

TOWNSHIP OF WEST LINCOLN PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE AGENDA

MEETING NO. SIX

Monday, June 14, 2021, 6:00 p.m.

Township Administration Building
318 Canborough Street, Smithville, Ontario

- ** NOTE TO MEMBERS OF THE PUBLIC: Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Council meetings until further notice.
- ** Submission of Public Comments/Virtual Attendance: The public may submit comments formatters that are on the agenda or request to attend the virtual meeting as "Attendees" by emailing jdyson@westlincoln.ca by June 14, 2021 before 4:30 pm. Email comments submitted will be considered as public information and read into public record. The meeting will be recorded and available on the Township's website within 48 hours of the meeting, unless otherwise noted.

Pages

1. CHAIR - Councillor William Reilly

Prior to commencing with the Planning/Building/Environmental Committee meeting agenda, Chair Reilly will provide the following announcements:

- Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Standing Committee and Council meetings until further notice.
- 2. The public may submit comments for matters that are on the agenda to jdyson@westlincoln.ca before 4:30 pm on the day of the meeting. Comments submitted will be considered as public information and will be read into the public record.
- 3. The meeting will be recorded and available on the Township's website within 48 hours of the meeting, unless otherwise noted.
- 2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST (CONFIDENTIAL MATTERS)

3. CONFIDENTIAL MATTERS

RECOMMENDATION:

That, the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

3.1 Planner I (Meghan Birbeck) and Director of Planning & Building (Brian

Treble)

Re: Legal/Solicitor-Client Privilege - Confidential Recommendation Report No. PD-71-2021 - Second Minor Variance Application Fee Reimbursement Applicable closed session exemption(s):

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to Solicitor-client privilege, including communications necessary for that purpose

3.2 Director of Planning & Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege – Confidential Recommendation Report No. PD-074-2021 – Property Issue with Legion Branch 393

Applicable closed session exemption(s):

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to Solicitor-client privilege, including communications necessary for that purpose

RECOMMENDATION:

That, this Committee meeting does now resume in open session at the hour of _____p.m.

3.1. ITEM P69-21

Planner I (Meghan Birbeck) and Director of Planning & Building (Brian Treble)

Re: CONFIDENTIAL Recommendation Report No. PD-71-2021 - Second Minor Variance Application Fee Reimbursement

RECOMMENDATION:

- 1. That, Report PD-71-2021, regarding "CONFIDENTIAL Recommendation Report, regarding a Second Minor Variance Application Fee Reimbursement", dated June 14, 2021, be RECEIVED; and,
- 2. That, staff be authorized to proceed as directed in closed session.

3.2. ITEM P70-21

Director of Planning & Building (Brian Treble)
Re: CONFIDENTIAL Recommendation Report No. PD-074-2021 –
Property Issue with Legion Branch 393

RECOMMENDATION:

 That, Report PD-074-21 regarding "CONFIDENTIAL, Recommendation Report, Property Issue with Legion Branch 393" dated June 14th, 2021, be RECEIVED; and,

- 2. That, an authorizing by-law be passed to authorize the Mayor and Clerk to sign the respective documents required to implement the closed session directive relating to the Legion Branch 393; and,
- 3. That staff be authorized to proceed as directed in closed session

4. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST

5. PUBLIC MEETING(S)

5.1. Zoning By-law Amendment - Township of West Lincoln Housekeeping Amendments

Re: Zoning By-law Amendment application submitted by staff for the Township of West Lincoln Housekeeping Amendments (File No. 1601-009-21).

5.2. Official Plan & Zoning By-law Amendments - East Smithville Secondary Plan

Re: Township of West Lincoln East Smithville Secondary Plan, for the lands located on the North East corner of St Catharine's Street and Industrial Park Road. Official Plan Amendment (File No. 1701-002-21) & Zoning By-law Amendment (File No. 1601-008-21).

6. CHANGE IN ORDER OF ITEMS ON AGENDA

7. APPOINTMENTS

7.1. ITEM P71-21

Scott Antonides, Science Teacher (Smithville Christian High School)
Re: 50 Million Trees Grant Proposal
POWERPOINT PRESENTATION

RECOMMENDATION:

- 1. That, the correspondence received from Scott Antonides regarding the 50 Million Trees Reforestation Program dated June 14, 2021, be received, and:
- 2. That, the correspondence outlined above be referred to staff to discuss with the Urban Boundary Study Team, and;
- 3. That, staff report back to Committee at a future Planning/Building/Environmental Committee meeting.

8. REQUEST TO ADDRESS ITEMS ON THE AGENDA

NOTE: Section 10.13 (5) & (6) – General Rules

One (1) hour in total shall be allocated for this section of the agenda and each individual person shall only be provided with **five (5) minutes** to address their issue (some exceptions apply). A response may not be provided and the matter may be referred to staff. A person who wishes to discuss a planning application or a matter that can be appealed, will be permitted to speak for ten (10) minutes.

8

The Chair is to inquire if there were any members of the public who were in attendance virtually on the ZOOM meeting call that wished to address a specific item on tonight's agenda as permitted by Section 10.13(5) of the Procedural Bylaw. If so, please raise your hand in the ZOOM options or unmute yourself and advise that you wish to speak.

The Chair will ask the Deputy Clerk if she had received any emails or correspondence from members of the public prior to 4:30 p.m. today, that wished to provide comments to any items on the agenda as permitted by Section 10.13(5) of the Procedural By-law.

9. **CONSENT AGENDA ITEMS**

All items listed below are considered to be routine and non-controversial and can be approved by one resolution. There will be no separate discussion of these items unless a Council Member requests it, in which case the item will be removed from the consent resolution and considered immediately following adoption of the remaining consent agenda items.

ITEM P72-21 9.1.

CONSENT AGENDA ITEMS

RECOMMENDATION:

That the Planning/Building/Environmental Committee hereby approve the following Consent Agenda items:

- Items 1 and 2 be and are hereby received for information 1. with the exception of Item No.(s)
- 1. Technical Report No. PD-67-2021 - Comprehensive Zoning Bylaw 2017-70, as amended, Housekeeping Amendments No.
- 2. Technical Report No. PD-68-2021 - East Smithville Secondary Plan DRAFT Official Plan Policies (DRAFT Amendment No. 60) and DRAFT Zoning By-Law Amendments

10. COMMUNICATIONS

There are no communications.

11. STAFF REPORTS

11.1. **ITEM P73-21**

Planner II (Gerrit Boerema) and Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-73-2021 - Rural Settlement Area (Hamlet) Boundary Review

RECOMMENDATION:

- That, report PD-73-2021, regarding "Rural Settlement Area (Hamlet) Boundary Review", dated June 14, 2021 be received, and;
- 2. That, report PD-73-2021 be circulated to Regional Planning

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Staff to ensure that they are aware of the Township's ongoing work on reviewing the existing Rural Settlement Area boundaries, and;

3. That, staff present a Recommendation report at a future Planning/Building/ Environmental Committee meeting identifying which adjustments to rural settlement area boundaries, if any, are recommended by Township staff to support the Regional Municipal Comprehensive Review work.

11.2. ITEM P74-21

314

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-70-2021 - Site Alteration Application – Marz Homes Inc. (Agent- Joe Chiarelli - Rosemont Homes and Cardi Construction) West of South Grimsby Road 5 and North of Regional Road 20, being Lot 9, Plan M98 File No. 3000-003-21

RECOMMENDATION:

- That, Report PD-70-2021, regarding "Recommendation Report, Site Alteration Application –Marz Homes Inc (Agent - Joe Chiarelli - Rosemont Homes and Cardi Construction), West of South Grimsby Road 5 and North of Regional Road 20, being Lot 9, M98, File No. 3000-003-21", dated June 14th, 2021, be RECEIVED; and,
- 2. That, a site alteration permit in a form similar to that found at attachment 3 to this report be approved by Township Council, subject to conditions as noted in the permit; and,
- 3. That, the permit be authorized to be issued prior to ratification of Township Council given the timing of the Rosemont Homes development; and,
- 4. That, all efforts be taken to acknowledge and protect neighbouring residents, including, but not limited to: dust control, speed control, noise control, obeyance of the Highway Traffic Act, etc. Failure to do so will provide by-law staff with authority to revoke this permit at any time.

11.3. ITEM P75-21

321

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-76-2021 – Wes Blokker, B-Line Trenching – Refund of Security Deposit

RECOMMENDATION:

- That, Report PD-76-2021, regarding "Recommendation Report

 Wes Blokker, B-Line Trenching Refund of Security Deposit", dated June 14th, 2021, be RECEIVED; and,
- 2. That, staff be and are hereby authorized to release the \$5000 security deposit, on or after July 30, 2021, provided the property situated at 9629 Regional Road 20 is sold with B-Line Trenching no longer operating from the site, as confirmed and to the satisfaction of the Director of Planning & Building.

11.4. ITEM P76-21 325

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-77-2021 - RFP for Possible Hamlet Boundary Adjustment in Fulton and Grassie for Consideration of a Rural Employment Area

RECOMMENDATION:

- That, Report PD-77-2021, regarding "Recommendation Report, RFP for Hamlet Boundary Adjustment in Fulton and Grassie for Consideration of a Rural Employment Area", dated June 14th, 2021, be RECEIVED; and,
- 2. That, staff be granted authority to proceed with Phase I only, by retaining Dan Currie of MHBC Planning to assist with the Phase I work immediately and prior to ratification of Township Council.

11.5. ITEM P77-21

328

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-75-2021 - Final Renewable Energy System Policies for Approval to Incorporate into the Township of West Lincoln Official Plan – File No. 1701-005-19 and Amendment to the Township of West Lincoln Zoning By-law – File No. 1601-007-21

RECOMMENDATION:

- That, Report PD-75-2021, regarding "Recommendation Report
 Final Renewable Energy System Policies for Approval to
 Incorporate into the Township of West Lincoln Official Plan –
 File No. 1701-005-19 and Amendment to the Township of West
 Lincoln Zoning By-law File No. 1601-007-21", dated June
 14th, 2021, be RECEIVED; and,
- 2. That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
- 3. That, Official Plan Amendment No. 56 (File No. 1701-005-19) be approved and that a corresponding authorizing bylaw be APPROVED and passed to authorize the Mayor and Clerk to sign all Official Plan Amendment approval documents; and,
- 4. That staff be authorized to circulate the Notice of Decision on the approval of Official Plan Amendment No. 56 to the agencies and public to commence the 20 day appeal period as Regional Council approval is not required; and,
- 5. That, Zoning By-law Amendment 1601-007-21 and a corresponding bylaw be APPROVED and passed; and,
- 6. That, Staff be authorized to circulate the Notice of Decision for the Zoning By-law Amendment with the corresponding 20-day appeal period, with full force and effect occurring once Official Plan Amendment No 56 has been approved without appeal.

12. OTHER BUSINESS

12.1. ITEM P78-21

Councillor Reilly

Re: Community Concerns

FOR DISCUSSION

12.2. ITEM 79-21

Councillor Jason Trombetta

Re: Shooting of Firearms in Rural Areas

FOR DISCUSSION

12.3. ITEM P80-21

Councillor Jonker and Director of Planning & Building (Brian Treble)
Re: Multi-Municipal Wind Turbine Working Group (MMWTWG) 2021
Membership

RECOMMENDATION:

That, the Township of West Lincoln continue their membership on the Multi-Municipal Wind Turbine Working Group (MMWTWG) for the Year 2021.

12.4. ITEM P81-21

Deputy Clerk (Jessica Dyson)

Re: New appointment for a Council Representative for the West Lincoln Heritage Committee

FOR DISCUSSION

RECOMMENDATION:

- That, [Councillor _____] be hereby appointed as a Council Representative on the West Lincoln Heritage Committee; and,
- 2. That, By-law 2018-114, be amended at the June 28th, 2021 Council Meeting, specifically replacing Schedule F (West Lincoln Heritage Committee) with a new Schedule F by removing Mayor Dave Bylsma and replacing with the name of the new appointed Member of Council.

12.5. ITEM P82-21

Members of Committee

Re: Other Business Matters of an Informative Nature

13. NEW BUSINESS

NOTE: Only for items that require immediate attention/direction and must first approve a motion to introduce a new item of business (Motion Required).

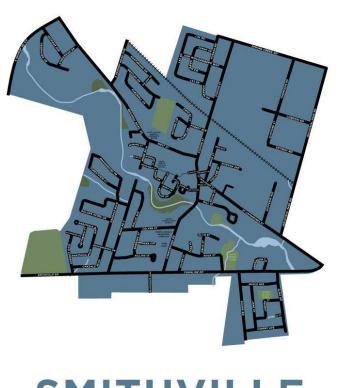
14. ADJOURNMENT

The Chair to declare the meeting adjourned at the hour of _____.



Overview

- 1. Introductions
- 2. Purpose of Project & Secondary Plan
- 3. Community Consultation
- 4. Proposed Secondary Plan
- 5. Next Steps





NIAGARA REGION, ONTARIO

PROJECT TEAM







Purpose of Project & Secondary Plan

The purpose of this project:

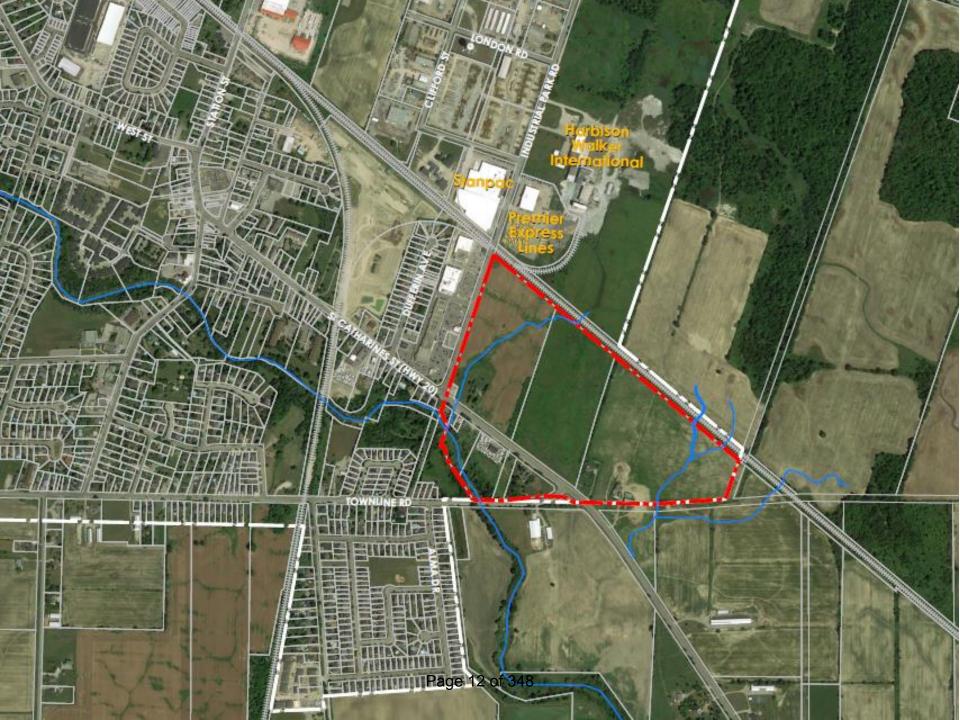
• To determine the best land use pattern for the East Smithville Study Area in order to develop a Secondary Plan.

The development of the Secondary Plan is divided into 3 phases:

Phase 1: Preparation of background research and analysis report.

Phase 2: Refining land use options through public consultation. Preparation of preferred land use scenario.

Phase 3: Completion of Secondary Plan.



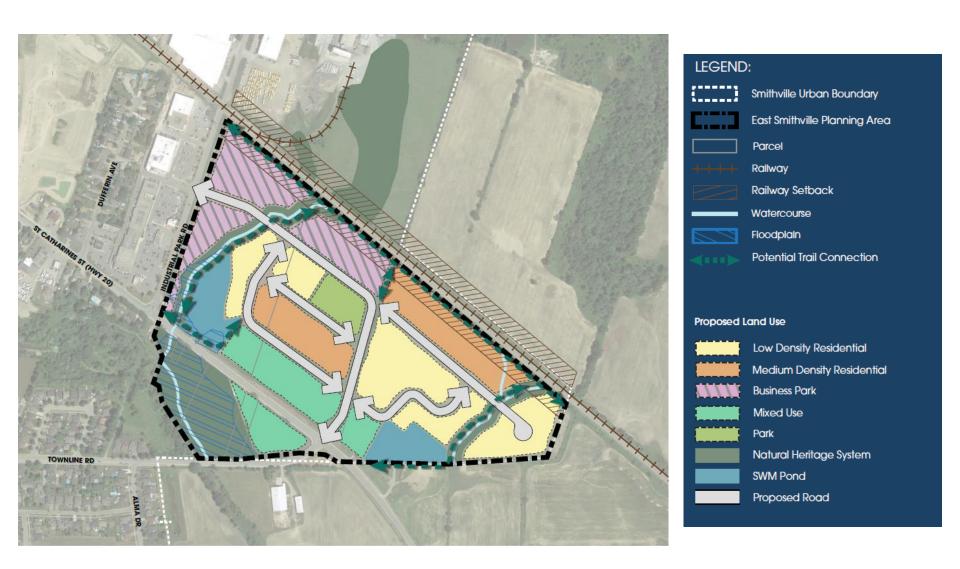


Community Consultation

- 1. Agency Comments
 - Comments on Technical reports from Region of Niagara, NPCA, and Township staff
- 2. Land Owner Consultation
 - General agreement of concepts that identify a range and mix of uses
 - Flexibility of uses along St. Catharines Street
 - Areas of potential concern:
 - Road access to lands
 - Staging
 - Potential environmental features and necessary buffers/setbacks
- 3. Presentation to Township Planning Committee February 8, 2021
- 4. Open House April 20, 2021
- 5. Steering Committee Meeting May 21, 2021
- 6. Public Meeting *Today*



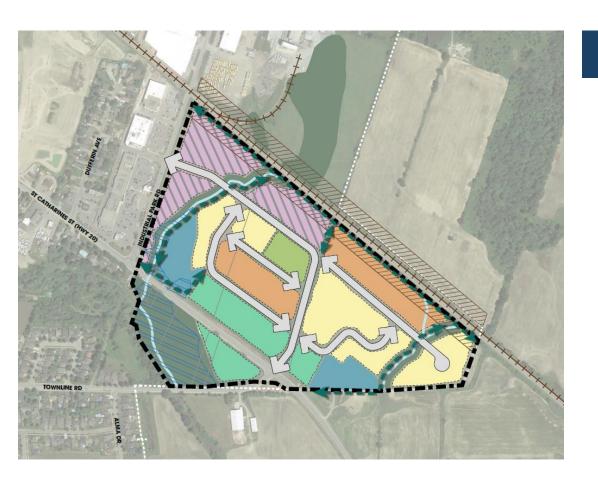
Proposed Secondary Plan



Key Considerations

- 1. Land Use
- 2. Density
- 3. Land Use Compatibility
- 4. Coordination with the Smithville Master Community Plan







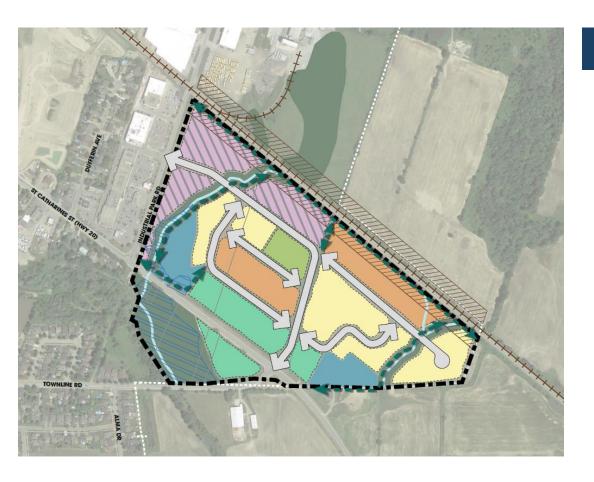
Low Density Residential

Low Density Residential

- May be zoned to permit the following residential uses:
 - Single detached dwellings;
 - Semi-detached dwellings;
 - Linked semi-detached dwellings;
 - Street townhouse dwellings; and,
 - Duplex dwellings.
- Shall achieve a maximum density of 30 units per hectare.



Smithville, West Lincoln East Smithville Secondary Plan

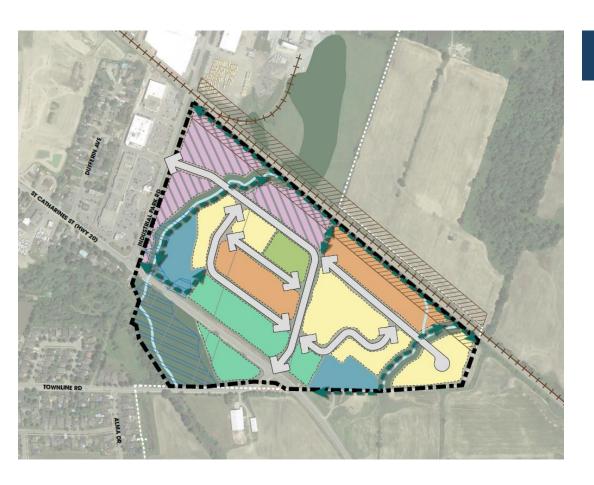




Medium Density Residential

- May be zoned to permit the following residential uses:
 - Street townhouses;
 - Cluster townhouses
 - Stacked townhouses; and,
 - All residential uses permitted in the low density residential designation
- Shall achieve a maximum density of 40 units per hectare.







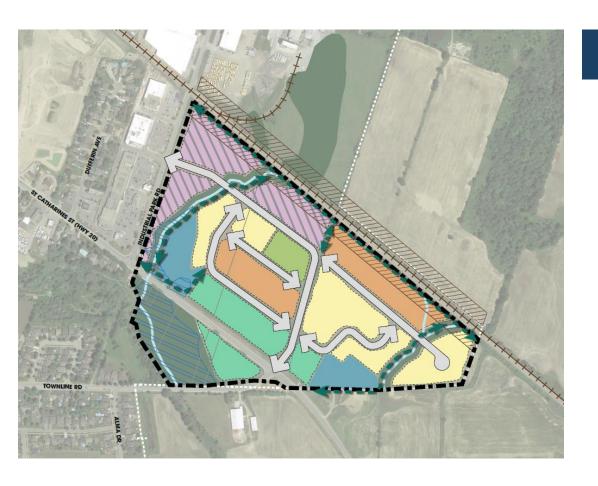
Business Park

Business Park

- May be zoned to permit the following types of uses:
 - Service commercial;
 - Small scale employment uses that are compatible with adjacent residential uses;
 - Personal service;
 - Restaurants;
 - Commercial recreational facilities;
 - Office;
 - Clinic; and,
 - Local
 Convenience/Commercial.

PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

Smithville, West Lincoln





Mixed Use

Mixed Use

- May be zoned to permit the following types of uses:
 - Office;
 - Commercial;
 - Live-work units;
 - Apartment buildings; and,
 - Stacked and street townhouses.

