

**Township of Southgate**  
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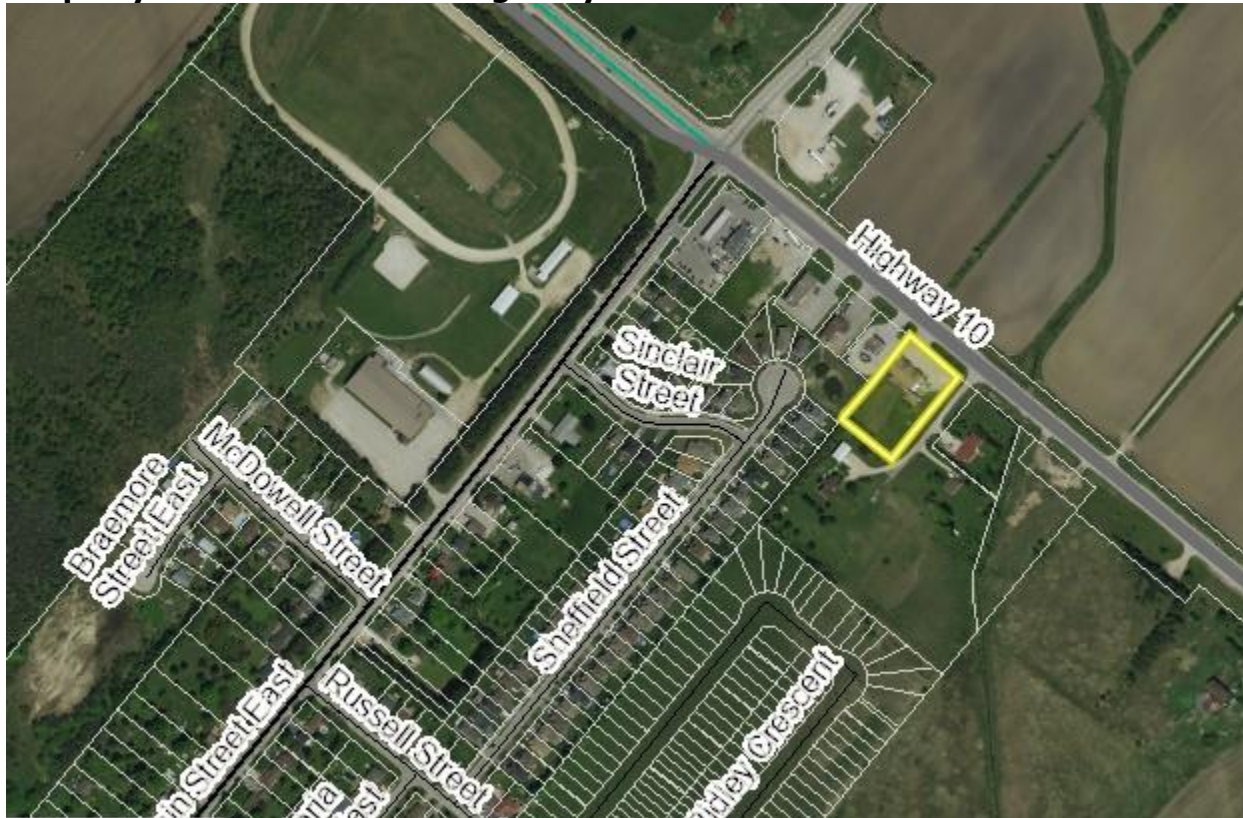
## **Staff Report PL2021-049**

**Title of Report:** PL2021-049 - Request for Site Plan Amending  
**Application Fees to be Waived**  
**Department:** Clerks  
**Branch:** Planning Services  
**Council Date:** June 2, 2021

**Recommendation:**

**Be it resolved that** Council receive Staff Report PL2021-049 for information; and  
**Option A- That** Council, by resolution approve the request for the waiver of fees.  
**Option B- That** Council, by resolution refuse the request for the waiver of fees.

**Property Location: 772186 Highway 10**



**Subject Lands:**

The subject lands are described as Con 1 SWTSR, PT lot 232, RP 17R1932. They are known municipally as 772186 Highway 10 and are approximately 1.23 acres with Frontage on Highway 10.

**The Proposal:**

The Township has received a request for the waiver of fees for an amendment to a Site Plan Agreement (Attachment #1). This will be the second amendment to the Site Plan Agreement for the subject property.

**Background:**

The Township approved a Site Plan for this property on July 8<sup>th</sup>, 2020.

Unfortunately, upon review by their architect, this Site Plan did not have sufficient separation distances between buildings and therefore an amendment was required which addressed this issue as well as changes to the entrance which was reduced from 12m down to 10m. The Site Plan Amending Agreement Application was submitted, and the amendment was recently passed by Council on April 21<sup>st</sup>, 2021 and registered on title May 4<sup>th</sup>, 2021.

Unfortunately, the Province did not give their approval of the entrance as designed and required the applicants to reduce the size of the entrance yet again. This poses a problem because the drawings that are approved, stamped, and registered on title do not reflect the approved design by the MTO.

As a result, the drawings and agreement must be amended again.

**Staff Comments:**

Despite the application being for a small change, staff are still required to process the application and bring it to Council. The fees charged are designed to cover the costs of Staff, Council, and legal fees to ensure that the Taxpayer does not pay for development. Staff will still be required to prepare a report, draft an amending Site Plan Agreement and By-law which Council must endorse by way of resolution and approval. The agreement is then sent to the lawyers for registration which is paid for by the contingency fee and then the remainder returned to the applicant.

The Township has \$622.75 left of the contingency fee from the Site Plan Amending Application that was recently approved on April 21, 2021 and registered on title. This was going to be returned to the applicant by cheque shortly.

Staff are of the opinion that the work is still required to amend the Site Plan Agreement and that it is the applicant's responsibility to consult with MTO and ensure that all applicable permits are obtained.

**Concluding Comments:**

Based on the above staff do not recommend the waiving of the fees.

Respectfully Submitted,

**Municipal Planner:** **Original Signed By**  
Clinton Stredwick, BES, MCIP, RPP



**CAO Approval:** **Original Signed By**  
Dave Milliner, CAO

**Attachments:**

1. Letter to Council – Request to Waive Fees
2. Staff Report PL2021-031