

Subject: Development Applications Monitoring Report – 2023 Year End

Report to: Planning and Economic Development Committee

Report date: Wednesday, March 6, 2024

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).

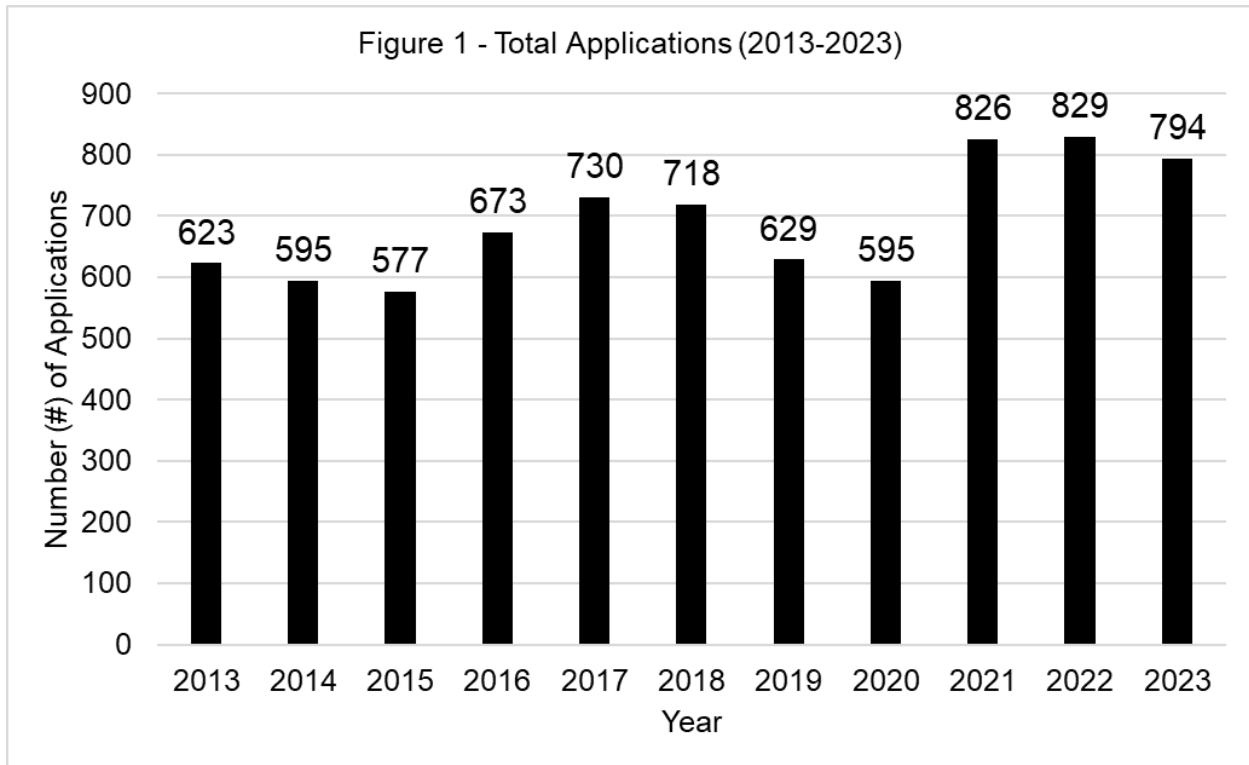
Financial Considerations

There are no direct financial implications associated with this report.