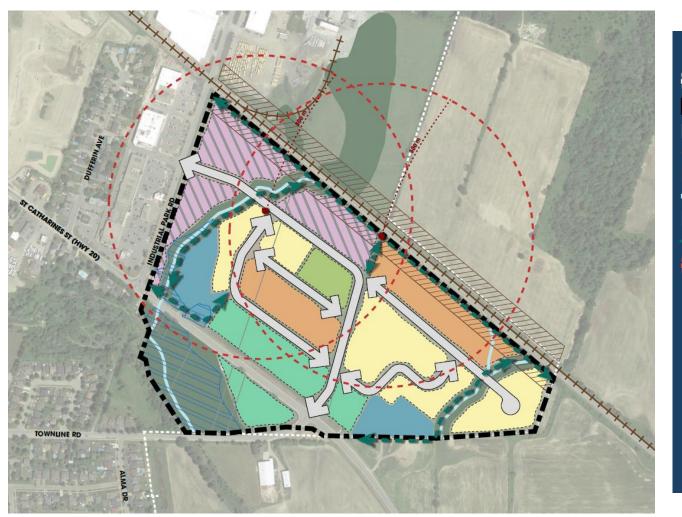
Monday June 14, 2021

Density

- DGA Density Target: 50 p+j/ha
- East Smithville Secondary Plan Density: Approximately 62 p+j/ha



I Compatibility with Industrial Uses I





Compatibility with Industrial Usesl

Option 1: Minimum setback from industrial source



Legend
Smithville Urban Area Boundary

Secondary Plan Area Boundary

Parcel Fabric

Railway Lines

Draft Employment Area

70 m Setback from Trucking Business

300 m Setback from Manufacturing Business

SCALE: 1:10.000

500 m Setback from Manufacturing Business

Option 2: Minimum setback from property line





Draft Employment Area

70 m Setback from Draft Employment Area

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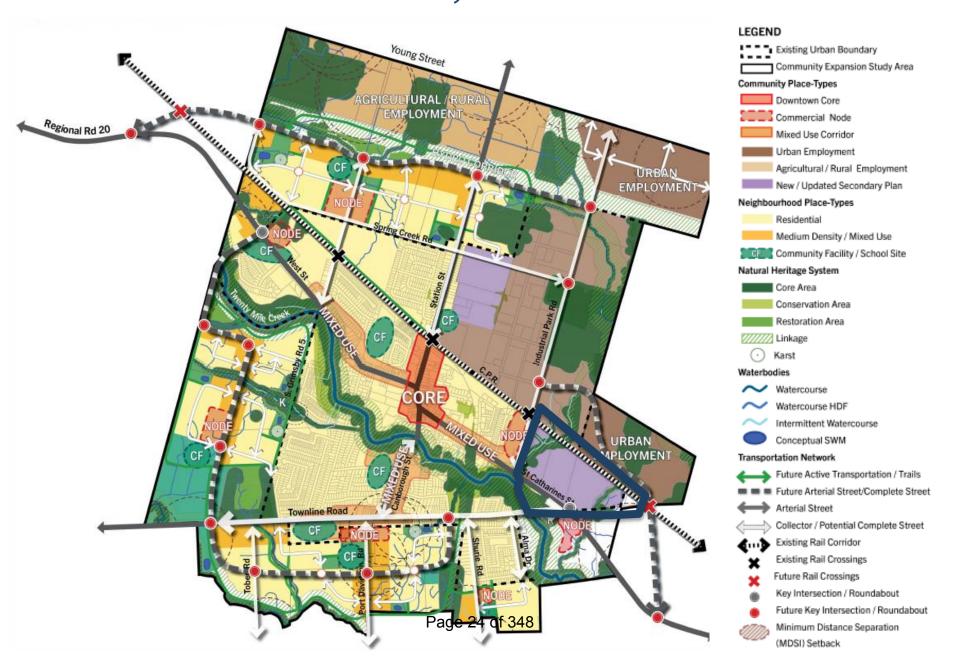
Setback from Draft Employment Area

500 m Setback from Draft Employment Area



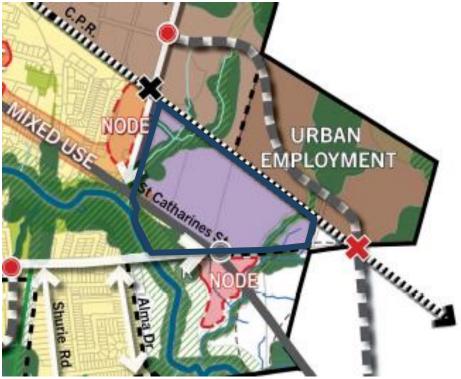
SCALE: 1:10.0

Master Community Plan Considerations



Master Community Plan Considerations





Next Steps

- Consultation on Draft Secondary Plan
- Finalize Secondary Plan based on community comments
- Submit final Secondary Plan to Council for consideration







REPORT PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE

DATE: June 14, 2021

REPORT NO: PD-67-2021

SUBJECT: Comprehensive Zoning Bylaw 2017-70, as amended

Housekeeping Amendments No. 4

CONTACT: Gerrit Boerema, Planner II

Brian Treble, Director of Planning & Building

OVERVIEW:

• In June of 2017 the Council of the Township of West Lincoln approved the new Comprehensive Zoning Bylaw 2017-70.

- In the following years (2018, 2019 & 2020) the zoning bylaw has been updated through minor housekeeping amendments to keep the bylaw functioning as intended and to correct a number of site specific issues.
- Township Planning staff have again identified a number of minor issues that need to be addressed through a fourth housekeeping amendment to the Zoning Bylaw. These issues include:
 - Environmental Mapping Provisions
 - Accessory Building and Structure Provisions
 - Accessory Dwelling Unit Provisions as it relates to septic
 - o Legal non-conforming status of dwellings on commercial lots
 - Outdoor Storage requirements
 - Several site specific issues
- Following input received from the public and agencies, planning staff recommend to prepare and present a recommendation report at a future committee meeting.

RECOMMENDATION:

- That, Report PD-67-2021, regarding "Housekeeping Amendments No. 4 to Zoning Bylaw 2017-70, as amended", dated June 14, 2021 be received; and,
- 2. That, a Recommendation Report be presented at a future Planning/Building/ Environmental Committee meeting.

ALIGNMENT TO STRATEGIC PLAN:

Theme #3

- Strategic Responsible Growth
- Efficient, Fiscally Responsible Operations

BACKGROUND:

Township Council in June of 2017 approved the new Comprehensive Zoning Bylaw 2017-70. This was the first time a new comprehensive zoning bylaw was passed since the Township passed its first Zoning bylaw in 1979.

Several minor issues have been identified since the bylaw was passed, concerning both Township wide regulations and site specific zonings. Many of these issues have been addressed through three previous housekeeping amendments which took place in 2018, 2019, and 2020.

Several new issues have come to the attention of Township Planning staff, and staff are proposing to address these issues through a fourth round of housekeeping amendments. As these changes would result in amending the Township Zoning Bylaw, a public consultation process is underway.

CURRENT SITUATION:

Township Planning Staff have identified a number of issues that need to be addressed, both on a Township wide level and several specific properties. Table 1 below summarizes the issues and provides the proposed amendments.

Table 1 – Proposed Zoning Bylaw Amendments

Section/Table #		Regulation	Proposed Changes	Staff Comments
Township Wid	е			
Part 1.3.6	Zoning Maps	Environmental Protection and Environmental Conservation Zones can be changed based on better mapping in consultation with the Region and NPCA outside of a zoning bylaw amendment application.	Environmental Protection and Environmental Conservation Zones can be changed based on better mapping in consultation with the Region and NPCA outside of a zoning bylaw amendment application where the changes are required to be in conformance to Regional and NPCA environmental mapping. Private requests will also be considered where:	Staff are running into issues where landowners are seeking to change regulatory mapping on several instances. There is currently no structured approach.

			a) The change relates to an adjustment of the EC Zone b) The change relates to an adjustment to the EP Zone where the flood hazard limit has been identified c) The change relates to an adjustment of the EP zone other than the flood hazard limit where the change in zone area is no greater than 500	
Part 3.1 Table 1-1	# of Accessory Buildings in an Agricultural zone	Maximum of two Type 2 (10.1 – 100 sq.m.) Buildings or structures	square metres Maximum of three Type 2 building or structures	In many cases the requirement of only permitting two accessory buildings of this size are too stringent as the lot sizes are typically sufficient to allow for a greater number of smaller accessory buildings that often support agriculture.
Table 1-2	Accessory Building size in rural residential and low density R1A zones	Maximum 100 square metres per accessory building, to a maximum of 200 square metres floor area for all accessory buildings	Maximum of 120 square metres per accessory building, to a maximum of 200 square metres floor area for all accessory buildings	The Township has undergone many variances for larger accessory buildings on residential lots.
Part 3.2.1 e)	Accessory Dwelling Unit Septic Requirements	On lots not serviced by municipal sewage services, accessory dwelling units can only be located if there is adequate septic capacity	Accessory dwelling units shall not be permitted to have a separate septic system.	Align the zoning regulations to the Official Plan making it clearer that accessory dwellings should not have their own septic systems separate from the

				main dwelling.
Section 3.25.1	Temporary Use Regulations Permitted Uses	Does not currently stipulate number of shipping containers	NA On Commercial	v. Shipping containers used for temporary construction uses are permitted only for the new construction of a main building or reconstruction as per Section iv. A maximum of one shipping container for temporary construction use is permitted per lot and is subject to all other provisions of this bylaw and requires a separate building permit. The previous
Table 16	in Commercial Zones	Currently does not permit residential dwellings	'C3' Zones, where a single detached dwelling legally exists, expansions and alterations are permitted subject to the zoning requirements of a single detached dwelling in the Rural Residential Zone.	zoning bylaw, 79- 14, had a Rural Commercial zone which allowed for a variety of commercial uses in conjunction with a single detached dwelling. This is to recognize those existing dwellings and to allow expansions without the need for additional planning approvals.
Part 7.3 Table 17 & Part 8.3 Table 19	Outdoor Storage	Maximum of 5% of lot area for commercial and employment zones	Consideration of 25% of lot area, as many businesses require outdoor storage space	Most legitimate business activities in West Lincoln requires greater outdoor storage than 5% of the lot area.
Part 7.3 Table 17	Minimum Height for C1 zone	None currently	Consideration of minimum 2 storeys	Official Plan requires new core development to be

				a minimum of 2
				storeys high
Part 11.3 Table 27	Environmental Conservation Zone does not permit additions to main buildings but does permit new accessory buildings	No expansions to existing dwellings within Environmental Conservation Zone	Consideration of permitting additions to dwellings in Environmental Zones	This will allow for additions to dwellings within Environmental Conservation Zones, subject to NPCA approval where required.
SITE SPECIFIC	;			
8635 Silver Street	Caistor Fire Station	Industrial 'M2'	Institutional 'I'	Institutional is a more appropriate zone for a public use such as the Fire Station.
9299 Twenty Road		Commercial 'C3'	Agricultural 'A'	Historical 'C3' zone has been on the property since the original zoning bylaw was passed (1979). There are no commercial uses on the property anymore.
5220 Vaughan Road		Commercial 'C3'	Agriculture 'A'	Historical 'C3' zone has been on the property since the original zoning bylaw was passed (1979). There have never been any commercial uses on the property to staffs knowledge.
5432 Sixteen Road	Former St. Anns Food	Agriculturally Related 'AR'	Agriculturally related 'AR-XX' to recognize a permitted abattoir use	Prior to 2017 the zoning permitted an abattoir, however, the new zoning dropped that as a permitted use.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report or the proposed changes to the Zoning Bylaw.

INTER-DEPARTMENTAL & PUBLIC COMMENTS:

Notice of the proposed changes to the Township of West Lincoln Zoning Bylaw were circulated in the local newspaper. Additionally, the notice was posted on the Township website and circulated to agencies and departments. Notice was also mailed to property owners where there are site specific zone changes proposed.

At the time of writing this report, two comments have been received regarding two of the proposed site specific changes. One of the landowners supports the removal of the commercial zone while another land owner has requested more time to discuss the change. Township staff will continue to collect public comments prior to preparing a recommendation report to Committee.

CONCLUSION:

Staff recommends that following receipt of public and agency comments, staff prepare and present a recommendation report to committee for the Housekeeping round 4 zoning bylaw amendments initiated by the Township of West Lincoln.

ATTACHMENTS:

- 1. Zoning Map 8365 Silver Street
- 2. Zoning Map 9299 Twenty Road
- 3. Zoning Map 5220 Vaughan Road
- 4. Zoning Map 5432 Sixteen Road

Prepared & Submitted by:	Approved by:	
Gund Boeman	BHerdy	
Gerrit Boerema Planner II	Bev Hendry CAO	
Bus delle		
Brian Treble Director of Planning & Building	-	

Attachment 1 to PD-67-2021 8365 Silver Street - Caistor Fire Station







Attachment 4 to PD-67-2021 5432 Sixteen Road - Former St. Anns Food





REPORT

PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE

DATE: June 14, 2021

REPORT NO: PD-68-2021

SUBJECT: Technical Report East Smithville Secondary Plan DRAFT

Official Plan Policies (DRAFT Amendment No. 60) and DRAFT

Zoning By-Law Amendments

CONTACT: Brian Treble, Director of Planning & Building

Madyson Etzl, Planner II

OVERVIEW:

- Planning staff, alongside MHBC planning staff have previously held one on one meetings with the landowners for the East Smithville Secondary Plan on Wednesday January 6th 2021 to go over some initial thought and concepts for the East Smithville Secondary Plan lands. Following this, staff held a public Open house through Zoom on March 20th 2021. At this meeting there were three preferred concept plans presented and discussed.
- Planning staff held a Steering Committee meeting with Niagara Region on May 21st 2021.
- Township staff are preparing DRAFT Official Plan Policies and Zoning By-Law Policies which are attached here and will be finalized and attached to the recommendation report
- At this Public meeting being scheduled for June 14th 2021, MHBC planning have prepared a short presentation outlining the policy changes and will open the meeting up to hear any questions or concerns from the public.
- MHBC Planning, the Region and Township Planning and Public Works staff have been working to review all comments submitted by the public and will provide Committee with an overview of these comments as part of a Former School Sites future report.
- Planning staff are seeking public input from this meeting and will prepare a recommendation report for a future Planning/Building/Environmental Committee Meeting with DRAFT official plan policies and zoning bylaw regulations.

RECOMMENDATION:

- 1. That, Report PD-68-2021, regarding "Technical Report East Smithville Secondary Plan DRAFT Official Plan Policies (DRAFT Amendment No. 60) and DRAFT Zoning By-Law Amendments, dated June 14, 2021, be RECEIVED; and,
- 2. That, a new report be provided once all agency and public comments have been received and reviewed by planning staff

ALIGNMENT TO STRATEGIC PLAN:

Theme #3

Smart, Strategic Growth

BACKGROUND:

The purpose of this report is to provide background information and a recommendation to Council with respect to the DRAFT Secondary Plan/land use policies for the east Smithville Secondary Plan lands. Staff have prepared a draft Official Plan amendment and zoning by-law amendment which will be the focus of further discussions with the Niagara Region. This report is provided to council as a technical report and to advise that staff will proceed with a recommendation report on the draft policies at a later date.

The purpose of this project is to provide the best land use patterns for the East Smithville Study Area. The project is divided into three phases.

Phase 1 involves the preparation of a background research and analysis report, which summarizes the relevant studies, reports, policy documents, and background information with which to consider in the formation of the secondary plan and identifies any preliminary gaps or opportunities that exist within the study area. This report and public meeting concludes phase 1.

Phase 2 involves refining land use options through the public consultation process. Further consultation with landowners and stakeholders will occur to obtain input on community design elements and identify options for the layout and design of the Secondary plan. A preferred development option will then be developed and a draft secondary plan will be prepared based on the input received form stakeholders and the community. Most of the work in Phase II is also complete. The preferred development option is being finalized.

Phase 3 involves the completion of the secondary plan and policy framework. The final recommendation report will be provided to Council for review and approval.

CURRENT SITUATION:

Planning Review Provincial Policy Statement (PPS)

All decisions affecting planning matter shall be consistent with the PPS. The PPS provides a vision for land use planning in Ontario that encourages the efficient use of land, resources, and public investments in infrastructure. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement contains policies related to building strong communities, managing growth, and protecting natural and cultural heritage resources. The PPS focuses growth within settlement areas and away from significant or sensitive resources and promotes efficient land use patterns that support the long term economic prosperity of the Province and municipalities.

The most relevant policy directions to this project in the PPS include:

- That sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for up to 25 years. Within Settlement Areas, sufficient land shall be made available through intensification and redevelopment, and, if necessary, designated growth areas.
- That settlement areas shall be the focus of growth and development.
- That new development taking place within designated growth areas should occur adjacent to the existing built-up area and should have compact form, a mix of uses and densities that allow for an efficient use of land, infrastructure and public service facilities.
- That secondary plan policies encourage an appropriate range and mix of housing options and densities to meet projected market-based demand and the affordable housing needs of current and future residents.
- That Transportation and Infrastructure Corridors be identified and require their protection for the long term. The policies guide how development adjacent to existing or planned corridors are to be compatible and supportive of the long term purpose of the corridors.

Planning staff feel that the proposed development concepts and the draft policies are consistent with the PPS, such that finalizing the consultation process and complete the final policy option. MHBC has provided a more detailed summary of these policies outlined in Attachment 1 to this report. (Attachment 1)

Provincial Growth Plan (P2G)

Applications filed after June 16, 2006 must conform to the P2G. The draft policies must conform to the P2G and therefore must:

- Direct all new growth to built-up areas or to strategic growth areas in particular. This
 section also provides the minimum intensification target that should be met for all
 residential development.
- Encourage municipalities to promote economic development and competitiveness by efficiently using employment lands and providing for employment growth to accommodate future growth.
- Lands within existing employment areas may be converted to a designation that permits non-employment uses, provided the conversion would:
 - a) Maintain a significant number of jobs on those lands through the establishment of development criteria.
 - b) Not include any part of an employment area identified as a provincially significant employment zone.
- Direct housing in municipalities to achieve the minimum intensification and density targets by providing a diverse range and mix of housing densities.

Based on the above, planning staff considers the proposed concepts and draft policies to conform to the P2G, such that we can start the formal consultation process. MHBC has provided a more detailed summary of these policies outlined in Attachment 1 to this report. (Attachment 1)

Regional Policy Plan (RPP)

The RPP outlines the Region of Niagara's policies for development within the Region. The most recent consolidation of the ROP was released in August 2015. The Regional Official Plan is the long-range community planning document that is used to guide the physical, economic and social development of the Niagara Region.

- The proposed amendment must conform to Chapter 4 of the RPP and shall be;
- Planned as a compact, complete community by permitting a range of land uses including residential, commercial and employment.
- Making a significant contribution to the growth of the urban area as a complete community.
- Require a minimum combined density target of 50 people and jobs per hectare.
- Outline the broad urban design policies for local municipalities to consider and encourage the inclusion of urban design analysis in the preparation of local secondary plans.
- ROPA 16 will introduce permissions to allow for the conversion of Designated Employment Areas outside of a municipal comprehensive review. It is understood that ands that are not identified as Designated Employment Areas would not be required to meet the required conversion tests to convert employment areas to nonemployment uses.

Therefore, the policies of the Growth Plan, PPS, ROP, Township OP that apply to the conversion of lands within a Provincially Significant Employment zone do not apply to the East Smithville Secondary Plan area. Given the above, planning staff concludes that the proposed concepts and draft policies conform to the RPP, such that we can finalize the formal consultation process and complete the preferred option for approval.

Township of West Lincoln Official Plan

The current Township of West Lincoln Official Plan will be required to be amended to permit the development of higher density residential developments as well as mixed use development on the subject lands. All three large parcels to the north of St Catharine's Street included in the proposed Secondary plan lands are currently designated a combination of employment area, service commercial, medium density residential and natural heritage system within the urban area of the Township's Official Plan.

The proposed high density residential designation would permit townhomes, triplexes, semidetached dwellings and apartment and condominium buildings. As a lower tier municipality, the Township of West Lincoln Official plan has adopted the population household and employment forecasts allocated to the Township by the Region of Niagara and the gross greenfield density target. The Township's Official Plan outlines the projected housing growth by unit type for the Township. The Township Housing Forecast, Unit mix is identified in Table 5.4 below. These figures shall be used for undertaking long term planning studies, land needs analysis, and infrastructure plans and studies. The housing mix is shown below.

Year	Low	Medium	High	Total Housing Starts
2006	N/A	N/A	N/A	N/A
2007-2011	136	1	6	143
2012-2016	178	9	12	199
2017-2021	289	25	27	341
2022-2026	253	36	36	325
2027-2031	214	49	44	307
2006-2031 Growth	1070	120	125	1315
2006-2031 Mix	81.4%	9.1%	9.5%	100%

West Lincoln Housing Mix (Township OP Table 5.4)

The mix represents the requirements to 203. Currently Regional and Township policy is now looking at the right mix to 2051.

Land use patterns, development policies and design criteria for Smithville are outlined in West Lincolns Official Plan in Section 6 of the Official Plan. The Official Plan distinguishes residential, commercial, employment, recreational and other service related uses and provides standards for development and design. The Official Plan defines low-density residential, medium-density residential, high-density residential a residential/mixed use land use type and the permitted uses within each type. Furthermore, the current Official Plan outlines the policies applicable to lands within the Township that are designated 'Employment Area'. Further policy review has been completed by MHBC Planning and is included in the East Smithville Secondary Plan Background Report which is included as Attachment 1 to this staff report.

FINANCIAL IMPLICATIONS:

Not applicable to this report.

INTER-DEPARTMENTAL COMMENTS:

Township Planning, Public Works, the Niagara Region, and the Niagara Peninsula Conservation Authority have all been involved throughout this work project and will now be further consulted.

Township Planning Staff and MHBC Planning Staff have previously held two open houses through Zoom. Staff held one on one consultations with the existing land owners on Wednesday January 6th in time slots from 1:00pm to 8:00pm. The Second open house was open to members of the public, and agencies and was held on March 20th from 6:30-8:00pm. Township staff have also had a recent steering committee meeting on May 21st 2021 with the Niagara Region. This public meeting represents the final stages in the process and may include one more steering committee meeting, I required. This public meeting represents the final opportunity for input from the public, Region and the NPCA. The consultants and township staff will finalize the preferred policy document following this public meeting process.

After this open house meeting staff received comments from members of the public as well as agency comments which include concerns from the Region of Niagara, and the NPCA.

These comments have been addressed in the 'Response to Comments' attachment included as attachment 3. Any further comments received through this final public meeting stage will also be reviewed and presented prior to the final recommendation report.

