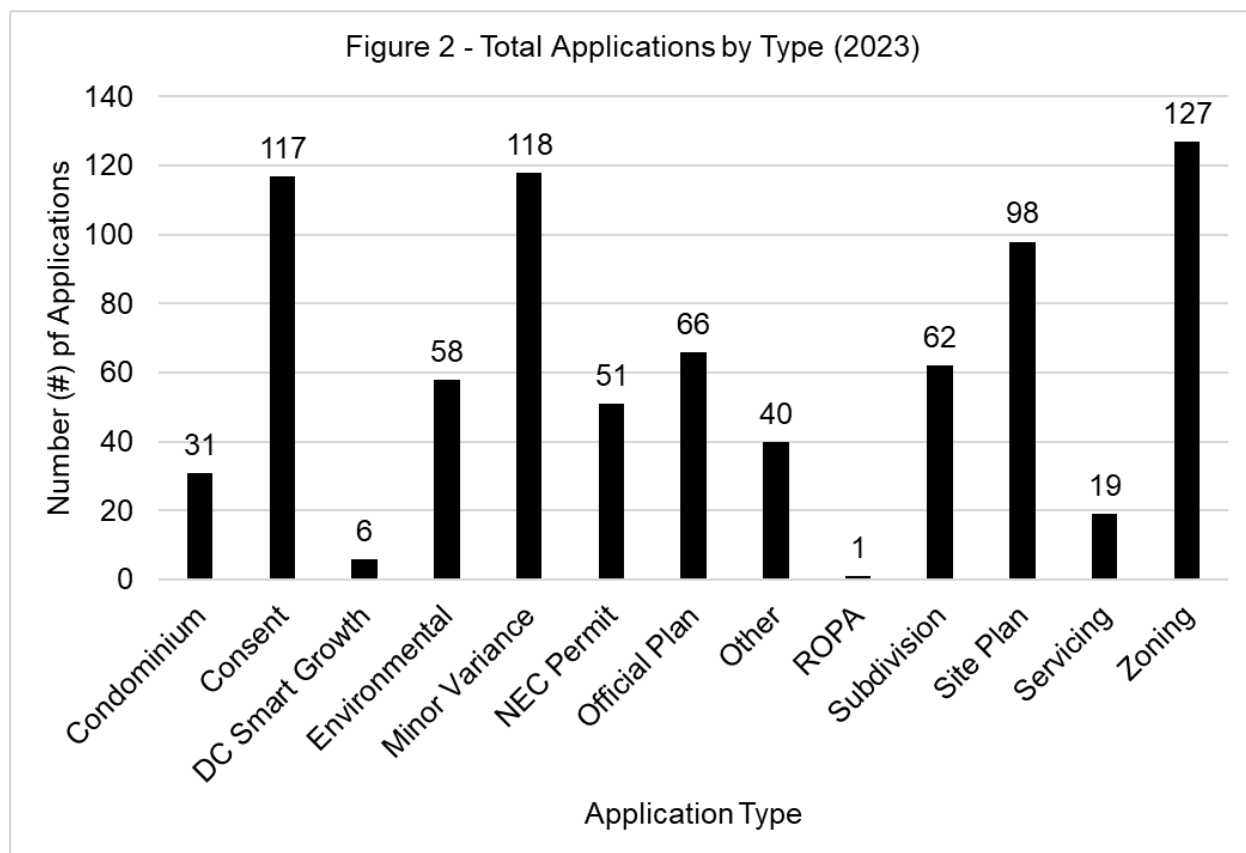
### **Development Applications**

Growth Strategy and Economic Development (GSED) staff reviewed 794 development applications in 2023, which is approximately a 4% decrease to volumes in 2022 (829). Figure 1 illustrates the number of applications considered by GSED staff from 2013 to 2023. The two highest application volumes were experienced in 2021 and 2022.