Analysis

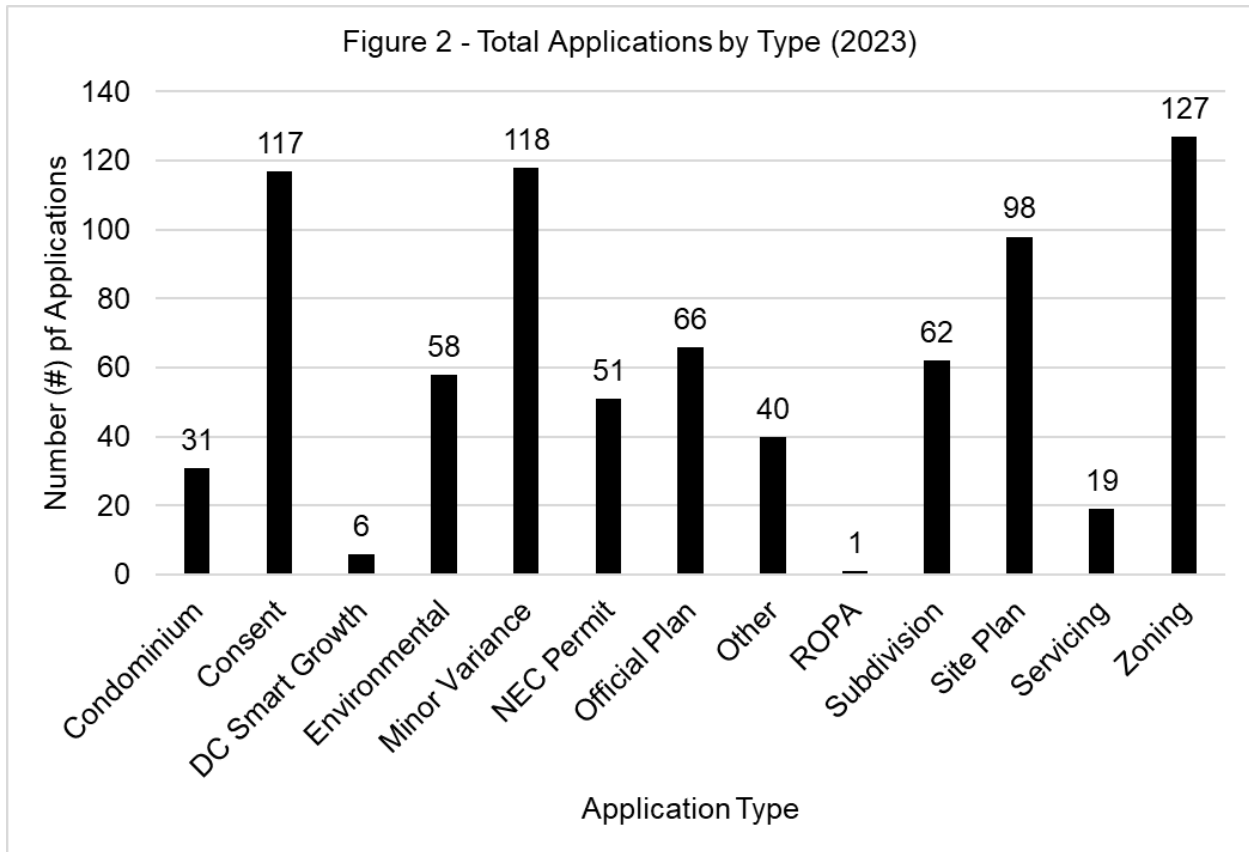
Development Applications

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.



