



Staff Report for Committee of the Whole Meeting

Date of Meeting: May 7, 2025

Report Number: SRIES.25.008

Department: Infrastructure and Engineering Services
Division: Infrastructure Planning and Development Engineering

Subject: **SRIES.25.008 - Site Alteration Permit Process
for 10 Residential Units or Less and Site
Alteration Bylaw Update**

Purpose:

The purpose of this report is to inform Council on a new site alteration permit process for applications for up to 10 residential units and for Council to enact an updated Site Alteration By-law (Municipal Code Chapter 967).

Recommendation(s):

- a) That staff report SRIES.25.008 be received;
- b) That strictly for the purposes of Zoning By-law 190-11, the Commissioner of Infrastructure and Engineering Services shall be considered the successor office of the Commissioner of Planning and Building Services, to confirm that municipal services are available for buildings or structures in accordance with the provisions of Zoning By-law 109-11;
- c) That Site Alteration By-law 47-25, attached as Attachment 1, to staff report SRIES.25.008 be enacted;
- d) That Bylaw 166-07 (Municipal Code Chapter 967) and all amendments thereto be repealed;
- e) That the Mayor and Clerk are authorized to execute development agreements with registered owner(s) of lands subject to a site alteration permit which are required to demonstrate adequate municipal servicing under the provisions of Zoning By-law 109-11 and adequate grading and drainage conditions for a site alteration permit processed under Site Alteration By-law No. 47-25 (Municipal Code Chapter 967), upon the recommendation of the Commissioner of Infrastructure and Engineering Services;
- f) That Council authorize the acquisition of those lands and/or easements required pursuant to a condition of a development agreement entered into with a registered

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property owner to satisfy requirements of Zoning By-law 109-11 or Site Alteration By-law No. 47-25 (Municipal Code Chapter 967).

Contact Person(s):

- Jeff Walters, Manager, Engineering Subdivisions and Infrastructure Planning, Extension 6380
- Frank Suppa, Director, Infrastructure Planning and Development Engineering Extension 6358
- Paolo Masaro, Commissioner Infrastructure and Engineering Services Extension 6540

Report Approval:

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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Key Messages:

- Provincial legislation in Bill 23 exempts residential development with 10 units or less from site plan control.
- A new site alteration permit process is required for review and approval of development applications for up to 10 residential units.
- Multi Residential Minor and Major site alteration permits are proposed to ensure applications are reviewed for compliance with applicable City By-laws, policies and legislation.
- Municipal servicing obligations will be secured through payments for City installation or through Development Agreements.
- The City's Site Alteration Bylaw requires revision to reflect this new site alteration permit process including submission requirements.

Background:

New Site Alteration Permit Process Proposed in Response to Bill 23 Exemptions for Small-Scale Residential Developments

On October 25, 2022, the Province of Ontario (the "Province") introduced *Bill 23, More Homes Built Faster Act, 2022* ("Bill 23") which received Royal Assent on November 28, 2022. The intention of Bill 23, along with other recent legislation is to support Ontario's Housing Supply Action Plan and increase housing supply with the goal of facilitating the construction of 1.5 million new homes Province-wide over the next 10 years.

On January 30, 2023, staff provided Council with a series of Briefing Notes outlining the key changes and the associated impacts of these Bills as well as a Council Report (SRPI.23.018) and Presentation on Bill 23 demonstrating the process and impacts on a corporate-wide basis in order to keep Council informed on the legislative changes brought forth by the Province. Bill 23 introduces various amendments to multiple statutes including the Planning Act. A significant change to the development planning approval process is the exemption of residential development with 10 units or less from site plan control.

With this exemption from site plan control in place, for residential development with 10 units or less, staff have identified a need to establish a new development application and review process for this scale of residential development.

The purpose of this report is to outline a new site alteration permit process for review and approval of development proposals for up to 10 residential units. This new process will ensure compliance with our Site Alteration By-law and all other applicable City By-laws including Zoning By-law 109-11. This report will also identify updates needed to our Site Alteration By-law to support this new site alteration permit process.

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Discussion:

New site alteration permit categories were created to support development applications for up to 10 residential units.

Under provisions in our Site Alteration By-law, permit applications are currently required for residential development associated with accessory structures, additional residential units and new infill homes or additions. To support site alteration permit applications for up to 10 residential units, staff have identified the following two new types of applications:

- **Multi Residential Minor** – generally up to 4 residential units fronting onto a municipal road (e.g., 4 singles, 2 semi-detached or 4 townhomes).
- **Multi Residential Major** – up to 10 residential units with private road access and servicing (e.g., 10 condominium townhome units) or generally 5 to 10 freehold units fronting onto a municipal road.

These two new types of permit applications were identified to reflect the complexity of the municipal and private servicing, and the anticipated submission requirements to support review by various divisions and departments.