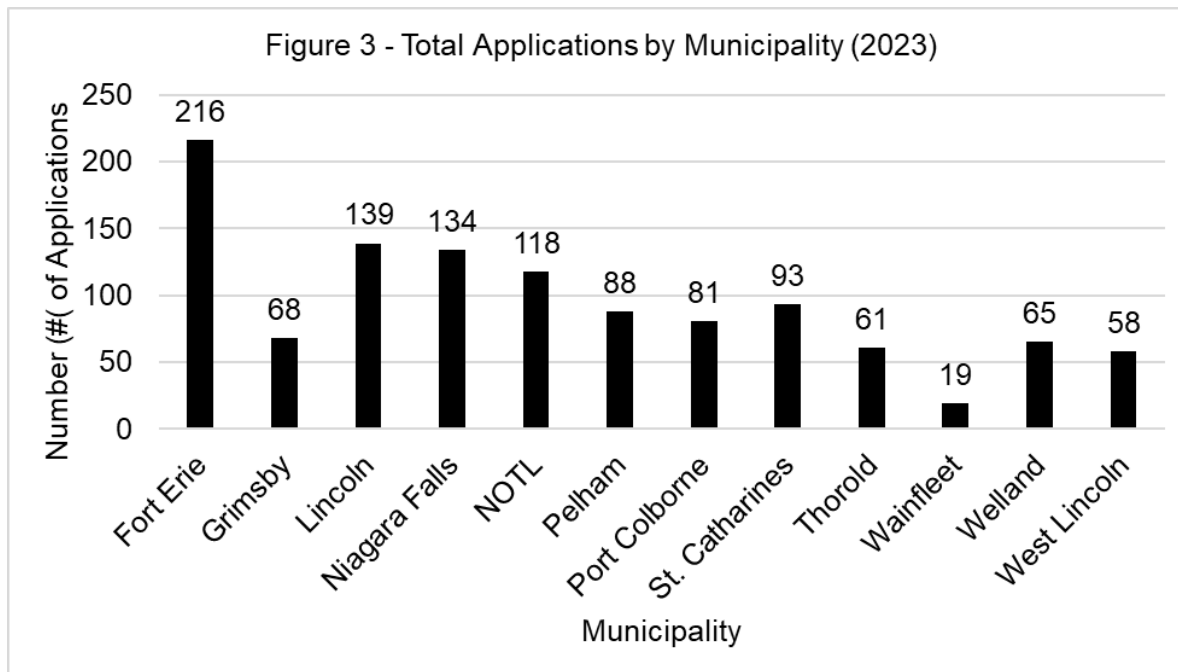
Development applications were circulated to the Region based on Provincial legislation requirements, including the Niagara Escarpment Commission legislation, and the existing 2019 Memorandum of Understanding (MOU) between the Region and the Local Area Municipalities for planning in Niagara. GSED staff can waive its review of certain types of minor development applications when it has been determined that the application has no Provincial or Regional interest. This represents an effort to increase efficiency in the planning review function in Niagara under the MOU.

Figure 2 provides a breakdown of development applications, by type, reviewed by GSED staff in 2023. Some complex development proposals often require multiple planning approvals. As an example, subdivision and condominium applications may also require amendments to the local Official Plan and/or Zoning By-law to facilitate the development. The categories with the most applications reviewed by GSED staff in 2023 were Zoning By-law Amendments (127), Minor Variances (118), followed closely by Consents (117), and Site Plans (98).



The distribution of applications circulated to the Region, by municipality, during 2023 is shown in Figure 3. Municipalities with the highest volume of applications were Fort Erie (216), Lincoln (139), Niagara Falls (134), and Niagara-on-the-Lake (118). Most municipalities, except for Fort Erie, Welland, and West Lincoln, experienced a decrease in applications considered between 2022 and 2023. The decline in application volumes is attributed to the effect of increased interest rates, which impacts the overall cost of development and has limited the ability of some landowners to proceed with an application.

Regional staff was also involved in reviewing several complex development applications in 2023, as highlighted in Appendix 1 of this report. This includes quarry applications in Port Colborne, Niagara Falls, and Wainfleet; the South Niagara Falls Hospital; and, several large subdivision files. This often requires a more extensive review process and can be influenced by a broad range of issues (i.e., environmental impacts, traffic impacts, urban design considerations, etc.). For several of these applications, Regional staff also assisted with urban design review, at the request of local municipal staff, as well as preparing design alternatives and contributing to discussions with developers.