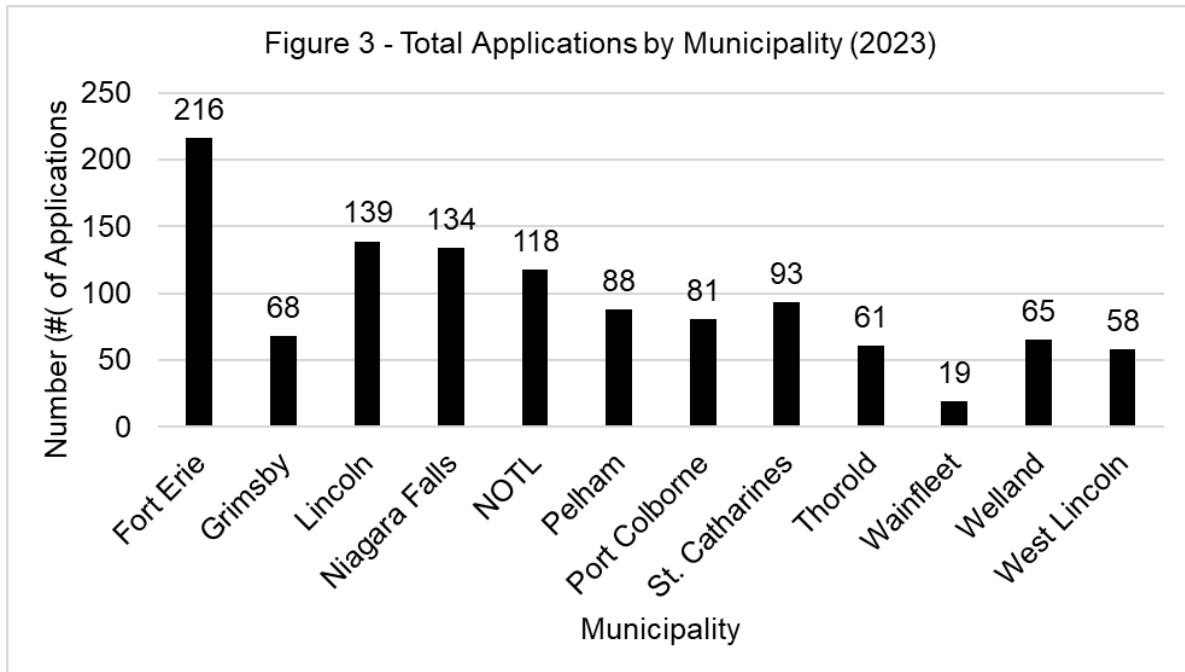
Development applications were circulated to the Region based on Provincial legislation requirements, including the Niagara Escarpment Commission legislation, and the existing 2019 Memorandum of Understanding (MOU) between the Region and the Local Area Municipalities for planning in Niagara. GSED staff 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.