Based on these identified new permit types, staff received collective input from various departments and divisions on submission and circulation requirements to support processing an application. These collective submission requirements will ensure that these new permit applications conform to the following:

- Site Alteration By-law
- City Standards for private and municipal servicing including ensuring adequate capacity, grading and drainage including stormwater management, municipal street lighting, fire protection and noise protection.
- Zoning By-laws for land use including parking requirements, where applicable.
- Zoning By-laws for municipal servicing and sewage allocation
- Tree Preservation By-law
- Trees on City Streets By-law
- Light Pollution By-law
- Waste By-law
- Ontario Heritage Act – Cultural Heritage Designations and Archeological Sensitive Areas
- Oak Ridges Moraine Act – Natural Heritage Preservation
- The Clean Water Act - Source Water Protection
- Conservation Authorities Act - TRCA Regulated Areas
- Ontario Regulation 153/04 – Environmental Site Assessments
- Official Plan Policies

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The identified submission requirements will help to ensure that applicants submit the appropriate information to allow efficient and effective review of applications.

An integrated Site Alteration Permit Process that is aligned with Zoning By-law 109-11 will ensure adequate servicing requirements

Zoning By-law 109-11 contains provisions to prohibit the use of land or the erection of building or structures unless municipal services are available to service the land. This By-law further outlines that no land shall be used, and no building or structure shall be erected or used of any purpose unless the Commissioner has confirmed that:

- Municipal Services are available and water and sanitary sewer capacity are both available and;
- Council has allocated water and sewer capacity to service the lands and building or structure or Council has exempted the development or class of development from the requirement for allocation capacity.

To ensure that the Building Division receives the required clearances for Zoning By-law 109-11 and evidence of adequate grading and drainage, staff have prepared an integrated site alteration permit process to include appropriate clearances to the Building Division.

For smaller scale site alteration permits for a new residential infill home, municipal servicing requirements are identified on the site alteration grading and servicing plan. Applicants are required to pay for installation of the required servicing for installation by Public Work Operations.

For larger scale multi residential site alteration permits, the scope of municipal servicing installation is expected to be beyond the service level of the Public Works Operation's contractor. To ensure the installation of required municipal servicing and to support a permit application, staff will require the registered owner(s) to enter into a Development Agreement with the City. This Development Agreement will obligate the owner(s) to install the required municipal servicing including providing the appropriate securities.

In Zoning By-law 109-11 the Commissioner is defined as the Commissioner of Planning and Building Services. The Commissioner responsible for Site Alteration Permits is now the Commissioner of Infrastructure and Engineering Services. Staff are recommending that, with respect to municipal servicing requirements under By-law 109-11, the Commissioner of Infrastructure and Engineering Services is to be endorsed as the successor office of Commissioner of Planning and Building Services.

To support the execution of Development Agreements and ensure adequate municipal servicing, staff are recommending the Mayor and Clerk be authorized to execute these agreements with the registered property owner(s) subject to the site alteration and that Council authorize the acquisition of lands and/or easements required as a condition of a related Development Agreement.

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The Site Alteration By-law Update will reflect new permit types.

The new Site Alteration By-law will reflect the new and revised submission requirements for the various permit types including Multi Residential Minor and Major. The new By-law will also reflect the new Tree Preservation By-law recently enacted by Council.

The new Site Alteration By-law 47-25 is included in Attachment 1 and staff recommend that Council enact this new By-law 47-25 and repeal existing By-law 166-07.

Financial Implications:

The 2025 Tariff of Fee By-law update has incorporated City fees for review of these new types of permit applications including the preparation of related Development Agreements. These new fees are intended to cover staff time and resources for processing these new types of site alteration permits.

Relationship to Strategic Plan 2024-2027:

The recommendations of this report align with Pillar 1 of the City's Strategic Plan: Growing a Livable, Sustainable Community. The proposed new site alteration permit process for residential development supports this pillar specifically by managing growth comprehensively which enables choice and connections for the City, its residents, and businesses now and in the future. This report also supports Pillar 3 Strengthening our Foundations, by focusing on quality customer service and a continuous improvement mindset to support innovation and be responsive to residents, stakeholders, businesses, the private sector, and colleagues.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format, please call the contact person listed in this document.

- SRIES.25.008 Attachment 1 - Site Alteration By-law 47-25

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Report Approval Details

Document Title:	SRIES.25.008 Site Alteration Permit Process for 10 Residential Units or Less and Site Alteration Bylaw Update.docx
Attachments:	- SRIES.25.008 - Attachment 1 - Site Alteration Bylaw 47-25.docx
Final Approval Date:	Apr 24, 2025

This report and all of its attachments were approved and signed as outlined below:

Frank Suppa - Apr 22, 2025 - 12:02 PM

Andreea Adari on behalf of Antonio Dimilta - Apr 22, 2025 - 3:54 PM

Gigi Li - Apr 22, 2025 - 4:46 PM

Paolo Masaro - Apr 23, 2025 - 2:38 PM

Darlene Joslin - Apr 24, 2025 - 7:45 AM