### Pre-consultation Meetings

GSED staff attend regular pre-consultation meetings bi-weekly with each local municipality and applicants on potential development proposals. These meetings are to determine complete application submission requirements and assist in the processing of applications. The virtual meeting format began in April 2020 as a result of the pandemic and has continued for most municipalities throughout 2023. Three local municipalities have implemented a hybrid model where attendees can choose to attend the meeting in-person or virtually. The use of hybrid and virtual pre-consultation meetings has been well received by development proponents and their consultants as it provides efficiency and time savings, such as the ability to attend “back-to-back” pre-consultation meetings in different municipalities without the need to travel.

Figure 4 illustrates the number of pre-consultation meetings attended by GSED staff from 2013 to 2023. In 2023, Regional staff attended 654 pre-consultation meetings, which is a 24% decrease from the 2022 total (863). The number of pre-consultation meetings is generally an indicator of anticipated future development application volumes; however, decisions by developers to proceed with a submission of an application is dependant on several variables, including interest rates.

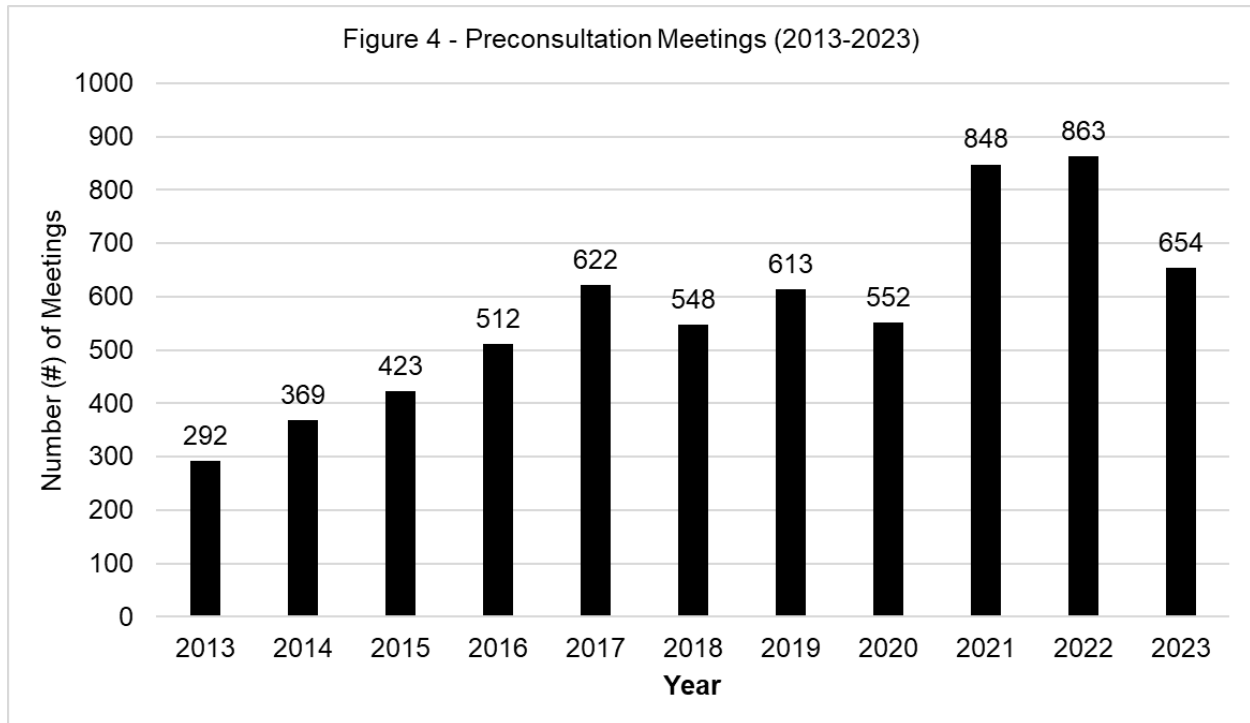
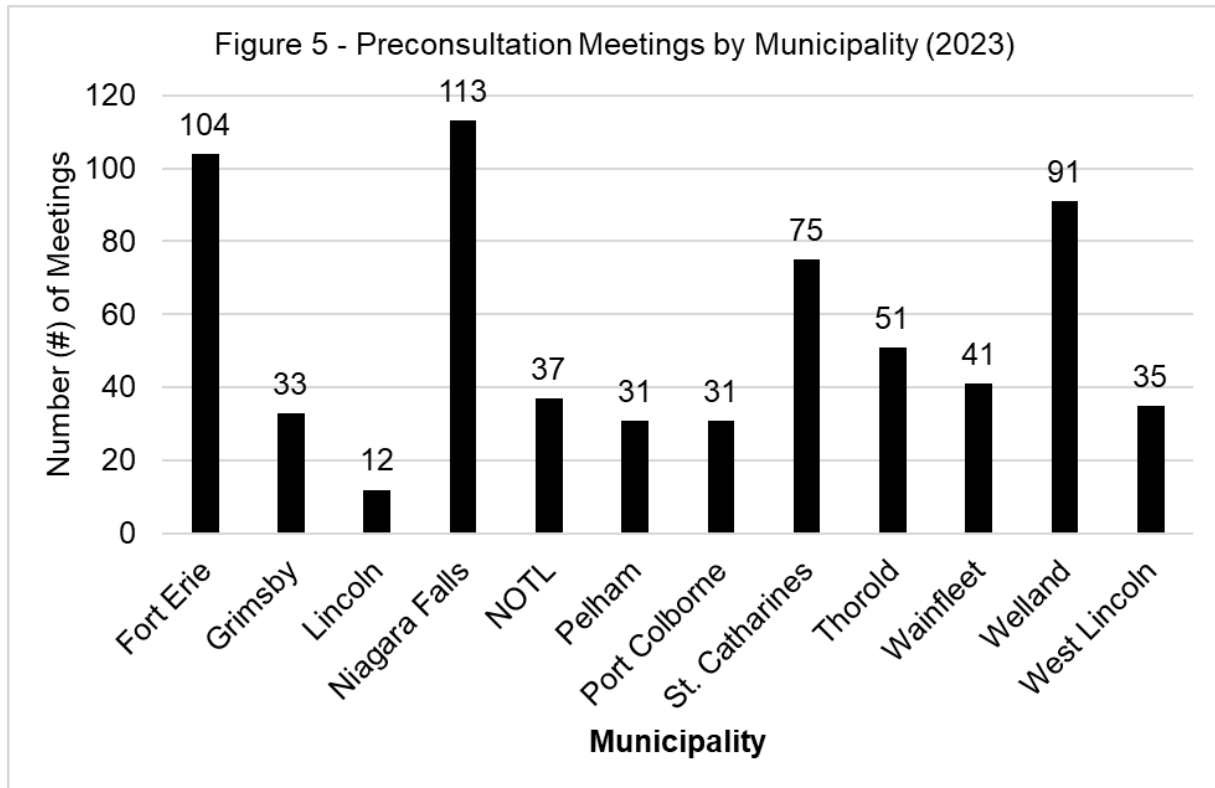
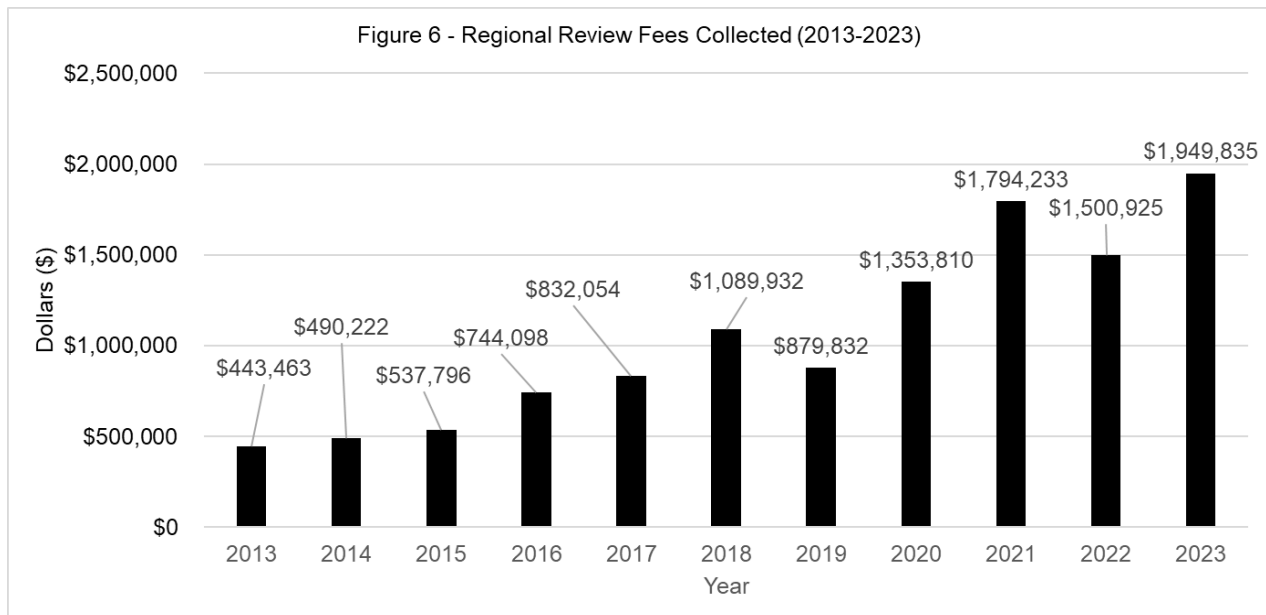