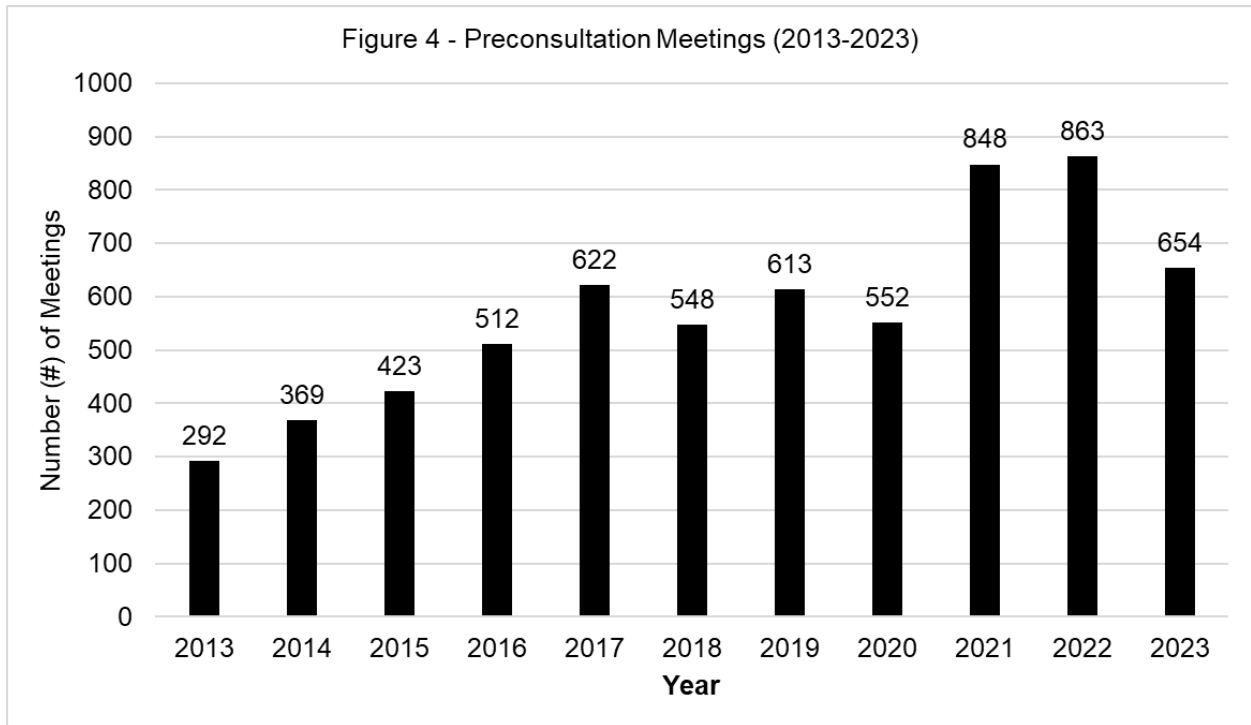
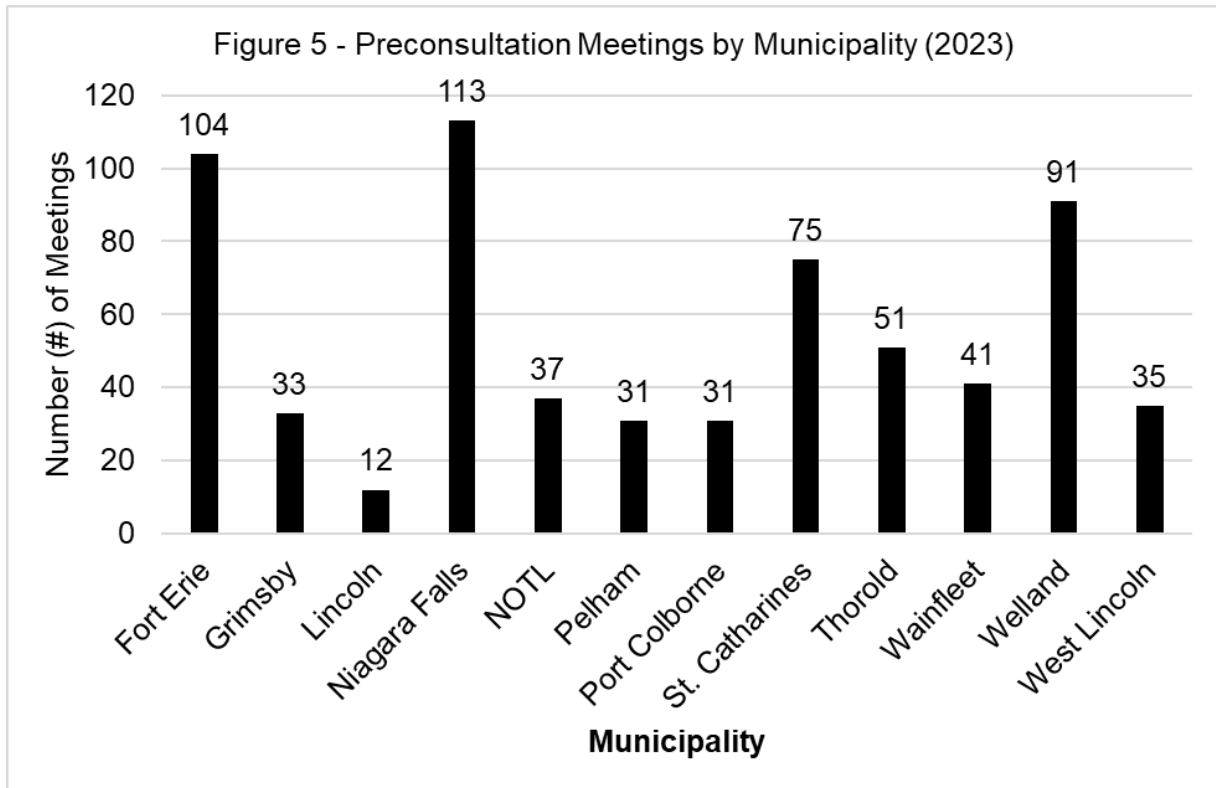
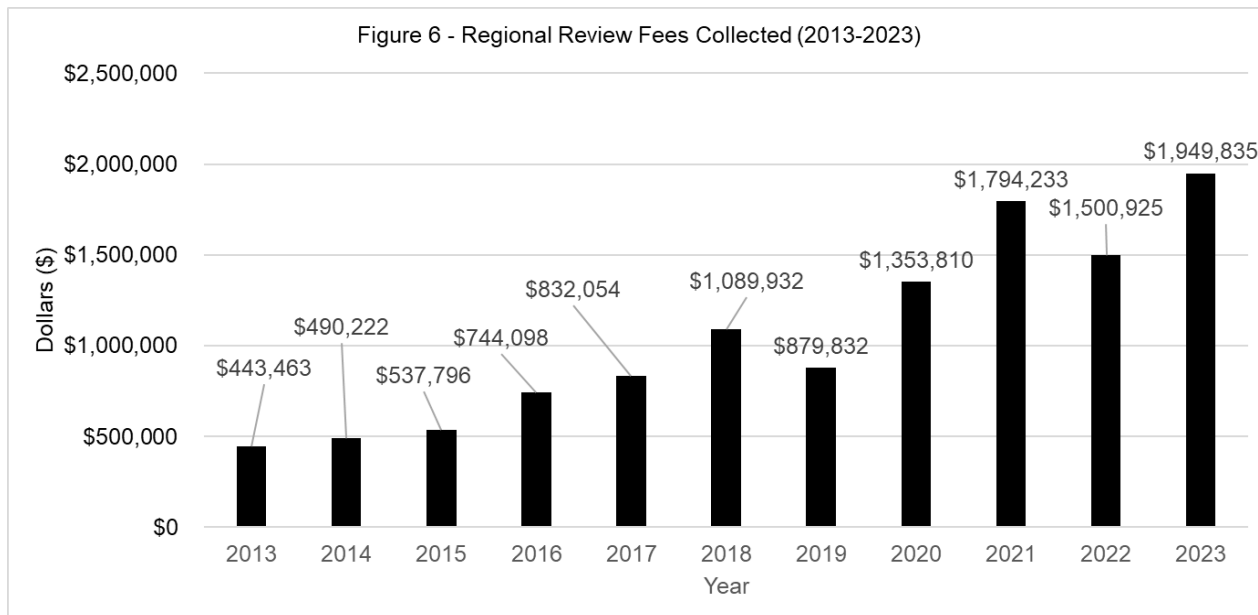