The Niagara Region has stated that they will provide formal comments at a later date. They note that the existing compatibility guidelines (Ministry of the Environment, Conservation and Parks D-6 Guidelines: Compatibility between Industrial Facilities) may impact the ability of the lands to be developed for potential future residential. The Province has released draft Land Use Compatibility (LUC) Guidelines (ERO No. 019-2785) for comment, which proposes significant increases to the area of influence and recommended minimum separation distance between industrial operations and sensitive land uses.

CONCLUSION:

This report is written to inform the Committee of the concepts that Planning staff and our consulting team are considering. This is the final opportunity to gather input from the public on the concepts presented and that a draft Official Plan Amendment will now be finalized for the East Smithville Secondary Plan lands.

The proposed secondary plan policies are intended to be consistent with the PPS, conform to the Places to Grow Plan (P2G), conform to the Regional Policy Plan (RPP) and conform to the applicable policies of the Township's Official Plan. Therefore planning staff will outline in the final recommendation report how the draft policies are appropriate and conform to Provincial and Regional policies.

ATTACHMENTS:

- 1. Draft Secondary Plan
- 2. Consultant Report
- 3. Draft OPA and ZBL
- 4. Consultant Response to Comments

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WOODBRIDGE LONDON KINGSTON BARRIE BURLINGTON

East Smithville Secondary Plan

Township of West Lincoln

Date:

May 2021

Prepared For:

Township of West Lincoln

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1.0 INTRODUCTION

1.1 Purpose of the Plan

The purpose of the East Smithville Secondary Plan is to provide a planning framework to guide the detailed planning and future development of East Smithville over the next 20 years. The Secondary Plan builds on the policy framework of the Township of West Lincoln Official Plan ("Township Official Plan") and Provincial and Regional plans and policies in order to provide direction for the orderly development of the East Smithville community. The Secondary Plan establishes the principles for the design and development of the neighbourhood. It also establishes the land use patterns and conceptual locations of community infrastructure, such as parks and stormwater management ponds.

1.2 Integration with the Township of West Lincoln Official Plan

The Township of West Lincoln Official Plan states that all Greenfield Areas will require a Secondary Plan prior to development. The identified area of East Smithville shall be developed as one secondary plan.

The content of Sections 2-9 of this document are considered to be the formal Secondary Plan and will form part of an Official Plan Amendment to the Township Official Plan. Accordingly, in the future, any alterations to the policies in Sections 7-9 shall require an Official Plan Amendment (unless otherwise stated in this Secondary Plan). The contents of Section 1 is provided for explanatory purposes only and does not form part of the text of the Official Plan Amendment to implement the Secondary Plan policies. When an Official Plan Amendment is prepared at a later date, the OPA will be formatted in a manner which is consistent with the policy framework established in the current Official Plan.

1.3 Authority

The Secondary Plan has been prepared under the *Planning Act* and aligns with the policies of the Township of West Lincoln Official Plan, the Region of Niagara Regional Official Plan, the 2020 Provincial Policy Statement and the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

2.0 PURPOSE

The Secondary Plan for East Smithville has been prepared to:

- 1. Co-ordinate and guide development in the East Smithville Neighbourhood in a manner that integrates new Greenfield development with the existing urban neighbourhood and adjacent rural lands and employment/industrial lands, while respecting and protecting the surrounding environmental features;
- 2. Determine the appropriate density and layout of the neighbourhood;
- 3. Determine the appropriate land uses of the neighbourhood; and,
- 4. Establish parameters related to the review and approval of development applications within the Secondary Plan area.

3.0 VISION AND GOALS

3.1 Vision

The East Smithville Secondary Plan area totals approximately 34 hectares in size and is located on the eastern edge of Smithville. The Secondary Plan lands are surrounded by existing commercial uses to the west, the Canadian Pacific Rail Line ("CP Rail") and industrial uses to the north, primarily undeveloped agricultural land to the east, and residential/agricultural land uses to the south.

It is the intent of the Township of West Lincoln that these lands be developed with a mix of uses and densities. The East Smithville Secondary Plan area is expected to function as a future prominent gateway into the urban area of Smithville, with the potential to accommodate up to 455 new residential units.

Accordingly, it is the vision of the secondary plan that the development of East Smithville shall reflect the small town character of Smithville and provide an attractive, high-quality, safe, sustainable, interconnected, and pedestrian-friendly community for future residents of all ages and abilities to enjoy. Ultimately, East Smithville will become an urban neighbourhood with a strong pedestrian focus enhanced by public green space and trail linkages and a commercial/mixed use function to support the needs of the neighbourhood residents and the Smithville community.

3.2 **Goals**

The goals of the Secondary Plan are:

- To develop a land use and development concept that will implement the vision;
- To determine the appropriate population and housing yield/mix for the development area;
- To provide land use and urban design policies to guide the development of the community;
- To encourage the development of a range and mix of housing types, including the development of accessible and affordable housing;
- To encourage and promote best practices in environmental design and energy conservation;
- Provide a framework for the development of a neighbourhood with a compact urban form that is pedestrian-oriented and incorporates a park, open spaces and trails and provides linkages to the wider trail network;

- To promote active transportation by providing a safe neighbourhood with a high level of connectivity for pedestrians and cyclists;
- To ensure the orderly and logical development of the community by providing a development phasing strategy; and,
- To ensure the appropriate development of the community by providing direction and guidance to the review and approval of development applications.



4.0 COMMUNITY STRUCTURE AND DESIGN

4.1 Community Structure

The Community Structure Plan is illustrated in Schedule A and sets out the overall urban structure for the East Smithville Secondary Plan area. The Community Structure is based on the design principles identified in Section 4.2.1 and provides a neighbourhood structure organized around a central community entrance; a local road pattern which connects to the existing collector road network in the surrounding area; an integrated open space network with potential trail connections and natural features; and, the community place types considered for the Smithville Master Community Plan.

The lands are identified as Designated Greenfield Area in the Regional Official Plan and are currently Designated Greenfield Area in the Township Official Plan. The East Smithville lands will be developed as a primarily low and medium density residential neighbourhood, with the opportunity to develop a limited amount of local mixed uses at key locations. Greenfield areas are required to meet an overall density of 50 persons and jobs per hectare. The Niagara Regional Official Plan requires that residential lands in designated Greenfield areas will be planned and designed to achieve a minimum density target of 50 people and jobs combined per hectare. It is recognized that density targets are to be achieved across the designated greenfield area and the Region.

To achieve density targets and create complete communities that provide for housing needs and choice within the Township, the Township's Official Plan emphasizes the development of Greenfield areas to create more compact, multi-modal, mixed use communities with a range of housing types to develop an orderly and logical progression and which utilizes land, infrastructure and services efficiently. Based on the land area and the density required to achieve the greenfield density target, the development of the lands is expected to yield between 266 and 455 residential units which would support a population of approximately 730-1063 people.

4.1.1 Land Use Designations

Lands within the Secondary Plan Area are designated as one, or more, of the following land use categories as illustrated on Schedule A:

- i) Low Density Residential,
- ii) Medium Density Residential,
- iii) Mixed Use,
- iv) Business Park,
- v) Park,
- vi) Stormwater Management; and,
- vii) Natural Features

The land use designations for the Secondary Plan are intended to complement the broader land use designations provided in the Township of West Lincoln Official Plan. In most cases, the land use policies and permissions described in the Secondary Plan are more detailed than those provided for within the Official Plan. Where there are inconsistencies between a particular policy in the Official Plan and the Secondary Plan, the policies of the Secondary Plan shall prevail.

The location and size of stormwater management facilities and the extent of natural features is approximate. It is the intent that a detailed stormwater management study and an environmental impact study will be required to be submitted, for consideration by the Township, as part a complete application for development.

4.2 Community Design

The Township Official Plan identifies that form and density of growth within the Township's urban areas should be guided by appropriate design standards intended to achieve a complete community that is livable, vibrant, well-connected, and prosperous. In order to achieve the desired vision, the Township has prepared and adopted Urban Design Guidelines for Smithville which provide enhanced guidance for the physical design of public and private development in Smithville to create an attractive, high-quality, safe, sustainable, interconnected, pedestrian-friendly and transit-ready community.

The Secondary Plan is based on neighbourhood urban design principles, aimed at establishing a complete community. These principles have used the design guidelines identified in the Township of West Lincoln Smithville Urban Design Manual as their basis.

The Secondary Plan design principles are founded on six key themes aimed at establishing a 'complete community':

- Safety;
- Integration and phasing;
- Housing mix and density;
- Open space network; and,
- Identity and urban design.

4.2.1 **Design Principles**

Development in the East Smithville Secondary Plan area shall be consistent with the following principles:

- Provide a diverse mix of land uses and unit types to support a vibrant neighbourhood;
- Provide a neighbourhood design concept that considers safety and mitigates railwayoriented impacts;
- Develop a neighbourhood at the pedestrian scale to promote social interaction, active streetscapes and an overall walkable neighbourhood;
- Establish an open space network of integrated and connected public spaces including a neighbourhood park, trail connections, and connections to stormwater management facilities and natural features;
- Develop a well connected network and hierarchy of streets, pedestrian paths and trail connections that enhance connectivity and provide for safe modes of active transportation (i.e. walking and cycling);
- Provide opportunities for recreational spaces that will serve all age groups and physical abilities, with an integrated active transportation system;
- Promote compatibility of scale and form between new and existing adjacent development;
- Create focal points, corridors and activity nodes within the community to enhance way-finding and establish an identifiable community structure;
- Promote sustainable design throughout the built environment to promote efficient use of energy, land, and infrastructure through conservation and energy-saving practices and systems; and,
- Establish distinct gateways to the East Smithville neighbourhood and the Smithville area to create a cohesive community identity.

4.2.2 Urban Design Policies

- 1. Any proposed development shall address the Urban Design Policies of this Plan and, where appropriate, Policies within the Township Official Plan and the applicable built form guidelines established in the Township's Smithville Urban Design Manual.
- 2. Gateway Nodes are defined in the Township's Smithville Urban Design Manual as nodes located at the primary entrances to Smithville. Development within lands identified as a

- Gateway Node shall adhere to the Gateway Node design guidelines contained within Section 7.2 of the Urban Design Manual.
- 3. An urban design brief, or design guidelines, which demonstrate how any proposed future plan of subdivision meets the direction of the Township's Smithville Urban Design Manual and the Urban Design principles and policies of this Secondary Plan, will be required in support of any such application.
- 4. Development within the Secondary Plan area, including but not limited to areas of public use, shall be designed in accordance with the Accessibility for Ontarians with Disabilities Act, and other applicable Provincial legislation and the Region's Accessibility Design Standards.
- 5. Streetscapes throughout the East Smithville Community are important components of the public realm. Streetscapes will be designed to enhance community character and sense of place.
- 6. Residential streetscapes shall be designed to ensure the provision of sufficient on-street parking through creative design solutions such as varying housing types and lotting patterns.
- 7. Development throughout the East Smithville community shall be encouraged to create a sense of identity and place through the use of various design attributes, including unique building typologies, architectural design treatments, building materials, decorative lighting, decorative street signs, boulevard treatments, gateway features and landscaping elements.
- 8. Throughout the neighbourhood, buildings shall be designed to form a well defined and continuous street edge with subtle variations in height and setbacks and high quality architectural features.
- 9. Human scale buildings will be required and be achieved through siting and orientation of a building on a lot and the distribution of building heights and massing. Consideration of building materials and architectural articulation must have regard for maintaining a human scaled form of development. Building heights shall provide appropriate transition between the higher intensity areas to the surrounding lower intensity areas.
- 10. Decorative lighting, street signage and entrance features are encouraged.
- 11. Buildings on corner lots should articulate facades on both street frontages.
- 12. Buildings at terminating vistas will be encouraged to be designed as landmarks, with architectural innovation and quality urban design that reflects the community character. Incorporation of public art and enhanced landscaping will be encouraged at these areas.
- 13. Dwellings located on lots in visually prominent locations are priority lot dwellings. Priority lots include corner lots, at T'- intersections, or directly adjacent to open spaces, parks, trails natural areas or agricultural lands. Priority lot dwellings shall be identified as such on plans of subdivision and the treatment of priority lots shall be described in the design brief to be submitted in support of a development application.

- 14. Stormwater management systems shall be integrated into the design of buildings and the landscape where appropriate.
- 15. Business Park lands are:
 - a. expected to have a high degree of urban and architectural design;
 - b. expected to have buildings facing the street;
 - c. expected to have parking areas located at the side or rear of buildings. If parking is located in front of the building, there shall be landscaped buffers between the parking area and the street; and,
 - d. expected to have site and building design controlled through the site plan approval process.



5.0 LAND USE POLICIES

5.1 General Policies

- 1. The East Smithville Secondary Plan is planned to achieve a minimum overall density of 50 people and jobs per hectare.
- 2. Residential lands will be designated as primarily low and medium density residential, with high density mixed use development along St. Catharines Street.
- 3. Development located adjacent to a rail line shall comply with CP Rail Principle Main Line requirements.
- 4. In order to address challenges related to development within proximity to a rail line, future development applications are encouraged to refer to recommendations contained within the Guidelines for New Development in Proximity to Railway Operations document and apply these principles, where applicable and appropriate.
- 5. To be consistent with the Township Official Plan and to achieve the density target, the East Smithville Neighbourhood will be planned, designed and zoned to achieve a variety of housing types, styles and lot sizes.

5.2 Low Density Residential

- 1. The planned function of the Low Density Residential designation is to provide opportunity for the development of low-rise residential land uses at lower densities. While the predominant land use within the Low Density Residential designation will be residential, it is intended that complementary non-residential land uses may be permitted to locate within this designation provided they do not impact the ability of the lands to achieve the vision and policies of this Plan and the required overall density target.
- 2. Lands designated Low Density Residential may be zoned to permit the following residential uses:
 - a. Single detached dwellings;
 - b. Semi-detached dwellings;
 - c. Linked semi-detached dwellings;
 - d. Street townhouse dwellings; and,
 - e. Duplex dwellings.

- 3. In addition to permitted residential uses, lands designated Low Density Residential shall permit the following uses, subject to applicable policies of the Township of West Lincoln Official Plan and the Zoning By-law:
 - a. Home Occupations;
 - b. Public and Private Utilities;
 - c. Bed and Breakfast Establishments;
 - d. Day Care Facilities;
 - e. Places of Worship;
 - f. Educational Facilities;
 - g. Accessory Apartments; and,
 - h. Garden Suites.
- 4. Low Density Residential uses shall achieve a maximum density of 30 units per hectare.
- 5. The maximum building height in the Low Density Residential land use designation shall be 2.5 storeys.

5.3 Medium Density Residential

- 1. The planned function of the Medium Density Residential designation is to accommodate a range of medium density housing types including townhouse dwellings and stacked townhouse dwellings. The aim of this designation is to encourage medium density development and provide for the appropriate transition from lower density uses and non-residential uses. While the predominant land use within the Medium Density Residential land use designation will be residential, it is intended that complementary non-residential land uses may be permitted to locate within this designation provided they do not impact the ability of the lands to achieve the vision and policies of this Plan and the required overall density target.
- 2. The Township will encourage and support the mixing and integrating of innovative and different forms of housing to achieve and maintain a higher density built form.
- 3. Lands designated Medium Density Residential may be zoned to permit the following residential uses:
 - a. Street townhouses:
 - b. Cluster townhouses:
 - c. Stacked townhouses; and,
 - d. All residential uses permitted in the low density residential designation of this Secondary Plan.
- 4. In addition to permitted residential uses, lands designated Medium Density Residential shall permit the following uses, subject to applicable policies of the Township of West Lincoln Official Plan and an amendment to the Zoning By-law, where applicable:
 - e. Day Care Facilities;

- f. Places of Worship; and
- g. Educational Facilities.
- 5. Medium Density Residential uses shall have a maximum density of 40 units per hectare.
- 6. The maximum building height in the Medium Density Residential designation shall be 4 storeys.
- 7. Medium Density Residential development shall be subject to Site Plan Control and shall be designed and appropriately located with the direction of the Township's Smithville Urban Design Manual.

5.4 Mixed Use

- 1. The Mixed Use designation is intended to be flexible and responsive to land use pattern changes and demands, and permit a broad range of residential, commercial and retail uses which are compatible with the surrounding area and meet the day to day needs of the neighbourhood. It is the intent that multiple residential buildings, with commercial uses at the ground floor, are the predominant use of land in the mixed use designation; however, the Township will consider applications that provide a mixture of uses on a site provided this type of built form does not impact the ability of the East Smithville Neighbourhood to achieve the required density target.
- 2. Lands designated Mixed Use may be zoned to permit the following uses:
 - a. Office;
 - b. Clinic;
 - c. Live-work units;
 - d. Apartment buildings;
 - e. Stacked and street townhouses; and,
 - f. Communal housing.
- 3. Lands designated Mixed Use may be zoned to permit the following uses on the ground floor of a building that contains residential uses:
 - a. Small scale local serving retail uses; and
 - b. Small scale local serving commercial uses.

The maximum size of such uses shall be 1,000 m².

- 4. Lands designated Mixed Use may be zoned to permit mixed use buildings with ground floor commercial uses and/or a mixed use site with residential uses located to the rear of commercial uses.
- 5. The Mixed Use designation shall have a minimum density of 50 units per hectare.
- 6. The maximum building height in the Mixed Use designation shall be 6 storeys.

- 7. The Township may consider a height beyond 6 storeys subject to the submission of a design brief which demonstrates the proposed increase in height will maintain an appropriate public realm and pedestrian streetscape.
- 8. Development within the Mixed Use designation shall be subject to Site Plan Control and shall be designed and located with consideration for the direction of the Township's Smithville Urban Design Manual.
- 9. A design brief in support of site plan applications for mixed use development is required.
- 10. Entrances and driveways are prohibited along the frontage of St. Catharines Street.

5.5 Business Park

- 1. The planned function of the Business Park designation is to accommodate service commercial, small scale and self-contained plant or warehouse uses, and office uses. It is the intent of the Business Park area to act as a connecting centre for the neighbourhood and create opportunities for residents to obtain commercial services and employment opportunities required to meet their day to day needs, within a reasonable walking and cycling distance. Accordingly, a range of commercial uses, light industrial business and professional offices are appropriate.
- 2. Commercial uses should be small scale in nature and be developed up to a maximum of $2,000 \text{ m}^2$ of gross leasable area.
- 3. Lands designated Business Park may be zoned to permit the following uses:
 - a. Service commercial:
 - b. Small scale employment uses that are compatible with adjacent residential uses;
 - c. Personal service:
 - d. Restaurants:
 - e. Commercial recreational facilities;
 - f. Office;
 - g. Clinic; and,
 - h. Local Convenience/Retail.
- 4. The following uses are prohibited within the Business Park designation
 - a. Drive-through facilities of any kind;
 - b. Automotive-oriented uses of any kind (sales, service, gas stations); and,
 - c. Adult entertainment establishments.
- 5. The Zoning By-law may further refine the list of permitted and prohibited uses.
- 6. Buildings shall have a minimum building height the equivalent of 2 storeys and a maximum building height of 5 storeys.
- 7. The Township may consider a maximum height beyond 5 storeys in the Business Park designation subject to the submission of a design brief which demonstrates the proposed increase in height will maintain an appropriate public realm and pedestrian streetscape.

- 8. Commercial facilities shall be designed to provide a safe environment for pedestrians and encourage walking.
- 9. Buildings shall be located such that they help to frame the street, and vehicle parking is located to minimize conflicts with pedestrians.
- 10. Surface parking lots are to be adequately screened.
- 11. Lighting shall be oriented away from residential areas and have minimal impact on existing and new residential uses.
- 12. Development within the Business Park designation shall be subject to Site Plan Control and shall be designed and located consistent with the direction of the Township's Smithville Urban Design Manual.
- 13. A design brief in support of site plan applications for commercial development is required.
- 14. A stationary noise assessment should be required at the site plan approval stage to ensure compatibility of non-residential uses with adjacent residential and other sensitive uses.

5.6 Parks and Natural Features

5.6.1 **Parks**

- 1. The planned function of the Parks land use designation is to provide East Smithville and the surrounding neighbourhood with convenient access to a broad range of uses, including municipal parks and other green spaces.
- 2. A central park is a key component of the Secondary Plan. It is the intent that the park designation be developed consistent with the Neighbourhood Parks and Playgrounds and Linear Parks and Greenspace Corridors typologies identified in Section 9 of the Township Official Plan.
- 3. The amount and type of parkland within the community shall be consistent with the policies contained within Section 9 of the Township Official Plan and will be determined through the draft plan of subdivision process.
- 4. Park spaces shall have trail connections to promote connectivity via on-street or off-street trails connecting blocks, open spaces and other points of interest.
- 5. Parks and trails shall be strategically located and linked to the broader trail system, as identified in the Township's Trails and Corridors Master Plan and the identified potential trail connections on Schedule A.
- 6. All trails shall be designed consistent with the Township of West Lincoln Trails and Corridors Master Plan.
- 7. Parks shall be easily accessible to residents and will be located within close proximity to all residential areas.
- 8. The Township encourages the integration of stormwater management facilities as part of the parks and open space system. Wherever feasible and appropriate, stormwater management facilities shall be designed to provide a park-like setting or the character of a

- natural wetland. However, stormwater management facilities shall not be accepted as parkland under the parkland dedication provisions of the Township Official Plan and the *Planning Act*.
- 9. The planting of trees within parkland blocks is encouraged to provide shade and to enhance the urban forest.
- 10. In addition to the provision of open space and parks, private amenity recreation space should also be provided through future development applications, particularly for lands designated for medium density residential uses.
- 11. Minor adjustments may be made to the size and location of parks and open space through the development approval process, without further amendment to the Secondary Plan, as long as the general intent of the Secondary Plan is respected.

5.6.2 Natural Features

1. The location and extent of the natural features, on Schedule A, are approximate. The boundary of the natural features shall be delineated more precisely through an Environmental Impact Study, or other appropriate study deemed acceptable by the Township of West Lincoln, Regional Municipality of Niagara and the Niagara Peninsula Conservation Authority, and be required to be submitted as part of a future development application for the lands.

6.0 SUSTAINABILITY

- 1. Development of the East Smithville Community is encouraged to implement efficient and effective methods of providing energy. This could be achieved by incorporating renewable energy resources, neighbourhood and building design techniques or other innovative initiatives.
- 2. The Township will promote development that strives to conserve energy and achieve the sustainability objectives of the Official Plan by encouraging, supporting and, where appropriate, requiring:
 - a. Compact development and efficient built form;
 - b. Transit supportive development and the greater use of active modes of transportation;
 - c. Environmentally responsible design and construction practices;
 - d. The use of green roofs;
 - e. The integration, protection and enhancement of natural features and landscapes into building and site design; and,
 - f. The reduction of resource consumption associated with development.
- 3. The incorporation of renewable energy sources, high-efficiency electrical and mechanical systems, water recycling and other "green" building features is encouraged.
- 4. The Township will encourage, at the development application stage, the reduction of energy and residential combustion emissions through a range of approaches including the development of R-2000 homes and similar commercial construction standards such as LEED or other similar published standards, the incorporation of Energy Star appliances, the physical layout of the plan having regard to energy conservation, and buildings powered by renewable energy sources.