Figure 5 illustrates the number of pre-consultation meetings by municipality in 2023 that were attended by Regional staff. The municipalities with the highest levels of pre-consultation activity were Niagara Falls (113), Fort Erie (104), Welland (91), St. Catharines (75), and Thorold (51).



### Regional Review Fees

Regional review fees are intended to offset Regional costs for the development review service on a cost recovery basis. Figure 6 summarizes the fees collected between 2013 and 2023 for the Regional review of development applications. The 2023 total of \$1,949,835 represents a 23% increase from 2022.



While the development and pre-consultation volumes have decreased from 2022, the increase in fees can be attributed to an increase in development applications with higher fees (Official Plan Amendments, Zoning By-law Amendments, Draft Plan of Condominiums and Subdivisions) received in 2023 compared to the previous year. Furthermore, in March 2023, the Region's new pre-consultation review fee started, which was approved by Council in the 2023 fees and charges by-law. This review fee is collected for all pre-consultation meetings (excludes Minor Variance and Consent applications).

## 2024 Outlook

Throughout 2023, Provincial legislative changes continued and will factor into the uncertainty of development activity in 2024.

*Bill 109 More Homes for Everyone Act, 2022* mandates the refund of application fees for certain planning applications (Zoning By-law Amendments, Draft Plan of Subdivision, and Site Plans) if decisions are not made within prescribed timelines. This provision took effect July 1, 2023, and Regional staff have been working closely with local area municipalities to ensure planning processes are adjusted to meet legislative timelines so development proceeds at an efficient pace.

On November 28, 2022, *Bill 23, More Homes, Built Faster Act, 2022* was given Royal Assent, however, not all changes came into force immediately. Provisions which identify Niagara Region as an upper-tier municipality without planning responsibilities are not yet in effect. These changes only come into force by proclamation of the

Lieutenant Governor and the timing is currently unknown. Until proclamation occurs, and any prescribed transition period is known, GSED staff maintains current operating review of development application in alignment with our existing MOU and legislative requirements of the Planning Act. Staff and local area municipalities continue to work towards planning review process improvements, transition discussions, and discussing opportunities for planning service agreements post proclamation.

In Q1 of 2024, the Region will be launching an update to CityView, which will replace the existing development tracking system. CityView is currently utilized within the Niagara Region Public Works Department, several of the local area municipalities, and the Niagara Peninsula Conservation Authority. This update will include CityView's Permitting Licensing and Land (for tracking and management of development applications), CityView Portal (public facing module for application intake and real-time status tracking), BlueBeam Review software (for review and markup of digital drawing submissions), and an online payment processing module. Overall, CityView is expected to improve the development approval process through increased efficiency, effectiveness, and predictability. The new tracking system will also improve the Regions ability to track and monitor our existing housing supply.

### **Alternatives Reviewed**

No alternatives have been reviewed as this report summarizes pre-consultation and development level activity for 2023 for information purposes.

### **Relationship to Council Strategic Priorities**

This report provides information on development application activity that contributes to strong economic prosperity through the communities within the region. This relates to Council's Strategic Priority of Effective Region and Green and Resilient Region through ensuring high quality, efficient, and coordinated core services.

### **Other Pertinent Reports**

- PDS 24-2021: Development Applications Monitoring Report – 2020 Year End
- PDS 4-2022: Development Applications Monitoring Report – 2021 Year End
- PDS 9-2023: Development Applications Monitoring Report – 2022 Year End



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**Appendices**

Appendix 1              Current Major Development Applications