Figure 5 illustrates the number of pre-consultation meetings by municipality in 2023 that were attended by Regional staff. The municipalities with the highest levels of pre-consultation activity were Niagara Falls (113), Fort Erie (104), Welland (91), St. Catharines (75), and Thorold (51).



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

Appendix 1: Current Major Development Applications

Growth Strategy and Economic Development Staff participated in the review of several major development applications in 2023. A summary for some of the major development applications reviewed are provided in the table below.

Municipality	Application	Developer	Details	Status
Fort Erie	<p>Crescent Acres (0-10747 Kraft Road)</p> <p>Type: Zoning By-law Amendment and Draft Plan of Subdivision</p>	Crescent Acres Ltd.	Applications to facilitate the development of 220 residential units consisting of 67 single-detached dwellings, 8 semi-detached dwellings, 145 townhouse dwellings, a development block for a watercourse, road, and stormwater management facility.	<ul style="list-style-type: none"> Regional staff provided comments on January 27, 2023. Town Council approved the application on May 29, 2023, with the Notice of passing circulated June 8, 2023
Fort Erie	<p>1211, 1225, and 1237 Pettit Road</p> <p>Type: Local Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision</p>	Marina (Petit Road) Development Inc.	Applications to facilitate five single-detached dwellings, eight semi-detached dwelling units, 17 blocks for 87 townhouse units, and a stormwater management pond.	<ul style="list-style-type: none"> Applications circulated August 22, 2023, and re-circulated September 20, 2023. 1st submission Regional comments provided September 28, 2023, with 2nd submission Regional comments provided January 4, 2024.