7.0 SERVICING & TRANSPORTATION STRATEGY

The purpose of the Secondary Plan is to ensure the orderly and logical development of the East Smithville lands. Draft Plans of Subdivision shall consider the following policies:

7.1 Stormwater Management Strategy

This Plan provides a general stormwater management strategy as follows:

- 1. The lands located on the western half of the Secondary Plan area will drain west to a stormwater management facility located along the western portion of the Secondary Plan area and outlet to the western tributary of Twenty Mile Creek.
- 2. The lands located on the eastern half of the Secondary Plan area will drain east to a stormwater management facility located along the eastern portion of the Secondary Plan area and outlet to the eastern tributary of Twenty Mile Creek.
- 3. The location and size of stormwater facilities, as shown on Schedule A, is based on the general stormwater strategy and is, therefore, approximate. A detailed stormwater management study will be required to be submitted, for consideration by the Township of West Lincoln, the Niagara Peninsula Conservation Authority and the Region of Niagara as part of a complete application for development.
- 4. General stormwater management criteria required by the regulating agencies as follows:
 - a. For quantity control of all new developments, post-development storm water flows are to be maintained to pre-development levels;
 - b. For quality control, all regulatory concerns with respect to the quality of the storm water discharge must be fully and adequately addressed by the Consulting Engineer; and,
 - c. For water balance, post-development infiltration rates for the 2-year through to the 100-year storm should match pre-development level.

7.2 Servicing Strategy

This Plan provides a general water and sanitary servicing strategy as follows:

- 1. Full development of the lands will require the installation of water and sanitary sewer infrastructure.
- 2. The lands within the Secondary Plan will be serviced through the extension of sewer and water services along St. Catharines Street from Industrial Road.
- 3. The lands designated Business Park, located adjacent to Industrial Road may be serviced through connection to the existing sanitary sewer and water services on Industrial Road, subject to the completion of functional servicing reports and the satisfaction of Township and Niagara Region, as part of an application submission for development.

7.3 Transportation Strategy

This Plan provides a general transportation strategy as follows:

- 1. Lands in the Secondary Plan area shall be serviced by a collector road with a connection to the roundabout at St. Catharines Street and a connection to industrial Road. The alignment of the collector road, as shown in Schedule A, is conceptual and may be modified without amendment to this plan provided any change is consistent with the intent of the Secondary Plan.
- 2. Driveways and local street connections shall not be permitted on the north side of St. Catharines Street.
- 3. The Secondary Plan recognizes that there are existing driveway connections located on the south side of St. Catharines Street. It is a long range goal of the Secondary Plan to ensure that the number of driveways on the south side of St. Catharines Street will be reduced over time and, as such, additional driveways shall not be permitted on the south side of St. Catharines Street.

7.3.1 Internal Local Streets

- 1. All internal local streets shall require continuous sidewalks on either side of internal local streets.
- 2. All internal local streets shall be designed in accordance with the Township's Smithville Urban Design Manual.

8.0 DEVELOPMENT PHASING

The purpose of the Secondary Plan is to ensure the orderly and logical development of the East Smithville area. Draft Plans of Subdivision shall consider the following:

- 1. Full development of the lands will require the installation of water and sanitary sewer infrastructure.
- 2. Plans and functional servicing reports prepared in support of plans of subdivision are to identify staging and the rationale in support of the proposed staging.
- 3. It is the goal of the Secondary Plan to have all the lands, north of St. Catharines Street, developed at one time or incrementally from west to east. The Secondary Plan would permit alternate phasing whereby lands on the east side of the Secondary Plan area proceed as the first stage, subject to:
 - a. Any road connection to St. Catharines Street being provided to the satisfaction of the Township of West Lincoln and the Region of Niagara; and,
 - b. The extension of services being consistent with the servicing strategy identified in Section 7.0 and approval being granted to the satisfaction of the Township and the Region of Niagara.
- 4. Lands on the south side of St. Catharines Street may redevelop once municipal services have been extended.

9.0 IMPLEMENTATION

The purpose of the Secondary Plan is to guide the detailed planning and development of the East Smithville Lands over the next 20 years. The approval of plans of subdivision, and other development applications, that are consistent with the Secondary Plan will be the primary implementation mechanism.

9.1 Non-Conforming Land Uses

- 1. Any land use existing on the date of approval of this plan that does not conform with the land use designations as shown on Schedule A of this plan, or the policies related thereto, should as a general rule cease to exist in the long term.
- 2. Any land use that does not conform to the provisions of the Zoning By-law should, as a general rule, cease to exist in the long term.

9.2 Industrial Compatibility Setbacks

The D-6 Compatibility between Industrial Facilities Guidelines identifies the direct interest of the Ministry in recommending separation distances and other control measures for land use planning proposals to prevent or minimize adverse effects from the encroachment of incompatible land uses. The D-6 compatibility guidelines are intended to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another.

In order to minimize impacts future land use problems between the residential uses in the Secondary Plan area and the industrial uses to the north of the Secondary Plan area, a Holding Zone may be applied by using the Symbol 'H' in conjunction with a land use zoning category under holding symbol to satisfy compatibility concerns. Generally, the Holding By-law shall:

- 1. Clearly specify the land uses to be permitted in the interim, the conditions for removal of the holding provision and any regulations applying to the lands during the period of time the holding provision is in place.
- 2. The timing of the removal of the holding provision would be dependent on meeting the conditions identified in the Holding By-law, which shall include, among other things, the following requirement:

a. Demonstrate compliance with the Provincial D-6 Guideline "Compatibility Between Industrial Facilities and Sensitive Land Uses" where there are potential land use compatibility issues associated with existing, planned and or permitted industrial uses in proximity to proposed residential uses in the Secondary Plan area.

9.3 Amendments to the Plan

- 1. Applications for development which do not align with the Policies or land use schedule of this Plan shall require an Official Plan Amendment. Amendments to the Plan shall be subject to the policies of the Official Plan and shall require a planning justification report, along with any other supporting studies identified through the pre-consultation process.
- 2. The Township will update its zoning By-law to ensure that the land uses and design policies for this Secondary Plan are reflected in the City's zoning By-law.
- 3. Applications for development within the Secondary Plan Area shall be subject to the policies of this Plan and the Official Plan (where applicable). Amendments to the zoning Bylaw shall be subject to the policies of this Plan and the Official Plan and shall require a planning justification report, along with any other supporting studies identified through the pre-consultation process.

9.4 Future Development Applications

- 1. The review and approval of future development applications will be based on the Secondary Plan. Applications will be reviewed for conformity and consistency with the Secondary Plan, and other guiding documents.
- 2. Before submitting a development application, applicants must attend a pre-consultation meeting, in accordance with the policies of Section 18.16 of the Official Plan.
- 3. As part of future development applications, further detailed studies may be required in support of any application. These studies may include:
 - a. Planning justification report;
 - b. Conceptual Site Plan;
 - c. Land Use/ Market Needs Report;
 - d. Detailed stormwater management study;
 - e. Archaeological Assessment;
 - f. Environmental Impact Study;
 - g. Transportation Impact Study;
 - h. Noise Study;
 - i. Vibration Study;
 - j. Detailed Servicing Design Studies;
 - k. Detailed Road Design Studies;

- I. Grading Plans;
- m. Urban Design Briefs;
- n. Landscape Plans;
- o. Tree Preservation Plan;
- p. Geotechnical Report;
- q. Functional Servicing Report;
- r. Environmental Assessment;
- s. Hydrogeological Study; and,
- t. Any other study as deemed necessary by the Township of West Lincoln, Regional Municipality of Niagara, the Niagara Peninsula Conservation Authority or any other agency that may have an interest in the application as determined by the Township.

9.5 Monitoring

1. The Township will prepare a monitoring program to track the implementation of the Secondary Plan and report on the progress of its implementation. The monitoring program should identify development statistics for residential development to ensure the density target can be achieved.

9.6 Updating the Plan

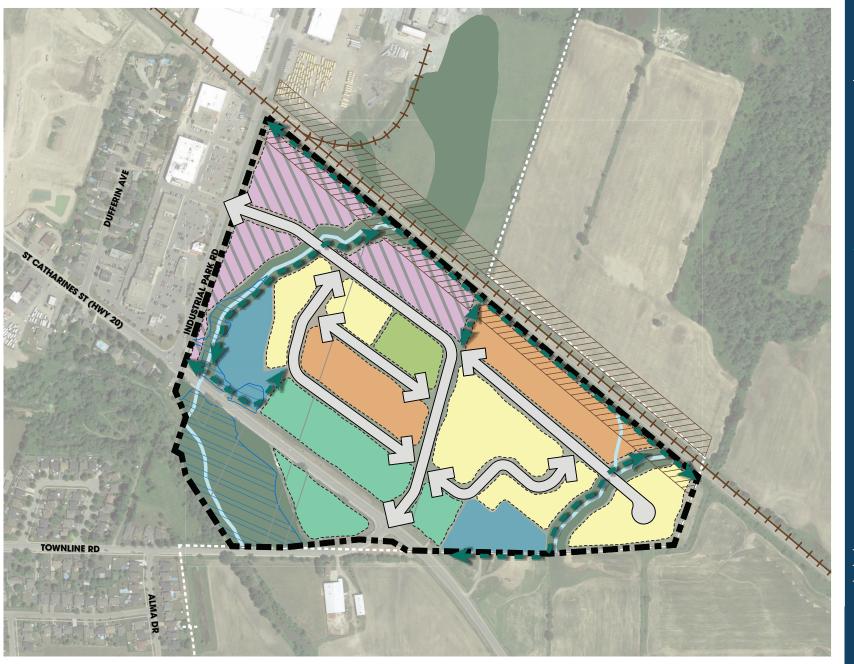
1. The Township will comprehensively review the policies of this Secondary Plan at the 5 year review of the Township's Official Plan. Depending on the outcomes of the review, the Township may decide to update the Plan.

9.7 Interpretation

- 1. In the event of a conflict between the Official Plan and this Secondary Plan, the policies of the Secondary Plan shall prevail.
- Where the general intent of this Secondary Plan is maintained to the satisfaction of the Municipality, minor boundary adjustments will not require an amendment to this Secondary Plan.

Schedule A

Community Structure Plan







East Smithville Secondary Plan Background Review

Phase 1- RFVISED

East Smithville Secondary Plan

Township of West Lincoln

Date:

February 2021

Prepared for:

Township of West Lincoln

Prepared by:

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)

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Our File 08234X

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Appendix C – Existing Conditions Review – Traffic Letter

Appendix D – Project Timeline

1.0 Introduction

MacNaughton Hermsen Britton Clarkson ("MHBC"), along with C.F. Crozier & Associates Consulting Engineering ("Crozier") was retained by the Township of West Lincoln, in association with the Region of Niagara, to undertake a secondary plan for the East Smithville lands to guide future growth in this area of Smithville. The subject lands comprise an approximate area of 34 hectares. The subject lands are located in eastern Smithville and are surrounded by existing commercial uses to the west, the Canadian Pacific Rail Line ("CP Rail") and industrial uses to the north, primarily undeveloped agricultural land to the east, and residential/agricultural land uses to the south. It is the intent of the Township of West Lincoln that these lands be developed with a mix of uses and densities and that the Secondary Plan Area acts as a future gateway into the Settlement Area from the east. An aerial photo showing the limits of the subject lands and its surrounding area is included as **Figure 1**.

The subject lands are identified in the Township of West Lincoln's Official Plan as being within the Smithville Urban Boundary but outside of the Built Boundary. Presently, the lands are designated to accommodate primarily employment and service commercial uses, with some medium density residential uses to the south of St. Catharines Street. The lands are also designated as "Greenfield Area" by the Township Official Plan.

The Township has observed that demand for new housing and related commercial development is rising within the urban boundary of Smithville. With a growing population and increased demand within the Urban Area, the Township has initiated an Urban Boundary Expansion Study for the Smithville Settlement Area. Along with the Urban Boundary Expansion Study, the Township has initiated a review of existing undeveloped parcels of land within the existing urban boundary and their current permissions. The East Smithville lands are one of the last remaining undeveloped Greenfield Areas within the Urban Boundary. Policy 5.10 (b) of the Official Plan states that "All Greenfield Areas will require a Secondary Plan prior to development." As a result, the Township has commenced the process to develop a Secondary Plan for the subject lands prior to any future development to determine the best and most efficient type of development for the area to accommodate anticipated growth.

This Report represents the culmination of the first phase of the Secondary Plan process, which effectively reviewed and analyzed the current conditions of the subject lands and led to the preparation of preliminary land use concepts for the Secondary Plan area.

1.1 Purpose of Project

The purpose of this project is to determine the best land use pattern for the East Smithville Study Area in order to develop a Secondary Plan that will guide development.

The East Smithville Secondary Plan project is divided into three phases:

- **Phase 1** involves the preparation of a background research and analysis report, which summarizes the relevant studies, reports, policy documents and background information with which to consider in the formation of the secondary plan and identifies any preliminary gaps or opportunities that exist within the study area. This report represents the conclusion of Phase 1. This phase will also include a stakeholder consultation meeting and a public information meeting to discuss the goals and vision for the lands, and to review the preliminary land use options provided in this Report.
- **Phase 2** involves refining land use options through the public consultation process. Consultation with landowners and stakeholders will occur to obtain input on community design elements and identify options for the layout and design of the Secondary Plan. A preferred development option will then be developed and a draft secondary plan will be prepared based on the input received from stakeholders and the community.
- **Phase 3** involves the completion of the secondary plan and policy framework. The final recommendation report will be provided to Council for review and approval.

The project timeline is included in this report as **Appendix D**

1.2 Purpose of Report

This Background Report has been prepared as input to the future East Smithville Secondary Plan. The purpose of this report is to provide a review and analysis of the relevant studies, reports, policy documents and other background information with which to consider in the creation of a secondary plan. This report will provide an overall policy and context review to inform the study process and summarize key findings for considerations.

The Background Report includes the following:

• A review and analysis of the existing studies and policy and regulatory frameworks applicable to the Secondary Plan Area at the Provincial, Regional and Local level;

- A technical review of current conditions relating to land use, the natural environment; available municipal servicing infrastructure; and, transportation on the subject lands;
- A summary of existing constraints on the subject lands; and,
- A summary of potential land use options for the Secondary Plan Area.

Full technical reports are included as appendices to this document.



Figure 1 **Location Plan**



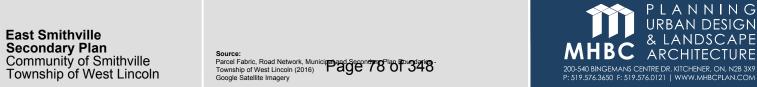
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Watercourses

1.3 Surrounding Context

The subject lands are identified in the Township Official Plan as being located within the Smithville Urban Area boundary. The majority of the subject lands are defined as being located outside of the Built Boundary, with only the small portion of lands south of St. Catharines Street being within the boundary. Located in the southeastern corner of Smithville, the subject lands act as the gateway into the Urban Area from the east. The following provides a brief description of the surrounding land uses bounding the subject lands:

North: The lands located to the north of the subject lands are separated by the Canadian Pacific Railway ("CP Railway") that provides railway travel through the Urban Area. Lands immediately north of the CP Railway are identified on Schedule B-4 of the Township Official Plan as being designated primarily "Employment Areas" with a portion of the lands just north and south of Spring Creek Road being designated "Natural Heritage Systems". The majority of the "Employment Area" lands north of the CP Rail are fully developed and consist of Class 2 and Class 3 industries. These industries form part of the Smithville Industrial Park.

East: The majority of the lands to the east of the subject lands are designated as "Agricultural & Rural Areas". These lands consist primarily of agricultural fields. The properties to the east of the subject lands are outside of the Urban Area boundary.

South: The lands to the south of the subject lands are partially located within the Urban Area. The lands that are within the Urban Area are primarily comprised of residential designations including "Low Density Residential" and "Medium Density Residential" and are largely developed. A portion of the lands to the south are designated as "Natural Heritage System" as there is a watercourse that traverses the Urban Area from east to west, known as Twenty Mile Creek. The portion of the lands to the south that are located outside of the Urban Area are designated "Agricultural & Rural Areas" and are largely used for agricultural purposes.

West: The lands located to the west of the subject lands are located within the Urban Area boundary and are identified as being within the Built Boundary. These lands are comprised of urban area designations including commercial, residential and institutional type land uses. Immediately to the west of the subject lands and on the opposite side of Industrial Park Road is a commercial plaza with Low and Medium Density Residential uses to its immediate west.

The subject lands are some of the last remaining large undeveloped parcels of land within the Smithville Urban Area. Given the current need for additional residential and employment uses, the Secondary Plan area at the eastern edge of Smithville provides an opportunity for the Township of

West Lincoln to introduce a mix of residential and employment uses into the urban boundary. These lands have the potential to be developed into a complete community that is well connected to its surrounding areas. It also holds the potential to accommodate a range and mix of uses and housing types that will attract future residents and accommodate expected growth.

2.0 Current Conditions

2.1 Guiding Policies and Studies

This section of the report provides a summary of the applicable land use policy framework as it applies to the East Smithville lands, and identifies how future development must be consistent with and/or conform to, this framework. In addition, this section of the report provides a basis for recommended Secondary Plan policies which will seek to improve and complement existing policy direction.

2.1.1 Provincial Policy Statement (2020)

The 2020 Provincial Policy Statement ("PPS) was issued by the Province of Ontario in accordance with Section 3 of the *Planning Act* and came into effect May 1, 2020, replacing the PPS issued on April 30, 2014. The PPS provides policy direction on matters of provincial interest related to land use planning and development. All decisions affecting planning matters shall be consistent with the PPS. The PPS provides a vision for land use planning in Ontario that encourages the efficient use of land, resources, and public investment in infrastructure. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement contains polices related to building strong communities, managing growth, and protecting natural and cultural heritage resources. The PPS focuses growth within settlement areas and away from significant or sensitive resources and promotes efficient land use patterns that support the long term economic prosperity of the Province and municipalities.

The most relevant policy directions in the PPS include:

- **Policy 1.1.2** states that sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for up to 25 years. Within Settlement Areas, sufficient land shall be made available through intensification and redevelopment, and, if necessary, designated growth areas.
- **Policy 1.1.3.1** states that Settlement Areas shall be the focus of growth and development.
- **Policy 1.1.3.6** states that new development taking place within designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
- **Policy 1.2.6.2** requires that the compatibility between existing industrial and manufacturing uses and the intro of sensitive land uses (i.e. residential uses).

- **Policy 1.3.1** provides that that Planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs.
- **Policy 1.4.3** encourages an appropriate range and mix of housing options and densities to meet projected market-based and affordance housing needs of current and future residents.
- **Policy 1.1.6.1a)** states that planning for sewage and water services shall accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing municipal services.
- **Section 1.6** relates to Infrastructure and Public Service Facilities that are to be provided in an efficient manner.
- **Section 1.6.6** provides policies relating to the planning of sewage and water services and guides developments on the preferred form of servicing for settlement areas.
- **Section 1.6.8** relates to Transportation and Infrastructure Corridors and their protection for the long term. The policies guide how development adjacent to existing or planned corridors are to be compatible and supportive of the long term purposes of the corridors.
- **Section 2.1** relates to the protection and enhancement of natural heritage features and areas.
- **Section 3.1** relates to natural hazards and how development shall generally be directed to areas outside of these hazardous lands.

2.1.2 Places to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

Pursuant to the Places to Grow Act, 2005, the Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") was approved and came into effect on May 16, 2019. The 2019 Growth Plan replaces the Growth Plan for the Greater Golden Horseshoe, 2017 that took effect on July 1, 2017. All planning decisions must conform to the Growth Plan. The Region of Niagara and the Township of West Lincoln are within the Greater Golden Horseshoe ("GGH"); therefore, the policies of the Growth Plan are to be considered as part of the proposed applications.

The most relevant policy directions in the Growth Plan include:

- **Section 2.2.1** directs new growth to built-up areas, and to strategic growth areas in particular. This section also provides the minimum intensification target that should be met for all residential development.
- **Section 2.2.5** directs municipalities to promote economic development and competiveness by efficiently using employment lands and providing for employment growth to accommodate future growth. The following policies associated with Section 2.2.5 apply to the subject lands and are further discussed in Section 2.2 of this Report:

- o **Policy 2.2.5.6** directs Upper-and single-tier municipalities, in consultation with lower-tier municipalities, to designate all employment areas in official plans and protect them for appropriate employment uses over the long-term.;
- o **Policy 2.2.5.9** states that the conversion of lands within employment areas to nonemployment uses may be permitted only through a municipal comprehensive review where it is demonstrated that:
 - a) There is a need for the conversion;
 - b) The lands are not required over the horizon of this Plan for the employment purposes for which they are designated;
 - c) The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;
 - d) The proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and,
 - e) There are existing or planned infrastructure and public service facilities to accommodate the proposed uses.
- o Notwithstanding Policy 2.2.5.9, **Policy 2.2.5.10** states that until the next municipal comprehensive review, lands within existing employment area may be converted to a designation that permits non-employment uses, provided the conversion would:
 - a) Satisfy the requirements of policy 2.2.5.9 a), d) and e);
 - b) Maintain a significant number of jobs on those lands through the establishment of development criteria; and,
 - c) Not include any part of an employment area identified as a provincially significant employment zone.
- o Furthermore, **Section 2.2.5.14** provides that outside of employment areas, development criteria should be established to ensure that the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site.
- **Section 2.2.6** directs housing in municipalities to achieve the minimum intensification and density targets by providing a diverse range and mix of housing options and densities and to achieve complete communities.
- **Section 2.2.7** directs new development taking place within designated greenfield areas to be planned to support the achievement of complete communities, active transportation, and the integration and sustained viability of transit services.

2.1.3 Region of Niagara Official Plan (Consolidated 2015)

The Region of Niagara Regional Official Plan (ROP) was first submitted for approval in 1973. Since then, there have been numerous amendments and modifications to the plan. The most recent consolidation of the ROP was released in August 2015. The Regional Official Plan is the long-range community planning document that is used to guide the physical, economic and social development of the Regional Municipality of Niagara. It contains objectives, policies and mapping that implement the Region's approach to managing growth, growing the economy, protecting the natural environment, resources and agricultural land and providing infrastructure.

The Regional Official Plan implements the Niagara Growth Management Strategy (Niagara 2031) and the content within the Plan aligns with the Provincial Policy Statement, Growth Plan and Greenbelt Plan. The relevant land use and design policies to be considered for this project are described below.

Schedule A of the Regional Official Plan (Figure 2) identifies the subject lands as being located within an **Urban Area Boundary** and designated "Designated Greenfield Area".

The most relevant policies directions of the Regional Official Plan include:

- **Chapter 4** of the ROP provides policy direction related to managing growth, including residential intensification targets; population, household and employment forecasts for each lower tier municipality into 2031; phasing of development; and, urban design policies for creating complete communities.
 - Section 4.C.5 states that Designated Greenfield Areas will be planned as compact, complete communities by permitting a range of land uses including residential, commercial and employment; making a significant contribution to the growth of the respective Urban Areas as a complete community; providing opportunities for mixed land uses; creating street patterns that are supportive of transit and active transportation.
 - o **Policy 4.C.6.1** requires a minimum combined density target of 50 people and jobs per hectare across all Designated Greenfield Areas.
 - o **Section 4.J** outlines the broad urban design policies for local municipalities to consider and encourages the inclusion of urban design analysis in the preparation of local secondary plans.
- **Policy 14.I.2.1 e)** states that the Region will require local municipalities to prepare secondary plans for significant Greenfield Areas which shall generally be of a size that allows for the creation of a complete community and implements local phasing strategy.

Additionally, amendments to the Growth Plan introduced new concepts around how municipalities plan for and manage growth, particularly with respect to Employment Areas. As a result of these changes to the Growth Plan, the Region of Niagara initiated Regional Official Plan Amendment 16 ("ROPA 16") in accordance with Section 26 of the Planning Act. The purpose of this Amendment is to ensure that the Regional Official Plan is in conformity with section 2.2.5 of the Growth Plan (employment policies); to establish a schedule that shows Niagara Region's identified employment areas, and; undertake technical edits to ensure consistent use of terms etc.

ROPA 16 provides that the subject lands are not included in Designated Employment Areas. Provincially Significant Employment land mapping identified these lands as outside of the Provincially Significant employment zones. Notwithstanding the unapproved status of ROPA 16, Regional planning staff have directed that for the purposes of this Secondary Plan, the East Smithville lands be considered as being located outside of a Designated Employment Area. The Region of Niagara has identified the lands to the north of the subject lands as a Regional Employment Area. As is shown on Figure 3, the subject lands have not been identified as a Regional Employment Area within the draft schedule. The proposed amendment differentiates Employment Areas and Employment Lands within the Regional Official Plan and removes the concept of prime employment areas. ROPA 16 will introduce permissions to allow for the conversion of Designated Employment Areas outside of a municipal comprehensive review. It is understood that lands that are not identified as Designated Employment Areas would not be required to meet the required conversion tests to convert employment areas to non-employment Therefore, the policies of the Growth Plan, PPS, ROP, Township OP that apply to the conversion of lands within a Provincially Significant Employment zone do not apply to the East Smithville secondary plan area.

2.1.4 Township of West Lincoln Official Plan (Consolidated 2018)

The Township of West Lincoln Official Plan provides detailed development and land use policies for the Township and directs development where it will best contribute to the long-term social, economic and environmental stability of the Township. According to Schedule B-4 of the Official Plan (Figure 4), the subject lands are designated both "Employment Area", "Service Commercial", "Medium Density Residential", and "Natural Heritage System" and are identified as being located outside of the Built Boundary. Schedule B-5 of the Official Plan identifies the subject lands as being designated "Greenfield Area".

The "Employment Area" designation recognizes existing and future areas appropriate for a broad range of employment in traditional manufacturing, warehousing and distribution, as well as new industries and office type development. The "Service Commercial" designation permits uses including those which rely on vehicular traffic for their economic existences, as well as uses which require larger land areas that are not typically located in the downtown. The "Medium Density

Residential" designation is currently located on a portion of the subject lands south of St. Catharines Street. This designation permits a range of housing types and seeks to achieve a gross density of 20-40 units per hectare. Finally, a portion of the subject lands to the south of St. Catharines Street is also designated as Natural Heritage System and consists of an Environmental Conservation Area associated with the Twenty Mile Creek and the floodplain area around the creek. According to Section 10.7 of the Official Plan, development within flood plain areas are only permitted if it has been demonstrated that, over the long term, there will be no significant negative impact on the Core Natural Heritage System or adjacent lands and the proposed development is not prohibited by other policies of the Official Plan. However, development within this designation should be located, designed and constructed with the intent to maintain, and where possible, enhance the ecological functions of the natural system.

As a lower tier municipality in a two-tier system, the Township of West Lincoln Official Plan has adopted the population household and employment forecasts allocated to the Township by the Region of Niagara (Regional Official Plan Table 4-1) and the gross greenfield density target. Table 5.3 of the Township Official Plan contains the population forecasts assigned to West Lincoln and **Policy 5.10 a)** outlines the Township's Greenfield Strategy which has adopted the Region's target of 50 persons and jobs per hectare across all Designated Greenfield Areas.

Policy 5.4 of the Township Official Plan outlines the projected housing growth by unit type for the Township. The Township Housing Forecast, Unit Mix is identified in Table 5.4 of the Plan. These figures shall be used for undertaking long term planning studies and plans, including, but not limited to housing studies, land needs analysis, and infrastructure plans and studies. The housing mix identified in Table 5.4 is shown below:

Year	Low	Medium	High	Total Housing Starts
2006	N/A	N/A	N/A	N/A
2007-2011	136	1	6	143
2012-2016	178	9	12	199
2017-2021	289	25	27	341
2022-2026	253	36	36	325
2027-2031	214	49	44	307
2006-2031 Growth	1070	120	125	1315
2006-2031 Mix	81.4%	9.1%	9.5%	100%

West Lincoln Housing Mix (Township OP Table 5.4)

Policy 5.5 a) states that Notwithstanding the projected Township wide target housing mix shown above, the Township may use alternative housing mix targets on a secondary plan or site specific basis, depending on site characteristics and constraints, provided that the alternative mix does not

adversely impact the Township's ability to meet its overall housing mix. In order to ensure that a sufficient supply of medium and high density lands are available, the Township will monitor its land supply (by type) on an annual basis and include separate land use designations for low, medium and high density uses.

Policy 5.10 b) states that All Greenfield Areas will require a Secondary Plan prior to development. The lands within the East Smithville study area shall be developed as one secondary plan.

Policy 5.10 c) outlines the issues that are to be reviewed as part of a residential secondary plan process. As part of the development of the East Smithville Secondary Plan, the project team will ensure that the Secondary Plan aligns with this policy if applicable. The following are the issues to be reviewed:

- i. Conformity with the Provincial Growth Plan and Regional Policy Amendment 2-2009. Specifically, the Secondary Plan will need to identify and permit a range of housing types and densities, the intent of which is to achieve the Provincial requirement of 50 people and jobs per hectare and the gross density shall be 20 to 30 units per hectare in order to achieve population density requirements;
- ii. A sub-watershed plan prepared in accordance with the requirements of the NPCA and the Region;
- iii. Incorporating sustainable best practices into the development including:
 - a. Maximization of water conservation through water efficient landscaping and collection, and reuse of clean water;
 - b. The use of green roofs;
 - c. Provisions for the collection and storage of recyclable waste on site; and
 - d. Encouraging the provision of on-site renewable energy generation, co-generation, or district energy systems;
 - e. Options for water and sanitary sewer servicing;
 - f. Stormwater management;
 - g. The ability of the soils to support urban development due to hydrological and hydrogeological characteristics;
 - h. The identification of important natural features, and recommendations for their protections;
 - i. The mix, density and phasing of proposed land uses;
 - j. Affordability;
 - k. The need for new or expanded parks, schools or other community facilities;
 - I. Transportation including integration with existing roads and an assessment of pedestrian connections to trails and parklands of new development;
 - m. A phase 1 Archaeological Assessment; and,

n. The preparation of urban design principles and an implementation strategy to provide guidance on the issues of accessibility, active transportation, and quality building and site design.

Land use patterns, development policies and design criteria for Smithville are addressed in **Section 6** of the Official Plan. The Official Plan distinguishes residential, commercial, employment; recreational and other service related uses and provides standards for development and design. The Official Plan defines low-density residential, medium-density residential, high-density residential and residential/mixed use land use types and the permitted uses within each type. Furthermore, **Policy 6.10.4** of the Official Plan outlines the policies applicable to lands within the Township that are designated "Employment Area".



Figure 2: Schedule A: Regional

Structure

Niagara Region Official Plan, 2018

East Smithville Secondary Plan Community of Smithville Township of West Lincoln



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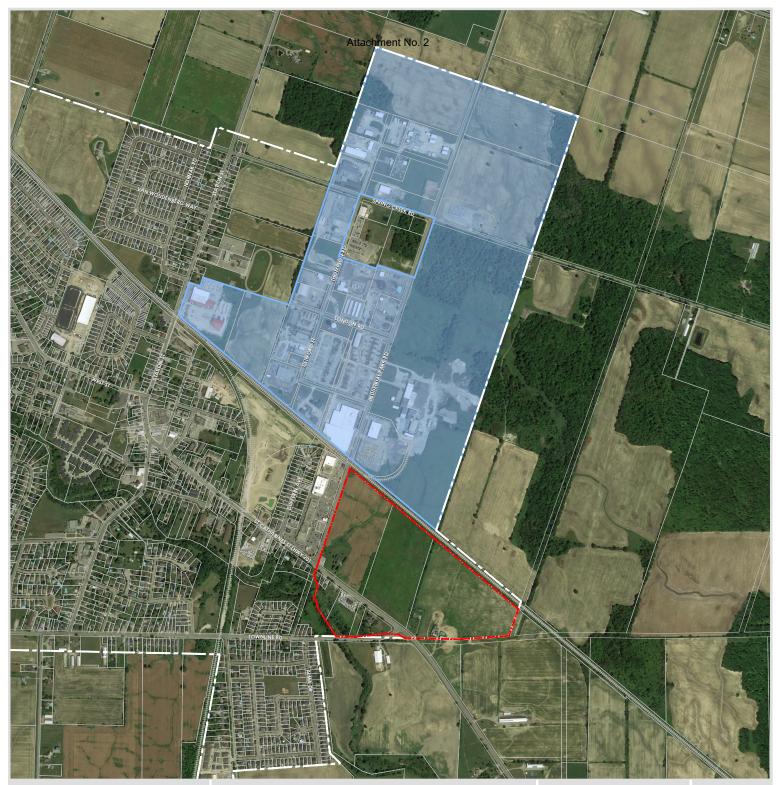


Figure 3:

Draft Employment Area

Region of Niagara ROPA 16, January 2020

Legend



Smithville Urban Area Boundary

Secondary Plan Area Boundary

Parcel Fabric



Railway Lines

Draft Employment Area

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East Smithville Secondary Plan Community of Smithville Township of West Lincoln

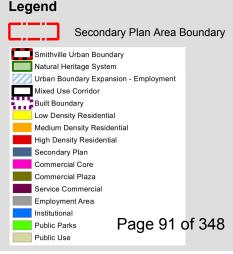
Source:
Parcel Fabric, Road Network, Municipand Second of Sabruday 8Township of West Lincoln (2016)
Google Satellite Imagery



Figure 4: Schedule 'B-4': Land Use - Smithville

Township of West Lincoln Official Plan, 2016

East Smithville Secondary Plan Community of Smithville Township of West Lincoln





ARCHITECTURE

200-540 BINGEMANS CENTRE DR. KITCHENER, ON, N2B 3X9 P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

2.1.5 Parks and Recreation Master Plan

In 2010, the Township authorized the preparation of a Parks and Recreation Master Plan. The Plan provides recommendations and strategic actions to direct the delivery and development of parks and recreation facilities into 2031 and makes specific recommendations regarding the future use/direction of the Fairground and Leisureplex lands.

The Parks and Recreation Master Plan (2010) examines the community profile of the Township and analyzes demographic, socio-economic and cultural trends in the Township that are expected to influence the Township's role and involvement in the delivery of parks and recreation services. The Parks and Recreation Master Plan acts as a tool to determine the effective delivery of parks and recreation facilities within the Township and determine future directions or changes required to meet the recreational needs of the Township's residents. A detailed inventory and needs analysis of parks and recreation facilities within the Township is also included, with specific recommendations for each. Finally, the Plan identifies a series of actions for implementation with cost estimates for each based on high, medium and low priority actions over the short, medium, and long-term horizons.

Recommendations contained within the plan include:

- The Township should consider encouraging active forms of parkland within an 800 metre radius of major residential areas;
- The Township should plan and provide for linear trails through development applications consistent with the Trails Master Plan. The Township's Urban Design Guidelines (when prepared) should incorporate this requirement as a way to encourage pedestrian connectivity;
- Incorporate natural features into the design of passive and active park space;
- Ensure that playgrounds are provided in newly developed or existing residential areas that offer access within an 800 m walking distance;
- Target at a minimum a parkland service level of 3 ha/ 1,000 residents throughout the municipality; and,
- The Township should improve pedestrian linkages to the Leisureplex through walking/biking trails that are visible and easily accessible.

2.1.6 Trails and Corridors Master Plan

Smithville's Trails and Corridors Master Plan (TCMP) was completed in 2012. The trails and corridors master plan is intended to guide the future planning and development of a comprehensive interconnected trail and corridor system for Smithville that leads, in part, to a more complete community.

The Trails and Corridors Master Plan provides a detailed trail and corridor network for the planning horizon of the Official Plan (2031). In developing the network, the study examined various nodes, destinations, features and facilities within the system. Ultimately, the Master Plan provides a trail and corridor hierarchy featuring off-road primary and off-road secondary trails and on-road primary and off road secondary corridors to provide connections to major destinations and recreation opportunities in the Township. A primary on-road corridor and secondary on-road corridor is identified along the bordering streets of the Secondary Plan Area. A potential trail is also shown adjacent to the portion of the subject lands south of St. Catharines Street. Please see **Figure 5.** Potential trail connections to the trail network are identified on the proposed Secondary Plan concept options. More detailed location of trails within the Secondary Plan area would be developed in the next phase of this project

The TCMP includes a set of design guidelines, which are intended to be flexible to allow for site conditions, in order to assist the Township in designing, constructing and maintaining each type of trail or corridor within the hierarchy. The TCMP provides several recommendations for the Township for the implementation of a comprehensive trails and corridors master plan, including recommendations that the township utilize the design standards and specifications for trails and corridors as outlined in the plan and coordinate planning for future trails and links during the Secondary Plan process and/ or the subdivision process.

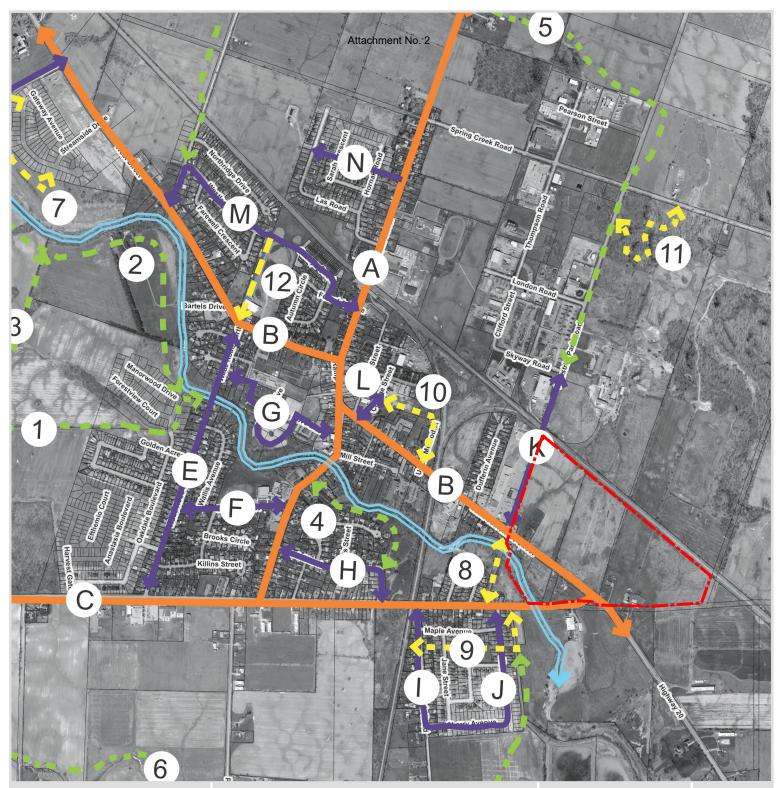


Figure 5:

Trail and Corridor Network

Figure 3 - Township of West Lincoln Trails & Corridors Master Plan, 2012

East Smithville Secondary Plan Community of Smithville Township of West Lincoln

Legend



NOTE: 1. TRAIL LOCATIONS ARE CONCEPTUAL 2. TRAILS 2, 4, 8, 11 AND F SUBJECT TO NPCA PERMIT

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2.1.7 Hemson Consulting - Land Needs Assessment Study 2019

Hemson Consulting Ltd. was retained by the Region of Niagara in 2019 to complete a review and update of population forecast allocations, and land needs assessment for the entire Region of Niagara. The purpose of the land needs assessment study is to assist upper-tier and single-tier municipalities in implementing the policies and targets of the Places to Grow – Growth Plan for the Greater Golden Horseshoe by evaluating the projected population growth within each of the municipalities that comprise the Region of Niagara in order to assess how much land is to be allocated within the Region and within each municipality for different land uses (i.e., residential, commercial and employment).

According to the results of the evaluation completed by Hemson Consulting Ltd. for the Township of West Lincoln, it was determined that to accommodate the projected growth through to 2041, the Township will require an additional 62 hectares of employment area land (jobs) and 148 hectares of community land area (residents and jobs).

As a result, the Township of West Lincoln has initiated an Urban Boundary Expansion Study to determine how to most efficiently expand the current Smithville settlement boundary to accommodate the additional lands that will be needed to accommodate the projected population and employment growth. The Township has initiated a review of existing undeveloped lands within the Urban Area to determine what policy changes, if any, can be made to encourage the development of these lands and to reduce the amount of additional land that is required. The East Smithville Secondary Plan area lands provide approximately 34 hectares of lands within the existing Urban Area that can be used to accommodate future growth.

2.2 Employment Lands Analysis

The objectives of the provincial, regional and local planning documents with respect to "Employment Areas" are aligned in that they seek to protect and preserve employment areas for current and future uses. As noted in section 2.1.3 of this report, the Secondary Plan area is not considered to be within an Employment Area. Therefore, the employment area conversion policies of the Growth Plan, Regional Official Plan and Township Official Plan do not apply. Instead, policy 2.2.5.14 of the Growth Plan which specifies that redevelopment of employment lands that are outside of Employment Areas is permitted provided that the lands will retain space for a similar number of jobs.

The proposed redesignation of the lands to accommodate a range and mix of uses, including residential and employment uses, will support the density and employment forecast targets set out by the provincial, regional and local policy framework applicable to the lands. The proposed

redesignation will support the development of a complete community and will not impact the overall Regional Employment Area located to the north of the CP Rail line.

2.3 Summary of Technical Reports

2.3.1 Natural Heritage Evaluation

Crozier was retained to undertake a Natural Heritage Constraints Analysis to support the proposed development of the East Smithville Secondary Plan for the Township of West Lincoln. The purpose of their study was to review and assess the natural heritage features and functions of the two areas (Area A and Area B), which comprised of two areas within the proposed Secondary Plan area. Please refer to **Figure 6.**

The technical memo prepared by Crozier, and attached hereto as Appendix A, provides a detailed description and background review of the physical and ecological characteristics of the natural heritage features on the subject lands. Both Area A and B within the subject lands are identified as being part of the Core Natural Heritage System by the regional and local Official Plan's. According to the description of the Core Natural Heritage System in both the regional and local Official Plan, these areas consist of Environmental Protection Areas or Conservation Areas, potential natural heritage corridors connecting the Core Natural Areas, or habitats for a range of species.

The following provides a summary of the natural heritage constraints that were evaluated as part of Crozier's review of the subject lands:

Area A

- A headwater drainage feature (unnamed tributary of Twenty Mile Creek) is present on site with multiple drainage pathways. All site drainage eventually enters Twenty Mile Creek which is located south of St. Catharines Street;
- Drainage on the property alternated between diffuse overland flow, more defined channelized flow and multi-thread channelized flow; and,
- No fish were observed with within the headwater drainage feature on the property. However, there is potential for fish to move upstream from Twenty Mile Creek into the subject property. It is anticipated that this is only possible under higher early-season flows.

Area B

• A vegetated area comprised of a total area equaling 0.5 hectares in size and located immediately east of Area A;

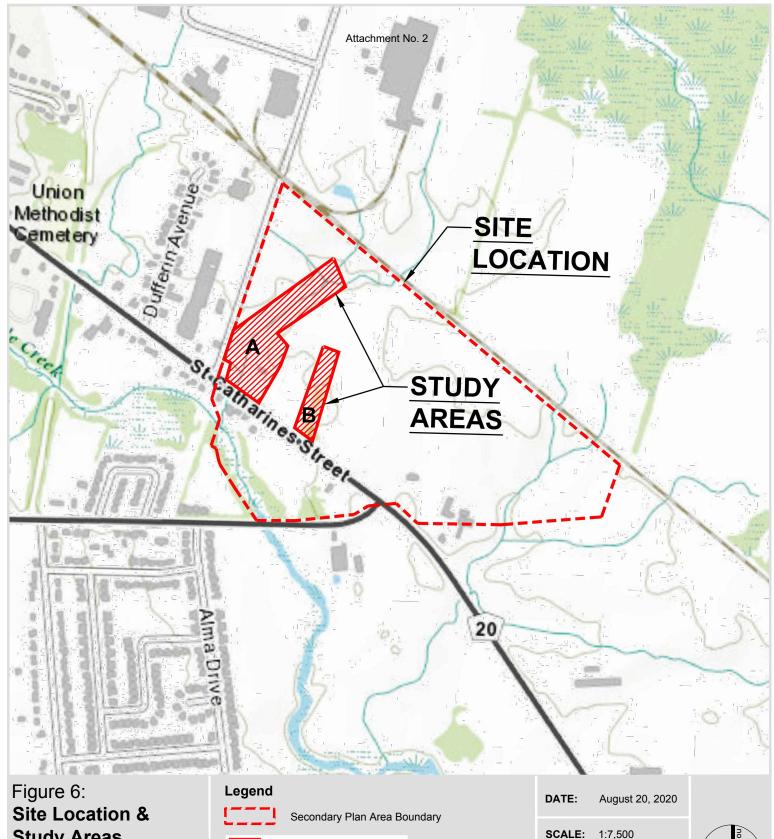
• Field tests completed by Crozier determined that this area would not function as a significant habitat for breeding amphibians and generally consists of a scattering of young/small tree cover.

According to the technical memo prepared by Crozier regarding the Natural Environment, the following was concluded:

- The subject lands do not contain any significant valleylands;
- The subject lands do not contain any significant wetlands;
- The subject lands are unlikely to provide a significant animal movement corridor because of the open and disturbed nature of the lands and adjacent lands and existing uses. The existing development in the area precluded the ability for any existing habitat connectivity or linkages;
- Rare vegetation communities apply to the maintenance of biodiversity and of rare plant communities. The subject lands contain no rare vegetation communities, nor are there any specialized habitats for wildlife found on the lands;
- No areas within the subject lands are qualified as significant habitat for any species of conservation concern; and,
- No Species at Risk were observed on the subject lands during the field test.