Municipality	Application	Developer	Details	Status
<p>Grimsby</p>	<p>9 Windward Drive Type: Local Official Plan Amendment and Zoning By-law Amendment</p>	<p>2723492 Ontario Limited</p>	<p>Application to facilitate the development of a 10-storey mixed-use building with a total of 121 residential units and 1,926m² of employment floor space.</p>	<ul style="list-style-type: none"> • Applications circulated on January 18, 2023. • Regional comments provided February 13, 2023. • Public Meeting held February 27, 2023.
<p>Grimsby</p>	<p>165 Lake Street Type: Zoning By-law Amendment and Draft Plan of Subdivision</p>	<p>Mary Ann McRae, Malcolm and Barbara McRae</p>	<p>Application to facilitate the development of 31 residential dwellings consisting of 24 semi-detached dwelling units and seven single-detached dwellings, and an amenity clubhouse.</p>	<ul style="list-style-type: none"> • Applications circulated on November 9, 2023. • Regional comments provided on November 28, 2023. • Public meeting held on December 11, 2023
<p>Lincoln</p>	<p>Prudhommes Landing Type: Draft Plan of Subdivision, Site Plan</p>	<p>Prudhommes General Partner Inc.</p>	<p>Applications to facilitate the development of approximately 2,090 residential units in a range of low, medium and high density, as well as mixed-use, housing forms, and employment, commercial, natural environment, park and open space uses.</p>	<ul style="list-style-type: none"> • Development was subject to previous Official Plan and Zoning By-law Amendment applications, which have been approved. • Regional comments on the Site Plan for

Municipality	Application	Developer	Details	Status
				<p>Phase 1 (commercial block) were provided on September 29, 2022, December 12, 2022, April 12, 2023 and August 21, 2023.</p>
<p>Niagara Falls</p>	<p>Grand Niagara Subdivision (8218, 8228, 8547 Grassy Brook Road)</p> <p>Type: Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision</p>	<p>Empire (Grand Niagara) Project GP Inc.</p>	<p>Application to facilitate the development of approximately 3,558 – 5,387 residential units, 2 school blocks, mixed-use commercial areas, hospital employment blocks, a potential hospice and/or acute care site, and a park and trail system.</p>	<ul style="list-style-type: none"> • The Application was circulated on March 27, 2023. • Regional staff provided comments on May 2, 2023. • City Council approved the application on May 30, 2023.
<p>Niagara Falls</p>	<p>Portage Road Towers (Part of Lot 175, Portage Road)</p> <p>Type: Official Plan Amendment, Zoning By-law Amendment</p>	<p>Rudanco Inc.</p>	<p>Application to facilitate the development of two residential towers: one 29-storey building and one 38-storey building atop a two-three storey connecting podium, 830 residential units, and parking above and below grade.</p>	<ul style="list-style-type: none"> • The Application was circulated on October 5, 2022. 1st submission Regional comments were provided on December 7, 2022 and 2nd submission comments were provided on January 22, 2024.

Municipality	Application	Developer	Details	Status
<p>Niagara Falls</p>	<p>South Niagara Hospital (9889 Montrose Road)</p> <p>Type: Site Plan</p>	<p>Niagara Health</p>	<p>Application to facilitate the development of a 12-storey, 122,832 m² hospital.</p>	<ul style="list-style-type: none"> • The Application was circulated on April 26, 2023. • Regional staff provided comments most recently on July 5, 2023. • The City circulated a registered site plan agreement on October 16, 2023.
<p>Niagara Falls</p>	<p>Proposed Uppers Quarry</p> <p>Type: Regional Official Plan Amendment, Local Official Plan Amendment, Zoning By-law Amendment</p> <p>Aggregate Resource Act (ARA) Licence</p>	<p>Walker Aggregates Inc.</p>	<p>Application to develop a new quarry with associated processing and recycling of aggregate material, including asphalt and concrete, and a concrete or asphalt mixing plant on the lands.</p> <p>Joint Agency Review Team (JART) has been established with City and NPCA staff to coordinate the review of the applications and share resources. Aggregate advisor and peer reviewers retained by the Region on behalf of JART.</p>	<ul style="list-style-type: none"> • Review of application is ongoing. • ARA Public Information Centre (hosted by applicant) March 1, 2023 • Statutory Public Meeting for Regional Official Plan Amendment on October 11, 2023
<p>Niagara-on-the-Lake</p>	<p>Queenston Quarry Redevelopment</p>	<p>Queenston Quarry</p>	<p>Applications to facilitate the development of 829 residential units (consisting of street townhomes, a manor house, and</p>	<ul style="list-style-type: none"> • Regional comments regarding the NEC Development Permit application were