As a result of the investigation undertaken by Crozier on the subject lands, it was determined that no significant species or habitats were found to be existing, particularly within Area A or Area B. However, Area A does provide a contributing fish habitat to the receiving watercourse (Twenty Mile Creek). Area A should have the functions that it provides (drainage conveyance, contributing fish habitat to Twenty Mile Creek) maintained within the future Secondary Plan.

It is recommended that a 15 metre buffer on each side of the centre line of the feature be provided for a total corridor equalling 30 metres. Area B has been determined to not be significant and should not be considered a part of the Natural Heritage System. As part of the future development of the subject lands, Area B can be removed from the landscape.



Study Areas

Figure 1 - Natural Heritage Constraints Analysis prepared by Crozier Consulting Engineers, June 2020

East Smithville Secondary Plan Community of Smithville Township of West Lincoln



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2.3.2 Drainage

A headwater drainage feature is present on the site, with multiple drainage pathways as shown in Figure 3 of Crozier's Natural Heritage Analysis report attached as Appendix A. All site drainage from this area eventually enters Twenty Mile Creek which is located approximately 52 metres to the south of St. Catharines Street. Overall, the drainage on the property alternates between diffuse overland flow, more defined channelized flow and multi-thread channelized flow.

Drainage was also identified to flow through area of vegetation in the northwest, north and central areas of the property. Water levels were ranging between 3 and 25 cm and generally increased as it moved towards St. Catharines Street.

It was identified that the primary substrate type on the subject lands was clay, with secondary silt substrate. Seepage was noted in two areas by Crozier: one at the northern property boundary, immediately south of the railway line and at the northern edge of the identified Area A. It is expected that the secondary branches off the main and east branches of the drainage feature will dry up as the season progresses.

Drainage/Stormwater Management - Water Pressure

Based on the review of the topographic survey for the subject lands, it was identified that the subject lands are generally sloping from north to south with contours ranging from 190 metres near the CP Railway to 183 metres adjacent to St. Catharines Street. Water is drained to the south where four assumed culverts located below the Railway convey external flows onto the subject lands. The drainage from the site is then picked up from two main draws which conveys the water towards the two assumed culverts near St. Catharines Street and flow below the road towards Twenty Mile Creek.

A 250 mm diameter storm sewer exists running along St. Catharines Street and terminated approximately 70 metres west of the intersection of Industrial Park Road and St. Catharines Street, however, based on street level images, it is suggested that the storm sewer continues west along St. Catherine's Street collecting drainage from the road through catch basins.

It is also anticipated that two Stormwater Management Facilities will required on the subject lands. One is to be located on the western side of the subject lands and the other on the eastern side. Preliminary discussions have located these facilities immediately adjacent to the tributaries that flow through the subject lands. These can be found in the land use options found in Section 4 of this Report.

2.3.3 Water and Waste Water

The 2016 Master Servicing Plan Update (MSPU) prepared by HM Blue Plan evaluated water and wastewater infrastructure for 11 municipalities within Niagara Region and included the Township of West Lincoln. The following conclusions were reported:

Wastewater - Town of Smithville

Wastewater flows within the Smithville Urban Area are conveyed by gravity to the Smithville Sewage Detention Facility/Pumping Station located 200 metres from the intersection of Industrial Park Road and St. Catharines Street and then subsequently pumped via a 300 metre force main along Industrial Park Road to the Baker Road Wastewater Treatment Plan in Grimsby. Potential capacity issues may exist within western and central portions of the Town's wastewater system when considering future growth projections.

As part of the 2016 MSPU, alternatives were evaluated with respect to sanitary servicing upgrades for the Town to help alleviate the capacity constraints. The following alternative was reviewed and selected as the preferred alternative and included upgrading of the Smithville Sewage Pumping Station; the implementation of twin existing force main and upgrade downstream sewers. Eventually, trunk sewer upgrades will also be required in Grimsby to accommodate greater capacity.

Presently, the closest sanitary sewer connection to the site is located at the southwest corner of the Secondary Plan boundary, at the intersection of Industrial Park Road and St. Catharines Street. It was determined that should significant future intensification of other areas outside the secondary plan occur, future capacity would need to be further analyzed for the perimeter sewers. Potential sewer connection points would likely require an extension of the sewer on St. Catharines Street as the subject lands fall in a southwesterly direction towards the Regional Road. Secondary connections directly to Industrial park Road and/or Townline Road may also be contemplated. Crozier has identified that there is sufficient capacity in the current Township system to accommodate the future development on the subject lands. It is anticipated that the subject lands will be accommodated using gravity sewers.

Water – Town of Smithville

Water services in the Town of Smithville are currently serviced by the Grimsby water system and is supplied by the Grimsby Water Treatment Plan, which is a conventional surface water treatment plant. Lake Ontario serves as a source to the plant and services the local area municipalities via a water main network, pumping stations, and service reservoirs.

An existing 150 mm diameter watermain is located along Industrial Park Road, which is proposed to service the proposed Secondary Plan Area. Another 150 mm diameter watermain is also located on St. Catharines Street which currently terminates at the intersection of Industrial Park Road. A 200 mm diameter watermain branches off the 150 mm diameter watermain and cross the existing water course to service the residential subdivision and southern limits of Smithville. An extension of this watermain could be completed easterly along the southern frontage of the subject lands should a secondary connection be required to service the lands.

However, the existing watermain along Industrial Park Road should have sufficient capacity to support the development of the subject lands.

2.3.4 Transportation

Crozier prepared an evaluation of the existing traffic conditions, which can be found attached as Appendix B to this Report.

The boundary roads consist of Industrial Park Road and St. Catharines Street. Industrial Park Road is a north-south minor arterial road under the jurisdiction of the Township and is a two-lane roadway with a curb and gutter along the west leg of the road way. The eastern leg of the roadway consists of gravel and a ditch. St. Catharines Street is an east-west major arterial road under the jurisdiction of the Region of Niagara. Pedestrian sidewalks are currently available on the southern side of St. Catharines Street. There are currently no roadways that enter the subject lands.

Based on an evaluation of the current intersection operations undertaken by Crozier, it was determined that the intersections of St. Catharines Street at Industrial Park Road and St. Catharine's Street at Townline Road are operating at a Level of Service "C" during weekday a.m. and p.m. hours, with the exception of Industrial Park Road and St. Catharines Street, which operates at Level of Service "E" during p.m. hours.

An assessment of potential access locations were undertaken for the subject lands. Crozier has identified the following recommended access points be provided to the Smithville Secondary Plan area:

- One full move access to Industrial Park Road. The access is to be centred as best as applicable between the Railway and the intersection of St. Catharines Street and Industrial Park Road. The access should align with the "Village Square" commercial development on Industrial Park Road; and,
- A full moves access to create the fourth leg at the intersection of St. Catharines Street and Townline Road. This intersection is currently under construction to a single land roundabout.

It is important to note that St. Catharines Street is a Regional Road and front lotting will not be permitted.

Additional analysis will be prepared as the preparation of the Secondary Plan continues. Future access locations to the subject lands will be further discussed during the available consultation periods. Please see **Figure 7** below to review the potential locations of the accesses to the subject lands.



Figure 7:

Potential Access Locations

Transportation -



Legend

Smithville Urban Area Boundary

Secondary Plan Area Boundary

Parcel Fabric

+++++++ Railway Lines Potential Access Locations



Access 1

Access 2

acks from Natural Heritage as the Analysis Sozio fins in the Reneers, June 2020 work, Municipal and Secondary Plan Boundaries - Township of West Lincoln (2016)

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2.3.5 Canadian Pacific Railway

The Canadian Pacific Railway presently acts as the northern boundary of the subject lands. It divides the subject lands from the existing Employment Area to the north. According to the Guidelines for New Development in Proximity to Railway Operations prepared for the Federation of Canadian Municipalities and the Railway Association of Canada, a setback from the railway corridor is a highly desirable development condition, particularly in the case of new residential development.

A setback from the railway corridor provides a buffer from railway operations and provides a buffer between residents and potential adverse emissions, noise and vibration. It also provides for a required safety barrier in the rare chance that a derailment was to occur.

The standard recommended building setbacks for new residential development in proximity to railway operations is 30 metres for both a Principle Main Line and a Secondary Main Line. These setbacks must be measured from the mutual property line to the building face in order to ensure that the entire railway right-of-way is protected for potential rail expansion in the future.

One of the key issues with residential development in proximity to residential development is the noise that results from the rail operations. It is typically recommended that noise be addressed in site-specific manners. A Noise Impact Study is typically important to assess the impact of all noise sources affecting the subject lands and to determine the appropriate layout and design of the control measures.

As a result of the existing rail operations, a setback distance of 30 metres from the rail line will be required to be incorporated with the future land use options for the subject lands. **Figure 8** below shows the extent of this setback on the subject lands.



Figure 8: Required 30 m Railway Setback

Smithville Urban Area Boundary
Secondary Plan Area Boundary
Parcel Fabric

HIIIII Railway Lines

30 m Railway Setback

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East Smithville Secondary Plan Community of Smithville Township of West Lincoln

Source:
Parcel Fabric, Road Network, Municipal and Secondary Flan Reundaries
Township of West Lincoln (2016)
Google Satellite Imagery

3.0 Assessment of Constraints

As part of our review of the subject lands and the completion of various forms of analysis including of natural heritage, servicing, transportation and land use, a number of factors have been reviewed to determine whether any constraints to the future development of the subject lands in the future can be identified. Based on the technical work completed by Crozier and the review of the existing background information available for the subject lands, various factors including existing natural heritage features, surrounding industrial development, surrounding agricultural development, and the existing railway have the potential to cause limitations to how the lands can be planned and developed in the future.

As a result, the following section provides an analysis and summary of the constraints that were identified through the background review and the technical studies completed for the lands and provides a conclusion as to how the constraints may affect future development of the Secondary Plan area.

3.1 Natural Heritage

Crozier completed a Natural Heritage Constraints Analysis in order to determine the physical and ecological characteristics of the natural heritage features found on the subject lands. The following natural heritage constraints were encountered as a result of field investigations completed on the site in April 2020:

- A headwater drainage feature (tributary of Twenty Mile Creek) is located on the western half of the subject lands. A water course is also located on the eastern portion of the lands, which connects to Twenty Mile Creek;
- Fish habitat were not observed within the tributaries, however, based on the close proximity to the Twenty Mile Creek, there is potential for fish to move upstream onto the property;
- The lands located south of St. Catharine's Street and immediately north of the Twenty Mile Creek is partially located within an identified floodplain area;

As a result of the preliminary investigation completed by Crozier, it was determined that the existing tributaries found on the subject lands will require measures to be incorporated into the design of the Secondary Plan that will protect and enhance its features. As such, as part of the design of the preferred land use options for the Secondary Plan and future policy framework, appropriate buffering and setbacks will be recommended in order to ensure the protection of these watercourses and floodplain areas. A recommended buffer of 15 metres on either side of the

tributaries (total buffer of 30 metres) has been suggested by Crozier and included as part of the draft land use options for the subject lands.

3.2 CP Railway Setback

The subject lands flank the existing CP Rail Line at its northern property line and is considered the extent of the Secondary Plan Area to the north. The CP Rail is routed straight through the Smithville Urban Area and travels in an east-west direction. The location of the CP Rail line plays a role in the potential development of the subject lands for sensitive land uses. According to the "Guidelines for New Development in Proximity to Railway Operations" document, the standard recommended building setbacks for new residential development in proximity to railway operations is 30 metres. These setback distances must be measured from the mutual property line to the building face. This will ensure that the entire railway right-of-way is protected for potential rail expansion in the future.

Figure 8 demonstrates a 30 metre setback being located from the mutual property line southwards and should be incorporated into the future Secondary Plan as a required setback distance for any future development. It is important to note that the Guidelines do permit some forms of development within the 30 metre setback distance. Appropriate uses within this setback distance include:

- Public and private roads;
- Parkland and other outdoor recreational spaces;
- Garages and other parking structures; or,
- Storage sheds.

3.3 Archaeology and Cultural Heritage

It is not known whether the lands have any archaeological constraints, however, an archaeological assessment would be undertaken as a requirement of a subdivision application. Policies of the secondary plan could incorporate these requirements. As it relates to cultural heritage, it is noted that there are no identified cultural heritage landscapes or built heritage resources on the lands.

3.4 Minimum Distance Separation

As it relates to compliance with the Ministry of Agriculture Food and Rural Affairs' (OMAFRA) Minimum Distance Separation ("MDS") formulae, an analysis of the potential impacts from the proposed future development of the subject lands on surrounding livestock operations has been completed to determine potential impacts and conflicts between non-farm and farm land uses. Within Rural and Prime-Agricultural Areas, non-farm land uses are required to meet the Minimum Distance Separation I ("MDS I") formula as provided in "The Minimum Distance Separation Implementation Document: Formulae and Guidelines for Livestock Facility and Anaerobic Digester

Odour Setbacks, Publication 853 of the Ontario Ministry of Agriculture, Food and Rural Affairs, 2016. The MDS I formulae applies to all existing livestock facilities and empty livestock facilities. An empty livestock facility means a facility that is no longer used to house livestock but appears to be reasonably capable of housing livestock. The MDS I formulae is not applied to facilities that are in poor deteriorating conditions and is determined to not be suitable for housing livestock.

In 2007, Colville Consulting Inc. prepared the Smithville Strategic Growth Management Study for the Township of West Lincoln where they completed a review of the Minimum Distance Separation requirements for all of the existing livestock operations surrounding the Smithville Urban Area. Using the data collected by Colville Consulting Inc., it was determined that a total of four properties were in proximity to the subject lands (see Figure 9). The MDS I formulae was applied to these properties in accordance with MDS Guideline No. 6.

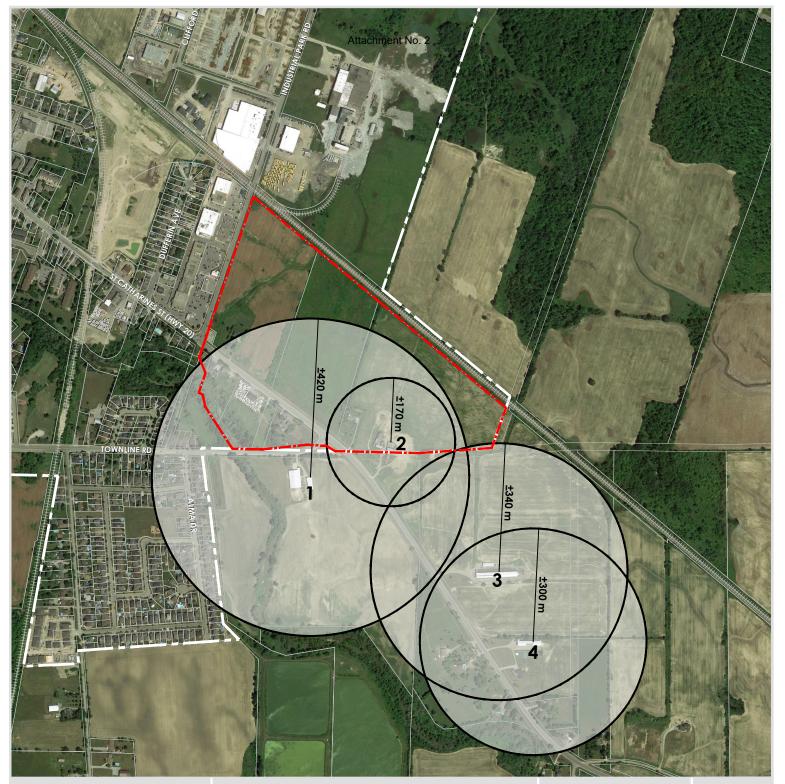


Figure 9: **Minimum Distance Separation (MDS)**

Legend



Smithville Urban Area Boundary

Secondary Plan Area Boundary



Parcel Fabric



Railway Lines

Minimum Distance Separation (MDS)

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East Smithville Secondary Plan Community of Smithville Township of West Lincoln

Property No. 1

The property identified on Figure 9 as No. 1 is located with frontage onto Townline Road. The property is an irregular shape and consists of three existing structures with an agricultural field to the rear. The three existing structures consist of an existing residential dwelling and two agricultural-related barns. Based on the information provided to us by the Township of West Lincoln Planning Staff, these barns are currently used as an existing livestock operation. As shown in Figure 9, the calculated MDS setback is 420 metres. Based on this calculation, the MDS setback encroaches well into the subject lands and includes a number of already existing properties north of the agricultural property and to its west.

As per MDS Guidelines No. 12, "Existing Uses that Do Not Conform to MDS", the MDS setback can be reduced "provided that there are four, or more, non-agricultural uses, residential uses and/or dwelling closer to the subject livestock facility than the proposed development or dwellings and those four or more non-agricultural uses, residential uses and/or dwellings are:

- Located within the intervening area between the closest part of the proposed development or dwelling and the nearest livestock facility or anaerobic digester;
- Located on separate lots; and,
- Of the same or greater sensitivity (i.e. Type A or Type B in accordance with Implementation Guidelines No. 33 and No. 34) as the proposed development or dwelling.

If all of the above conditions are met, the MDS I setback for the proposed development may be reduced such that it is located no closer to the livestock facility than the furthest of the four non-agricultural uses, residential uses and/or dwellings".

Based on review of the separation distance circles in Figure 9, and the calculations completed by Colville Consulting Inc. in 2007 for Property No. 1, a number of residential lots (exceeding four lots) exist within the MDS I setback circle. As such, based on Guideline No. 12, the MDS setback should be reduced to the current extent of the existing settlement boundary.

Due to the existing non-agricultural developments already located within the MDS setback, it is not anticipated that the future development of the subject lands for residential uses would cause any further adverse impacts on the livestock operation that are not already being experienced. Given the existing sensitive land uses surrounding the livestock operation, future expansion of the agricultural uses is not likely. As a result, the development of the subject lands would not cause a negative impact on the existing livestock operation.

Property No. 2

The property identified on Figure 9 as Property No. 2 is located within the Secondary Plan boundary and has frontage onto St. Catharines Street. The property contains a single-detached residential

dwelling and four barn structures with a silo. The physical condition of the barns are considered to be poor based on existing aerial images of the site.

It is anticipated that the existing agricultural structures will be removed in the future in order to accommodate the future growth of the Secondary Plan Area for urban area uses. As a result, there are no concerns that the future development of the subject lands will have an impact on this operation, given that these structures will be removed to accommodate future development.

Property No. 3

The property identified on Figure 9 as Property No. 3 is located to the south of the subject lands and outside of the Smithville Urban Area. The property is located with frontage onto Highway 20 and consists of two agricultural-related buildings and two silos. Based on review of the existing structures via aerial images, the structures appear to be in good condition.

Using the MDS I formulae, a MDS distance for the subject property was calculated as being 340 metres. As shown on Figure 9, when the 340 metre setback distance is applied from the existing livestock operation, the setback is shown as encroaching onto the south east corner of the subject lands. The effect of the encroachment is minor and is unlikely to significantly affect the development of the subject lands or the agricultural operation in the long term. As a result, there are no concerns that the proposed future development of the subject lands would have any form of negative impact on the agricultural operation on Property No. 3.

Property No. 4

Property No. 4 is located with frontage onto Highway 20. The property consists of one barn structure, a single family dwelling and one smaller shed building. The balance of the property consists of agricultural land. Based on review of the existing structures on the lands, it appears that the agricultural buildings are in good physical condition. Based on the MDS calculations completed by Colville Consulting Inc., it was determined that the subject lands are well separated from the Secondary Plan area. A setback of 300 metres is required from Property No. 4, which results in the setback distance being located south of the subject lands and nowhere near the existing boundary of the Urban Area.

As a result, there are no concerns that the future development of the subject lands for non-agricultural uses will have any adverse impacts on any of the existing agricultural operations in proximity to the subject lands.

3.4 Compatibility with Surrounding Industrial Uses

The D-6 Compatibility between Industrial Facilities Guidelines identifies the direct interest of the Ministry in recommending separation distances and other control measures for land use planning proposals to prevent or minimize adverse effects from the encroachment of incompatible land uses. The guidelines are intended to be applied only when a change in land use is proposed, however, it is typically expected that compatibility concerns should be recognized and addressed at the earliest possible stage of the land use planning process.

The D-6 compatibility guidelines are intended to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another.

The D-6 guidelines identify three classes of industrial facilities: Class I, Class II, and Class III. Based on case studies and past experience, the MOE has identified potential influence areas within which adverse effects may have been experienced from industrial uses. Both the D-1 and D-6 guidelines recommend separation distances or other mitigation measures based on the results of investigative studies. The mitigation can be implemented at the source, or could also be incorporated on the proposed development lands where industrial facilities are operating in compliance with the Ministry's requirements. Zones of influence relate to an overall area where an industrial facility's adverse effects may be experienced.

The guidelines recommend the following minimum separation distances for sensitive land uses from industrial uses:

Industrial Classification	Zone of Influence	Minimum Setback Distance
Class I (Light)	70 metres	20 metres
Class II (Medium)	300 metres	70 metres
Class III (Heavy)	1,000 metres	300 metres

Class I Industrial facilities are considered a business for a small scale, self-contained plant or building which produces/stores a product which is contained in a package and has a low probability of fugitive emissions. These businesses are typically solely daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage. Class II industrial facilities are for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e. contains a form of open process) and/or there are periodic outputs of minor annoyance. This classification of industry would see frequent movement of products and/or heavy trucks during daytime hours. Finally, Class III industrial facilities are considered large scale manufacturing or

processing and is characterized by its large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during both the daytime and nighttime shifts. Typically, Class III industrial facilities provide for frequent outputs of major annoyance and there is a high probability of fugitive emissions.

The lands located immediately north of the existing CP Railway consist primarily of a range of industrial uses and is considered to be the major employment area within the Smithville Urban Area. An evaluation of the existing uses in proximity to the subject lands was completed to determine which class of industry is located within 300 metres of the subject lands and could lead to future incompatibility concerns with proposed future sensitive land uses. Located immediately north of the CP Railway and within proximity are three industrial/commercial businesses that were evaluated via a desktop review. These included the following:

- Harbison Walker International: This business is classified as a Class III manufacturing
 facility located immediately north of the CP Railway. They are a manufacturer of refractory
 products and are considered to be a heavy industrial use that would require a minimum of
 300 metre separation distance from sensitive land uses.
- **Premier Express Lines:** This business is classified as a Class II facility as it contains the outdoor storage of large commercial vehicles including buses and trucks. The business is a licensed and bonded freight shipping and trucking company. This facility is considered to be a medium scale industrial business that would require a minimum separation distance of 70 metres from sensitive land uses.
- **Stanpac:** This business is classified as a Class I industrial facility as it is considered a self-contained warehouse which stores its products indoors and does not contain any outdoor storage. The company produces packaging supplies for the dairy, food and beverage industries. This facility is considered to be low scale industrial facility that would require a minimum separation distance of 20 metres from sensitive land uses.

Figure 10 and Figure 11 below shows the required setbacks from the industrial facilities to the north and demonstrates the encroachment of the setback buffer into the subject lands.

The setback buffer can be measured in two ways. The first option is to measure the setback from the existing property line. The second option is to measure the setback from the existing industrial facility. The setback buffer shown in Figure 8 was measured from the existing industrial facility and not from the property line. As a result, there is little impact on the Secondary Plan area and the majority of the lands could be developed with sensitive uses (e.g. residential). However, once sensitive land uses were developed, the expansion of industrial uses on the adjacent lands would be limited.

Figure 11 below demonstrates how the subject lands would be impacted if the industrial setback is measured from the property line. As shown, a Class II industrial facility on the lands to the north would have a minor impact on the lands. However, a Class III industrial facility, which requires a 300

metre setback distance would impact the majority of the subject lands. The resulting impacts from this setback option means that a majority of the subject lands would be limited to future development that is compatible with the industrial facilities to the north. Sensitive land uses such as residential development would not be permitted within the setback area as they would be exposed to potential adverse impacts from the industrial activities including noise, odour and vibrations. A measurement of the setback from the property line would only be necessary if the lands immediately adjacent to the railway on the northern side were developed for an industrial facility. Given the watercourse located on this portion of the lands, development of the vacant portion is unlikely.

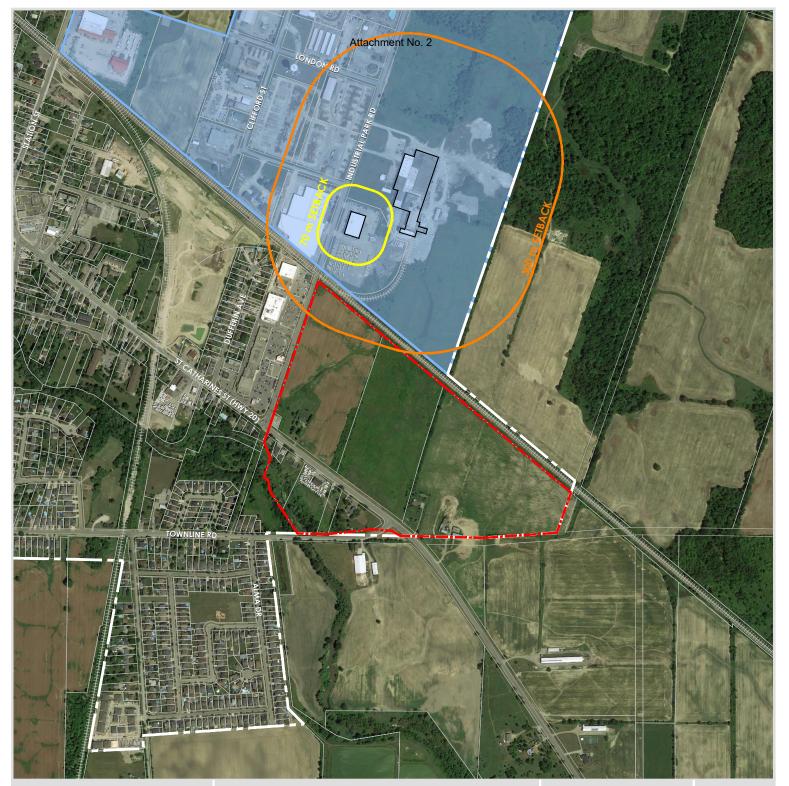


Figure 10:

MECP Guidelines D1 & D6 Minimum Recommended **Industrial Setback Distances**

East Smithville Secondary Plan Community of Smithville Township of West Lincoln

Legend

Smithville Urban Area Boundary Secondary Plan Area Boundary Parcel Fabric Railway Lines Draft Employment Area

70 m Setback from Trucking Business

300 m Setback from Manufacturing Business

Parcel Fabric, Road Network, Municipal and Secondary Flan Squnderies
Township of West Lincoln (2016)
Google Satellite Imagery

July 15, 2020 DATE:

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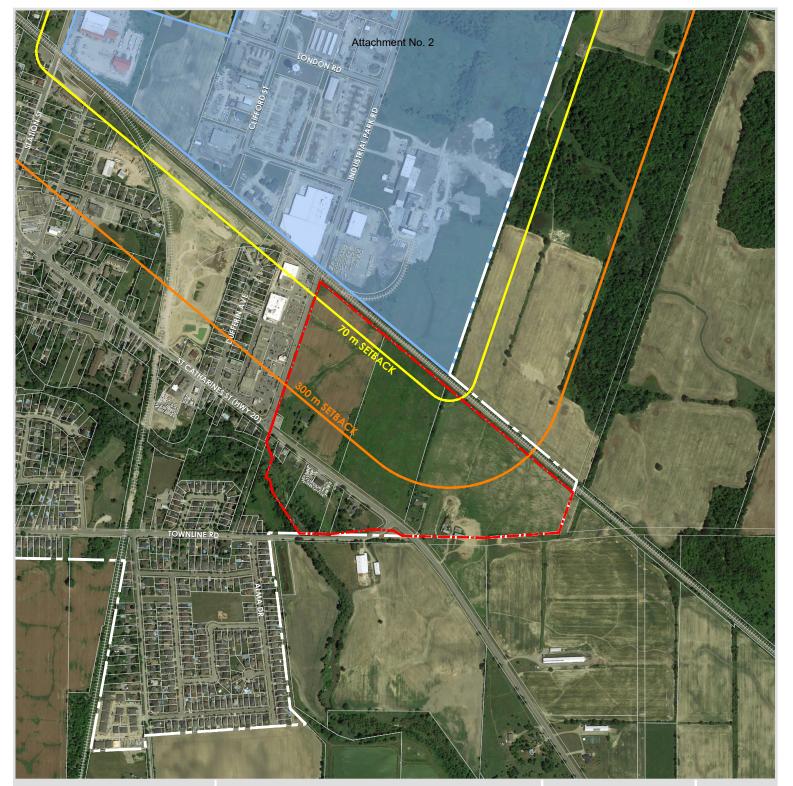


Figure 11:

MECP Guidelines D1 & D6 Minimum Recommended Industrial Setback Distances

East Smithville Secondary Plan Community of Smithville Township of West Lincoln

Legend

Smithville Urban Area Boundary

Secondary Plan Area Boundary

Parcel Fabric

Railway Lines

Draft Employment Area

70 m Setback from Draft Employment Area

300 m Setback from Draft Employment Area

Source:

Parcel Fabric, Road Network, Municipal and Secondary Gan Secondary Chan Secondary Gan Secondary Gan

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4.0 Land Use Scenarios - Conceptual

The purpose of completing the background review and constraints investigation was to evaluate the existing conditions of the subject lands and surrounding area. The findings obtained from the technical analysis completed of the subject lands assisted in the preparation of three conceptual land use options for the East Smithville Secondary Plan Area. These land use options took into consideration the existing land use needs within the Smithville Urban Area, the technical analysis completed by Crozier for the subject lands, and the various constraints that were analyzed as part of this report. Further, the most suitable configuration of north-south and east-west collector road network, the required amount of parkland to serve the new neighbourhood, and potential trail connections have been conceptualized on each of the concepts, in accordance with the existing road network and trail network within this area of Smithville.

The following section provides a description of these conceptual land use options that will eventually be presented to the public for their review and feedback. The conceptual options being presented in this report are preliminary and are subject to further refinement through the development of the Secondary Plan. Therefore, high-level land uses were identified. Furthermore, the intent of the various options is to present the range of feasible configurations under consideration.

The first two land use options are fairly similar to each other with only minor land use differences depicted (primarily residential), whereas the third land use option provides a very different concept with respect to land uses and proposes a concept where the employment area is maintained primarily. This is important as it provides two drastically different land use options for the public and Council to review and consider for the area.

The goal is that through the evaluation process of these land use options, a preferred concept is selected which could represent a hybrid amongst the most desirable elements of each option, contributing to an overall community Plan. In order to assist in the evaluation of each concept option, with the consideration of Provincial density requirements, additional details relative to the anticipated density generation for each concept has been included which utilize PPU assumptions from the Region of Niagara Development Charge Background Study. In addition, the density generated and expected job creation for each concept option will be evaluated against the density and jobs that would be generated under the existing conditions of the lands. Under existing conditions, the lands would generate approximately 300 jobs, based on the average employment density of the Smithville Industrial Park. The lands would be designated almost entirely for employment, with the commercial/class 1 industrial lands along Industrial Park Road and the Mixed-Use lands south of St. Catharines Street.

Figures 12 to 14 below illustrate the land use options for the East Smithville Secondary Plan Area, which are anticipated to be presented to the public at Public Consultation Centre No. 2 in Winter 2021.

Land Use Option No. 1

Land Use Option No. 1 is identified on Figure 12. Option No. 1 proposes a primarily new residential community. The subject lands contain two main tributaries that flow north-south and eventually connect to Twenty Mile Creek to the south of the subject lands. These two tributaries are identified as being part of the Natural Heritage System. They are comprised of two 30 metre natural corridors that act as buffers to the existing watercourses. These tributaries are to be protected and enhanced as part of the future development of the subject lands. The lands to the west of the western tributary and located with frontage onto Industrial Park Road is identified as a new Commercial/Class I Industrial area. This land use also extends partially to the east of the western tributary and acts as a buffer between the industrial facilities located to the north of the CP Railway line. The Commercial/Class I Industrial land use is proposed to consist of approximately 5.38 hectares of the total land area.

The majority of the lands located east of the western tributary is identified as Low-Density Residential and would be the primary form of development for the East Smithville Secondary Plan. The Low-Density Residential land use is proposed to consist of approximately 12.22 hectares of the total land area. This land use would accommodate lower forms of residential density and primarily single-detached dwellings. It is also proposed that two stormwater management facilities would be located within this area. These two facilities are planned to consist of approximately 8-10 percent of the entire land area. In addition, a neighbourhood park has been conceptualized as a central location within the residential areas, which will also be considered as part of the development of the East Smithville Secondary Plan Area.

This land use option proposes a High Density Residential area along the entire northern frontage of St. Catharines Street and consists of approximately 3.8 hectares of the total land area. This area would accommodate higher forms of density and multiple residential housing forms. The portion of subject lands located to the south of St. Catharines Street is proposed to be a Mixed-Use area consisting of approximately 3.15 hectares of land. The High Density Residential and Mixed Use land uses along St. Catharines Street will provide for higher forms of density along a high-traffic roadway. It is intended that this area would provide the elements of a complete community with a range of residential options that enliven the area throughout the day and employment uses that support growing economic prosperity. It is the hope that St. Catharines Street would act as a gateway to the Smithville Urban Area from the east.

Land Use Option No. 1 addresses the various constraints discussed in this report as follows:

Industrial Compatibility

• Based on the setbacks shown in Figure 8 of this Report, the maximum setback for the Class III industrial facility is shown as impacting the subject lands primarily on the portion of lands west of the western tributary and partially along the northern property line to the east of the western tributary. As a result, sensitive land uses should not be developed within this area. Instead, uses that are considered compatible with Class III industries would be appropriate. Land use option 1 suggests that the impacted lands be designated for Commercial/Class I Industrial uses to ensure appropriate compatibility and to maintain separation of the sensitive land uses from the industrial facilities to the north.

Natural Heritage

- All three land use options have incorporated 15 metre setbacks on either side of the existing tributaries that flow through the subject lands. These buffers were recommended by Crozier based on their technical investigation and findings found in Appendix A and will contribute to the protection and enhancement of these natural features on the lands.
- Two stormwater management ponds have been proposed on the western and eastern sides of the lands to address quality and quantity control of stormwater on the lands. Potential Trail Connections have been identified along the stormwater management facilities, based on the existing trail network.
- Lands located south of St. Catharines Street and within the floodplain area associated with Twenty Mile Creek are proposed to be designated Mixed Use Area to allow for higher forms of density in a potential flooding zone. A Mixed Use zone within the floodplain significantly reduces potential impact from flooding on future residential dwellings.

Employment

- Land use option 1 includes proposed land uses that can accommodate commercial/Class I industrial uses and other forms of retail and personal service shops in the Mixed Use area. Although the primary employment area currently designated on the lands is being removed as part of this option, the Secondary Plan area will contribute to a suitable and needed mix of residents and jobs.
- This lands use option is expected to generate approximately 300 jobs, with an expected density of greater than 50 people/jobs per hectare.

Minimum Distance Separation (MDS)

 As discussed in Section 3.3 of this Report, surrounding livestock operations will not be impacted by the proposed future development of the subject lands given the existing residential development surrounding the agricultural operations and the removal of the existing agricultural operation within the subject lands to accommodate future residential.

CP Railway

• A 30 metre setback has been incorporated from the railway line to protect adjacent uses from any adverse impacts associated with the active rail line.

4.2 Land Use Option No. 2

Land Use Option No. 2 is identified on Figure 13. Option No. 2 is similar to Land Use Option No. 1 as it proposes a primarily new low-rise residential community. The main differences seen between Option No. 1 and Option No. 2 is the elimination of the Commercial/Class I Industrial land use on the eastern side of the western tributary and the elimination of the High Density Residential area. The Commercial/Class I Industrial land use is solely maintained on the western side of the western tributary and will provide commercial and low scale industrial options with frontage onto Industrial Park Road. The portion of lands to the east of the western tributary is shown as being Low-Density Residential and will be an extension of the Low-Density Residential proposed for the majority of the subject lands. In this option, the Commercial/Class I Industrial land use comprises approximately 3.26 hectares of the total land area, while the Low-Density Residential land use area comprises approximately 14.32 hectares.

This option removes the potential buffer from the northern industrial uses. It is important to note that an existing 30 metre buffer is already in place as a result of the required setback from the rail line. Furthermore, based on the industrial compatibility setback of 300 metres shown in Figure 5, the Low-Density Residential land use area would not be significantly impacted by this buffer. As such, there would be no concerns with moving forward with this type of land use structure with respect to compatibility with the industrial facilities.

The final change associated with Land Use Option No. 2 is the removal of the High Density Residential strip and replacing it with a Mixed-Use land use, similar to the land use that is proposed for the lands to the south of St. Catharines Street. This option provides similar densities but increases the ability for the subject lands to accommodate employment uses. The total Mixed-Use land area on the subject lands in this option is approximately 6.9 hectares.

Land Use Option No. 2 addresses the various constraints discussed in this report as follows:

Industrial Compatibility

• Based on the setbacks shown in Figure 8, the maximum 300 metre setback associated with the Class III industrial facility is shown impacting the subject lands in the same manner as discussed above for land use option No. 1. The difference between land use option 1 and land use option 2 is the removal of the Commercial/Class I industrial use designation on the portion of the subject lands to the east of the western tributary. Lands on the western side of the tributary will continue to accommodate Commercial/Class I industrial uses in this scenario and will be compatible with the industrial uses to the north. The small encroachment of the industrial setback on the eastern side of the tributary appears to be located within the required 30 metre railway setback. No sensitive land uses are to be developed in this setback area, and as a result, there are no concerns with respect to adverse impacts on future residents from the facilities to the north in this option.

Natural Heritage

- All three land use options have incorporated 15 metre setbacks on either side of the existing tributaries that flow through the subject lands. These buffers were recommended by Crozier based on their technical investigation and findings found in Appendix A and will contribute to the protection and enhancement of these natural features on the lands.
- Two stormwater management ponds have been proposed on the western and eastern sides of the lands to address quality and quantity control of stormwater on the lands. Potential Trail Connections have been identified along the stormwater management facilities, based on the existing trail network.
- Lands located south of St. Catharines Street and within the floodplain area associated with Twenty Mile Creek are proposed to be designated Mixed Use Area to allow for higher forms of density in a potential flooding zone. A Mixed Use zone within the floodplain significantly reduces potential impact from flooding on future residential dwellings.

Employment

- Land use option 2 includes proposed land uses that can accommodate commercial/Class I industrial uses and other forms of retail and personal service shops in the Mixed Use areas located along the northern and southern frontages of St. Catharines Street. Although the primary employment area currently designated on the lands is being removed as part of this option, the Secondary Plan area will contribute to a suitable and needed mix of residents and jobs.
- This lands use option is expected to generate approximately 200 jobs.

• It is noted that if there was a greater incorporation of mixed-use land, that included office type development as a permitted use, the land use density generated would be higher.

Minimum Distance Separation (MDS)

 As discussed in Section 3.3 of this Report, surrounding livestock operations will not be impacted by the proposed future development of the subject lands given the existing residential development surrounding the agricultural operations and the removal of the existing agricultural operation within the subject lands to accommodate future residential.

CP Railway

• A 30 metre setback has been incorporated from the railway line to protect adjacent uses from any adverse impacts associated with the active rail line.

4.3 Land Use Option No. 3

Land Use Option No. 3 is identified as Figure 14. Option No. 3 provides a different outlook on how the East Smithville Secondary Plan Area could function in the future. Given the proximity of the subject lands to the Employment Area north of the CP Rail Line, and its current designation in the Township Official Plan as an Employment Area, it was considered appropriate to provide a land use option that maintained this type of development on the subject lands. Similarly to Option No. 1 and 2, the lands to the west of the western tributary found on the subject lands is proposed for Commercial/Class I Industrial land uses. The lands to the east of the western tributary are proposed to remain as Employment Area and would allow for uses classified as medium to heavy industrial classes. The ability to maintain this form of land use on the subject lands would remove any need to provide appropriate setbacks from the existing industrial uses to the north of the CP rail line as the proposed uses would be compatible with the surrounding area to the north.

The final change associated with Option No. 3 is the removal of the High-Density Residential or Mixed Use Strip fronting St. Catharines Street and replacing it with the Commercial/Class I Industrial land use. This strip has been increased in depth in this scenario to provide a higher separation distance from the proposed Mixed-Use land use area south of St. Catharines Street. The use of the Commercial/Class I Industrial land use along St. Catharines Street would allow for a commercial corridor along this high-traffic roadway. Travellers along St. Catharines Street would continue to have access to a range of commercial services.

Land Use Option No. 2 addresses the various constraints discussed in this report as follows:

Industrial Compatibility

- No concerns with respect to industrial compatibility with the industrial properties to the north as land use option 3 proposes compatible development options and no sensitive land uses, other than those located to the south of St. Catharines Street, and well outside of the setback requirement shown in Figure 8. Land use option 3 proposes to maintain the Employment Area designation on the majority of the parcel.
- Commercial/Industrial Class I uses will provide a separation between the proposed Employment Area and the Mixed Use area to the south of St. Catharines to avoid any adverse impacts on potential future residents. The Employment Area within this scenario should be limited to industries classified as Class I and Class II to avoid compatibility concerns with existing development in the surrounding area.

Natural Heritage

- All three land use options have incorporated 15 metre setbacks on either side of the existing tributaries that flow through the subject lands. These buffers were recommended by Crozier based on their technical investigation and findings found in Appendix A and will contribute to the protection and enhancement of these natural features on the lands.
- Two stormwater management ponds have been proposed on the western and eastern sides of the lands to address quality and quantity control of stormwater on the lands. Potential Trail Connections have been identified along the stormwater management facilities, based on the existing trail network.
- Lands located south of St. Catharines Street and within the floodplain area associated with Twenty Mile Creek are proposed to be designated Mixed Use Area to allow for higher forms of density in a potential flooding zone. A Mixed Use zone within the floodplain significantly reduces potential impact from flooding on future residential dwellings.

Employment

- Land use option 3 will primarily consist of Employment Area and Commercial/Industrial Class 1 uses. As a result, the conversion of employment uses to non-employment would not be necessary in this land use scenario.
- This lands use option is expected to generate approximately 300 jobs.

Minimum Distance Separation (MDS)

• As discussed in Section 3.3 of this Report, surrounding livestock operations will not be impacted by the proposed future development of the subject lands given the existing residential development surrounding the agricultural operations and the removal of the

existing agricultural operation within the subject lands to accommodate future employment uses.

CP Railway

• A 30 metre setback has been incorporated from the railway line to protect adjacent uses from any adverse impacts associated with the active rail line.