Municipality	Application	Developer	Details	Status
	<p>(5523 Niagara Townline Road)</p> <p>Type: Niagara Escarpment Commission (NEC) Development Permit</p>	<p>Reclamation Company</p>	<p>condominium units), and a hotel, on a portion of a former quarry site located within the urban area boundary. Future Local Official Plan Amendment, Draft Plan of Subdivision and/or Plan of Condominium applications will also be required to permit the proposed development.</p>	<p>provided on October 23, 2023.</p>
<p>Niagara-on-the-Lake</p>	<p>253 Taylor Road (White Oaks)</p> <p>Type: Local Official Plan Amendment, Zoning By-law Amendment</p>	<p>White Oaks Tennis World Inc.</p>	<p>Applications to facilitate the development of four high-rise residential and mixed-use towers on the southern portion of the property, adjacent to Glendale Avenue. Approximately 810 residential units and an additional 1,515 square metres of ground floor commercial/retail space are proposed as part of the development.</p>	<ul style="list-style-type: none"> Regional comments on 1st submission were provided on September 27, 2023.
<p>Niagara-on-the-Lake</p>	<p>Lands north of York Road, east of Airport Road</p> <p>Type: Local Official Plan Amendment,</p>	<p>Bob Mavridis</p>	<p>Applications to facilitate the development of one mixed-use building (10-storey residential section, 8-storey hotel section) containing 216 residential units, 154 hotel rooms and 1,400 square metres of ground floor</p>	<ul style="list-style-type: none"> Regional comments on 1st submission were provided on October 26, 2023.

Municipality	Application	Developer	Details	Status
	Zoning By-law Amendment		commercial space; two 3-storey hotel buildings containing 11 hotel suites, and a 1-storey drive-thru establishment.	
Pelham	105 Welland Road Type: Zoning By-law Amendment, Site Plan	The Board of Concordia Lutheran Church	Application for the construction of a 6-storey apartment building containing 48 units.	<ul style="list-style-type: none"> • The Zoning By-law Amendment was approved on June 5, 2023 • Regional comments were provided on the 1st submission of the Site Plan application on November 27, 2023 and the 2nd submission on December 29, 2023
Port Colborne	563 Killaly Street West Type: Zoning By-law Amendment and Draft Plan of Subdivision	SG Real Estate Opportunities III LP	Application to facilitate the development of 286 residential dwelling units, consisting of 108 block townhouses, 30 street townhouses, 10 semi-detached dwellings, and 138 stacked townhouse units.	<ul style="list-style-type: none"> • Regional staff received circulation of the application on September 7, 2023. • A public meeting was held by the City on October 3, 2023. • Regional staff provided comments on October 6, 2023.
Port Colborne	Westwood Estates Phase 3 (south of	City of Port Colborne	Application to facilitate the development of 315 dwelling units	<ul style="list-style-type: none"> • Regional staff circulated the

Municipality	Application	Developer	Details	Status
	<p>Stanley Street, east of Cement Road, Part Lot 33, Concession 1)</p> <p>Type: Local Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision</p>		<p>and 195 lot/blocks, consisting of 167 single-detached dwellings, 52 street townhouse dwellings, and 96 apartment units.</p>	<p>application on March 15, 2023.</p> <ul style="list-style-type: none"> • A public meeting was held by the City on April 4, 2023. • Regional comments provided April 11, 2023.
<p>Port Colborne</p>	<p>Port Colborne Quarries – Proposed Pit 3 Expansion</p> <p>Type: Regional Official Plan Amendment (ROPA), Local Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA)</p> <p>Aggregate Resource Act (ARA) Licence</p>	<p>Port Colborne Quarries Inc.</p>	<p>Application to permit an eastward expansion of the existing Port Colborne Quarry operation located south of Second Concession Road, and west of Miller Road.</p> <p>Joint Agency Review Team (JART) has been established with City and NPCA staff to coordinate the review of the applications and share resources. Aggregate advisor and peer reviewers retained by the Region on behalf of JART.</p>	<ul style="list-style-type: none"> • Statuary Public Meeting held by the City of Port Colborne for Local OPA and ZBA March 7, 2023 • Statuary Public Meeting held by Niagara Region for ROPA on March 8, 2023 • City Staff Recommendation Report on November 14, 2023. LOPA adopted and ZBA approved. • Regional Staff Recommendation on ROPA and LOPA to PEDC on January

Municipality	Application	Developer	Details	Status
				<p>10, 2024 and approved by Council on January 25, 2024.</p> <ul style="list-style-type: none"> ZBA has been appealed to OLT.
<p>St. Catharines</p>	<p>142 Queenston Street</p> <p>Type: Local Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision</p>	<p>2807823 Ontario Inc.</p>	<p>Application for the construction of four 11- to 16-storey mixed-use buildings and 40 townhouse units.</p>	<ul style="list-style-type: none"> Regional comments were provided on February 22, 2023 A public meeting was held on April 6, 2023.
<p>St. Catharines</p>	<p>1956 Third Street Louth</p> <p>Type: Zoning By-law Amendment and Site Plan</p>	<p>Extendicare Canada Inc.</p>	<p>Application to facilitate the development of a 4-storey, 256 bed long-term care home facility with associated parking.</p>	<ul style="list-style-type: none"> Regional comments on Zoning By-law Amendment provided February 9, 2023. City Council approved the Zoning By-law Amendment on March 6, 2023. Regional comments on Site Plan provided most recently June 19, 2023
<p>Thorold</p>	<p>1511 Kottmeier Road</p>	<p>2524964 Ontario Inc.</p>	<p>Applications to facilitate the development of detached, street</p>	<ul style="list-style-type: none"> Applications provided on August 21, 2023.

Municipality	Application	Developer	Details	Status
	Type: Zoning By-law Amendment and Draft Plan of Subdivision		townhouses, and rear lane townhouses a minimum of 60 units to a maximum of 100 units depending on final lotting layout.	<ul style="list-style-type: none"> Regional comments provided on September 11, 2023. Public Meeting held September 12, 2023
Thorold	Barron Heights Subdivision (North of Barron Road and Gainer Street) Type: Zoning By-law Amendment and Draft Plan of Subdivision	Cola Holdings	Applications to facilitate the development 86 residential units, including 12 single-detached dwellings, 10 semi-detached dwelling units and 64 street townhouse dwellings.	<ul style="list-style-type: none"> Applications circulated on December 11, 2023 Regional comments provided on January 17, 2024. Public meeting held February 6, 2024.
Wainfleet	Law Quarry Expansion Type: Regional Official Plan Amendment, Local Official Plan Amendment, Zoning By-law Amendment Aggregate Resource Act (ARA) Licence	Waterford Sand & Gravel Ltd.	Application for the expansion of the existing law Crush Stone Quarry located north of Highway 3 between Graybiel Road and Biederman Road in the Town of Wainfleet. Joint Agency Review Team (JART) has been established with Township and NPCA staff to coordinate the review of the applications and share resources. Aggregate advisor and peer reviewers retained by the Region on behalf of JART	<ul style="list-style-type: none"> Review of the application is ongoing. Statutory Public Meeting for the Regional Official Plan Amendment held February 7, 2024

Municipality	Application	Developer	Details	Status
Welland	<p>Warbler Place - 206 Lancaster Drive (formerly 800 Niagara Street)</p> <p>Type: Consent, Local Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Condominium, Site Plan</p>	Idrakoth Ltd.	Applications to facilitate the redevelopment of the north-east portion of the Seaway mall with 1,300 units, which includes a mix of apartment buildings (mid- to high-rise), townhouses, and accessory dwelling units with a height range of 2 - 30 storeys.	<ul style="list-style-type: none"> • Official Plan Amendment and Zoning By-law Amendment applications passed by City of Welland Council on October 19, 2021. • City of Welland Council approved the Draft Plan of Condominium on September 20, 2022 with conditions.
Welland	<p>1030 Niagara Street</p> <p>Type: Site Plan and Draft Plan of Condominium</p>	Ambria GP Limited	Applications to facilitate the development of 244 residential condominium townhouse units with 14 townhouse blocks ranging in height from 3 – 3 ½ storeys.	<ul style="list-style-type: none"> • Regional comments on the Site Plan application provided to the City on August 22, 2022. • 2nd Site Plan submission comments provided to the City on January 27, 2023. • Draft Plan of Condominium application forthcoming.