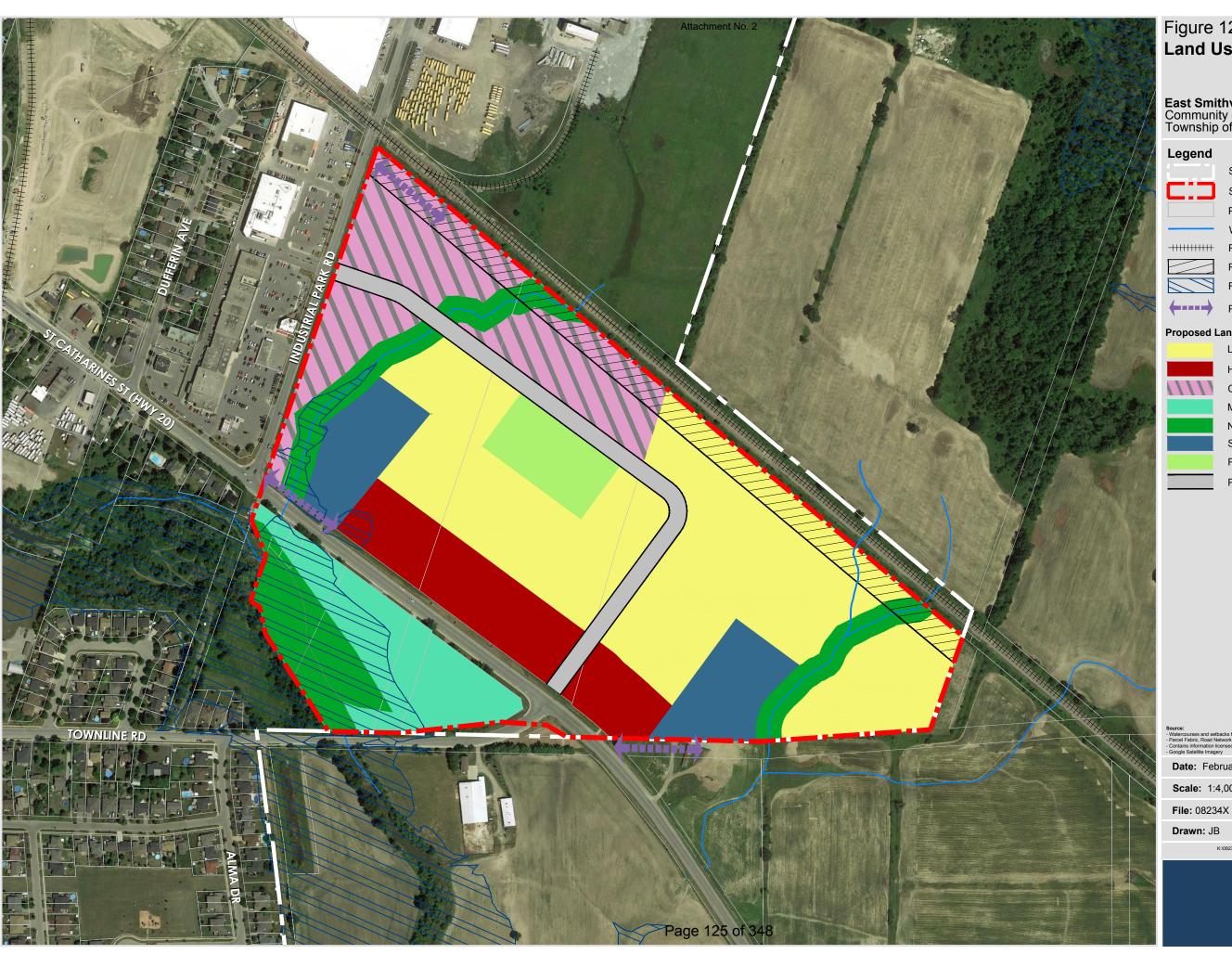
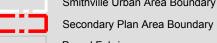


Figure 12:

Land Use Option 1

East Smithville Secondary Plan Community of Smithville Township of West Lincoln

Legend



Smithville Urban Area Boundary

Parcel Fabric

Watercourses

Railway Lines

Railway Setback

Floodplain (NPCA)

Potential Trail Connections

Proposed Land Use

Low Density Residential (±12.22 ha)

High Density Residential (±3.15 ha) Commercial/Class 1 Industrial (±5.38 ha)

Mixed Use (±2.43 ha)

Natural Heritage System (±3.58 ha)

Stormwater Management Facility (±2.43 ha) Park (±1.05 ha)

Proposed Collector Road

Date: February 3, 2021

Scale: 1:4,000

Drawn: JB

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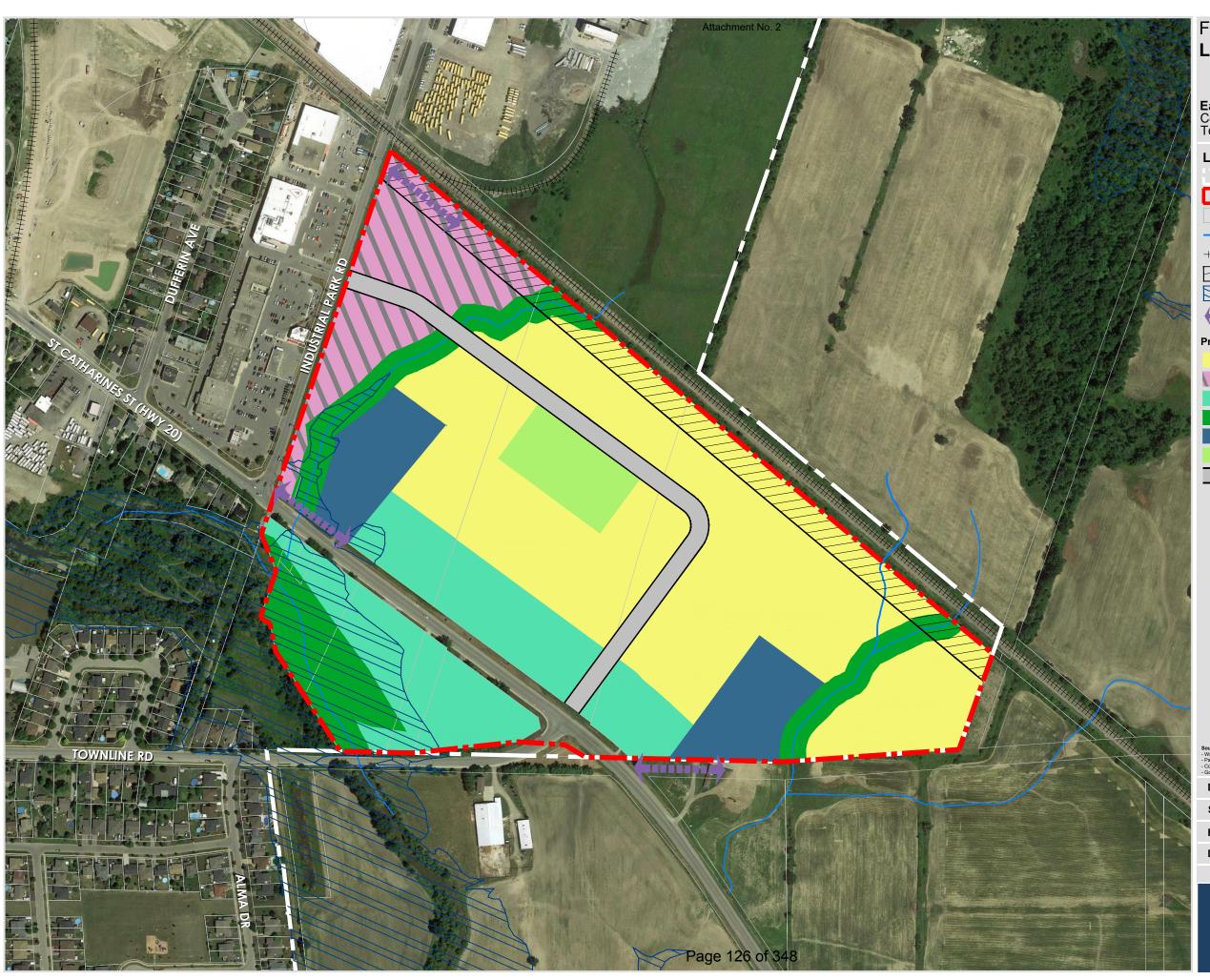


Figure 13:

Land Use Option 2

East Smithville Secondary Plan Community of Smithville Township of West Lincoln

Legend



Smithville Urban Area Boundary Secondary Plan Area Boundary

Parcel Fabric

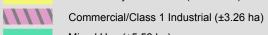
Watercourses Railway Lines

Railway Setback

Floodplain (NPCA)

Potential Trail Connections

Proposed Land Use



Low Density Residential (±14.32 ha)

Mixed Use (±5.58 ha)

Natural Heritage System (±3.58 ha)

Stormwater Management Facility (±2.43 ha)

Park (±1.05 ha)

Proposed Collector Road

Date: February 3, 2021

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Drawn: JB



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Figure 14:

Land Use Option 3

East Smithville Secondary Plan Community of Smithville Township of West Lincoln

Legend



Smithville Urban Area Boundary

Secondary Plan Area Boundary

Parcel Fabric

Watercourses

Railway Lines

Railway Setback

Floodplain (NPCA)

Potential Trail Connections

Proposed Land Use



Commercial/Class 1 Industrial (±7.26 ha)

Employment Area (±14.55 ha)

Mixed Use (±2.43 ha)

Natural Heritage System (±3.58 ha)

Stormwater Management Facility (±2.43 ha)

Proposed Collector Road

Date: February 3, 2021

Scale: 1:4,000

Drawn: JB

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5.0 Conclusion and Next Steps

The three land use options described above and shown in Figures 7 to 9 will be used as part of the initial consultation process in the development of a final Secondary Plan Area. As the process proceeds and additional information is gathered, an evaluation criteria will be developed to assist in assessing the potential options to produce one preferred solution that represents the most desirable development concept, balancing the needs of the Township, the public, landowners, and local residents. Evaluation criteria such as the Natural Environment, Land Use and Development Patterns, Socio-Economic considerations, Cost and Sustainability, and, Transportation may be included as factors in how to determine the most efficient form of development.

Building on the background research and high-level issues identified in this Report, the project team will meet with Township and Regional Planning Staff to confirm initial results and discuss next steps. The project team will begin to review the issues and opportunities, limitations, and restrictions for development of the East Smithville Secondary Plan and examine the opportunities for development of these lands.

In the process of developing land use design options, consultation and engagement is planned to occur in two stages; engagement with the landowners and engagement with the public. The East Smithville Secondary Plan area landowners group have been engaged early to assist in determining the vision and direction for the development of the subject lands and obtain their feedback prior to resuming the design stage. The public will be engaged to review the preliminary design options presented in this Report and to obtain feedback on a preferred scenario. It is anticipated that these public consultations will occur in Winter and Spring 2021.

Respectfully Submitted,

MHBC

Dan Currie, MA, MCIP, RPP

Partner

Michelle Baya, BES Planner

Appendix A

NATURAL HERITAGE CONSTRAINTS ANALYSIS EAST SMITHVILLE SECONDARY PLAN EXPANSION TOWNSHIP OF WEST LINCOLN PREPARED FOR:

MHBC PLANNING INC.

PREPARED BY:

CROZIER CONSULTING ENGINEERS 40 HURON STREET, SUITE 301 COLLINGWOOD, ONTARIO L9Y 4R3

JANUARY 2021

CFCA FILE NO. 0529-5527

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Revision Number	Date	Comments
Rev. 1	January 2021	Submission to MHBC

1.0 Executive Summary

C.F. Crozier & Associates Inc. (Crozier) was retained by **MHBC Planning Inc.** (the "Proponent") to undertake a Natural Heritage Constraints Analysis to support the proposed East Smithville Secondary Plan Expansion for the community of Smithville in the Township of West Lincoln.

The purpose of the study is to assess the significance of three natural heritage features within the proposed Secondary Plan expansion area. It is understood that further and more detailed natural heritage evaluations will be required for the proposed Secondary Plan expansion area, however these studies will be completed at future development stages.

The analysis contained within this report was prepared using field work, second source data and existing natural heritage policy applicable to the subject and adjacent lands.

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Lands

2.0 Introduction

CF Crozier & Associates Inc. (Crozier) was retained by **MHBC Planning Inc.** (the "Proponent") to undertake a Natural Heritage Constraints Analysis to support the proposed East Smithville Secondary Plan for the community of Smithville in the Township of West Lincoln.

The purpose of the study is to assess the significance of key features within the Secondary Plan area that have been identified within local Official Plans and Zoning schedules as natural heritage features. These features are noted as Areas A, B and C on Figure 1 herein. It is understood that further and more detailed natural heritage evaluations will be required for the proposed Secondary Plan expansion area, however these studies will be completed at future development stages.

2.1 Study Goals and Objectives

The purpose of this Constraints Analysis is to provide a detailed description and background review of the physical and ecological characteristics of the natural heritage features from the subject lands including the functions, significance and sensitivity in order to define constraints and opportunities for future land development including the potential for a Natural Heritage System (NHS).

The policies and technical requirements of the Official Plans for the Township of West Lincoln and Niagara Region and the 2020 Provincial Policy Statement (PPS) have been considered as part of this study.

The specific objectives that will be completed as part of this Constraints Analysis include the following:

- a) Provide an evaluation of the ecological features and functions of the subject lands through detailed background review and preliminary field investigations;
- b) Identify and map any and all significant features (i.e. any significant habitat for Species at Risk), key ecological attributes and sensitivities of the subject lands;
- c) Determine the need for buffers and/or for any and all natural features and provide recommendations for the mitigation and protection of natural heritage features and functions.

3.0 Natural Heritage Policy

Provincial and municipal planning policies guided the preparation of natural heritage constraints and opportunities for the proposed development on the subject lands. Existing background policy information sources were reviewed to identify any mapped natural heritage features that may occur on or adjacent to the subject lands. In addition, a review of background data from various sources pertaining to the subject and adjacent lands was also completed. These policies and background information sources include:

- a) Ontario Provincial Policy Statement (2020);
- b) Niagara Region Official Plan (2014);
- c) Township of West Lincoln Official Plan (2018);
- d) Niagara Penninsula Conservation Authority Ontario Regulation 155/06 (2006)
- e) Ministry of Natural Resources Natural Heritage Reference Manual (2010) and the Significant Wildlife Habitat Technical Guide (2000);

- f) Ontario Natural Heritage Information Centre database (2020) (www.nhic.mnr.gov.on.ca);
- g) The Ontario Breeding Bird Atlas (<u>www.birdsontario.org</u>);
- h) The Species At Risk Public Registry (<u>www.sararegistry.gc.ca</u>);
- i) Ontario Endangered Species Act (2007);
- i) Aerial photographs.

3.1 Provincial Policy Statement (PPS)

The Provincial Policy Statement addresses the protection of Natural Heritage Features in relation to development.

According to the Provincial Policy Statement (2020), various provincially defined natural features shall be protected for the long term. Relevant sections state:

- "2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.
- 2.1.4 Development and site alteration shall not be permitted in:
 - a) significant wetlands in Ecoregions 5E, 6E and 7E, and
 - b) significant coastal wetlands
- 2.1.5 Development and site alteration shall not be permitted in:
 - a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E;
 - b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Mary's River);
 - c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Mary's River);
 - d) significant wildlife habitat; and
 - e) significant areas of natural and scientific interest; and
 - f) coastal wetlands in Ecoregions 5E, 6E and 7E that are not subject to policy 2.1.4(b)

unless it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions.

- 2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.
- 2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
- 2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions."

3.1.1. Relevance to the Study Areas

Recommendations in this report shall be consistent with policy statements made under the Act.

3.2 Niagara Region Official Plan

Section 7B of the Niagara Region Official Plan details the policies of the Core Natural Heritage System. The Core Natural Heritage System contains of Core Natural Areas that are classified as either Environmental Protection Areas or Environmental Conservation Areas, potential Natural Heritage Corridors that connect the Core Natural Areas, Greenbelt Natural Heritage and water resources systems and fish habitat. The Core Natural Heritage System is identified on Schedule C of the Official Plan.

3.2.1. Relevance to the Study Areas

Areas A, B and C are identified as features on Schedule C, Core Natural Heritage. Areas A and C are identified as Fish Habitat and Area B is identified as Environmental Conservation Area (See Appendix A).

3.3 Township of West Lincoln Official Plan

The Township of West Lincoln's Core Natural Heritage System is described in Section 10.7 of the West Lincoln Official Plan. The Core Natural Heritage System consists of the following components:

- Environmental Protection Areas or Environmental Conservation Areas;
- Potential Natural Heritage Corridors connecting the Core Natural Areas;
- The Greenbelt Natural Heritage and Water Resources Systems;
- Fish Habitat.

Schedules C-1 to C-4 of the Official Plan show the above noted components of the Core Natural Heritage System. Schedule B-4 shows the land use for Smithville specifically.

3.3.1. Relevance to the Study Areas

Schedules C-1 and C-4 of the Official Plan both designate the tributaries in Areas A and C within the subject lands as fish habitat. Area A only is identified on Schedule C-2 as Floodplain (See Appendix B). Area B is designated on Schedule B-4 as a part of the Natural Heritage System (NHS) (See Appendix B).

3.4 Niagara Peninsula Conservation Authority (NPCA)

Ontario Regulation 155/06 is the Generic Regulation of the Conservation Authorities Act, which came into effect in May 2006, specific to the regulation of development, interference with wetlands, and alterations to shorelines and watercourses. Under this regulation, hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances within the Authority are delineated by the "Regulation Limit" shown on maps that are filed by the NPCA.

Regulation 155/06, 'Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation', requires that a permit be obtained from the Authority when undertaking any of the following:

- Straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse or interfering in any way with a wetland;
- Development adjacent or close to the shoreline of inland lakes, in river or stream valleys, hazardous lands, wetlands or lands adjacent to wetlands.

Development as defined by the Conservation Act includes:

- The construction, reconstruction, erection or placing of a building or structure of any kind, or changes to an existing building or structure to alter its size or purpose;
- Site grading;

• The temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

The intent of the permit process is to ensure that activities in these areas will not result in a risk to public safety or property damage and that the natural features are protected through the conservation of land. Ontario Regulation 155/06 also limits the amount of potential development in floodplains.

3.4.1. Relevance to the Study Areas

The tributaries in Areas A and C as well as a small portion of land along St. Catharine Street (Hwy. 20) are located within the NPCA's Regulation Limit Area (see Figure 2). A portion of the tributary in Area A is also described as Regulated Floodplain.

3.5 Endangered Species Act

The Provincial Endangered Species Act (2007) protects the endangered species that are listed on the regulations under the act. It specifically prohibits wilful harm to endangered species that are listed in regulations under the Act and the wilful destruction of, or interference with, their habitats. The Committee on the Status of Species at Risk in Ontario (COSSARO) assesses any Ontario species that might be experiencing declines based on research conducted by government staff or reports form other sources. Species are classified into categories based on the degree of risk that they face which include Extirpated, Endangered, Threatened or Special Concern. Only those species that are categorized as either Extirpated, Endangered or Threatened are afforded protection under the Endangered Species Act. A searchable online database of the species assessment reports is available at www.cossaroagency.ca/species.

The Natural Heritage Information Centre (NHIC) tracks and maintains data on Ontario's endangered species and was consulted as to the listed species on or within the one kilometre grid that includes the subject lands.

3.5.1. Relevance to the Development Proposal

The search of the NHIC in January 2021 found that there was one Natural Area within grid number 17PH1972.

4.0 Existing Natural Heritage Conditions

Preliminary field investigations of Areas A and B were completed by a qualified biologist on April 27, 2020. Area C identified on Figure 1 was not part of the field investigation but has been included in this study using second source data review.

4.1 **Area A**

A headwater drainage feature assessment was completed by Azimuth Environmental Consulting using the methodology in the Ontario Stream Assessment Protocol (MNRF, 2017) and in accordance with the Evaluation, Classification and Management of Headwater Drainage Features Guidelines (TRCA/CVC, 2014) and is included in Appendix C. The site visit did not capture early-spring conditions resulting from thaw/snowmelt, but was completed while conditions remained relatively wet prior to leaf out.

A headwater drainage feature (an unnamed tributary of Twenty Mile Creek) is present on the site, with multiple drainage pathways as shown on Figure 3 and site photographs in Appendix C. All site drainage eventually enters Twenty Mile Creek approximately 52m to the south of St. Catharines

Street.

Overall, drainage on the property alternated between diffuse overland flow, more defined channelized flow and 'multi-thread' channelized flow. Drainage was also seen to flow through areas of vegetation composed primarily of cattails, in northwest, north and central areas of the property. Along the main northeast-southwest branch of the drainage feature, water levels ranged between 3-25cm, and generally increased towards St. Catharines Street.

The primary substrate type was clay, with secondary silt substrate. No coarse sand, gravel or cobble was observed on the property. Although not yet growing, the dominant riparian vegetation class is the surrounding cropland with some sections of meadow. In-feature vegetation is expected to be abundant based on the large amount of dead herbaceous vegetation observed.

Seepage was noted in two areas: one at the northern property boundary, immediately south of the railway line (potentially the result of a buried culvert under the track conveying water from north of the track) and at the northern edge of Area A (Figure 3). Watercress, indicating potential groundwater inputs, was consistently observed in the southern portion of Area A within the main branch of the drainage feature (Figure 3). Other aquatic vegetation was also noted in the channel in the same section as well as in the east branch to the north.

It is expected that secondary branches off the main and east branches of the drainage feature will dry up as the season progresses (Figure 3). Flow permanency is unknown in the main and east branches which had much greater (albeit <0.5L/s) flows during the spring site visit.

No fish were observed within the headwater drainage feature on the property during the assessment or at the St. Catharines Street culvert. However, based on the close proximity to, and hydraulic connectivity with Twenty Mile Creek (and no obvious barriers downstream of St. Catharines Street visible from the road), there is potential for fish to move upstream onto the property from Twenty Mile Creek. It is anticipated (but unconfirmed) that this is only possible under higher early-season flows.

Any fish usage of the headwater drainage feature on the property would likely be limited to the deeper downstream section within approximately 80m of St. Catharines Street. Upstream of this point, flow conditions, channel measurements (or the lack of a channel) and in-feature vegetation (that had not yet come up during the site visit) would restrict fish passage. Even in the deeper downstream section on the property habitat quality is considered marginal, despite the presence of watercress. In the section of the channel downstream of St. Catharines Street (off property), the channel appears to have been historically altered given its straight alignment, the presence of a gabion retaining wall and what appears to be rip rap lining the channel. While fish passage from Twenty Mile Creek appears to be possible under the conditions observed on site, areas available to fish are very limited and habitat is of low quality.

Fisheries and Oceans Canada Species At Risk mapping indicates that there are records of Grass Pickerel (Esox americanus vermiculatus), a species of Special Concern under the Endangered Species Act/Species at Risk Act, in the Twenty Mile Creek watershed, including the unnamed tributary of Twenty Mile Creek on the property (DFO, 2019).

4.2 **Area B**

Limits of vegetation in Area B produces a polygon approximately 0.5ha in size (See Figure 3). Field observations by a qualified biologist on April 27, 2020 indicated limited pooling within Area B. These pool areas are likely to dry early in the season and hence would not function as significant habitat for breeding amphibians. The polygon has characteristics of a thicket overall as it has only a

scattering of young/small tree cover (tree cover <25%, shrub cover >> 25%) (see Appendix C).

4.3 **Area C**

Aerial photography identifies an unnamed tributary on the eastern portion of the Secondary Plan area (Area C). Although this tributary was not included as part of the field investigations, second source data and policy search was completed for this area. Official Plans for both Niagara Region and Township of West Lincoln identify the tributary as Fish Habitat. It is also included in the regulated area of the NPCA. Detailed natural heritage evaluations will be required for the proposed Secondary Plan expansion area, including Area C, however these studies will be completed at future development stages.

5.0 Significant Natural Heritage Features

5.1 **Significant Valleylands**

There are no significant valleylands on the subject lands.

5.2 **Significant Woodlands**

There are no significant woodlands on the subject lands.

5.3 **Significant Wetlands**

There are no significant wetlands in Areas A, B or C. An area of Provincially Significant Wetland (PSW) has been identified on a portion of Twenty Mile Creek within the Secondary Plan area. More detailed natural heritage evaluation of the PSW, including the determination of setbacks, will be required for the proposed Secondary Plan expansion area, however these studies will be completed at future development stages.

5.4 Significant Wildlife Habitat Assessment

Significant Wildlife Habitat can be difficult to appropriately determine at the site-specific level, because in many cases the assessment must incorporate information from a wide geographic area and consider other factors such as regional resource patterns and landscape effects. The following sections of the Significant Wildlife Habitat Criteria Schedules for Ecoregion 6E (MNRF 2015) include the four components of Significant Wildlife Habitat. These are:

- 1. Seasonal Concentrations of Animals;
- 2. Rare Vegetation Communities or Specialized Habitats;
- 3. Habitats of Species of Conservation Concern; and,
- 4. Animal Movement Corridors.

5.4.1. Seasonal Concentrations of Animals

Some species of animals gather together from geographically wide areas at certain times of year. This could be to hibernate or to bask (e.g., some reptiles), over-winter (e.g., deer yards) or to breed (e.g., Bullfrog breeding and nursery areas). Maintenance of the habitat features that result in these concentrations can be critical in sustaining local or even regional populations of wildlife.

No seasonal concentrations of animals as defined in the Significant Wildlife Habitat Technical Guide (OMNR, 2000) were identified on the subject lands during the field investigations.

5.4.2. Animal Movement Corridors

Landscape connectivity (often referred to as "wildlife corridors") has become recognized as an important part of natural heritage planning and a wide range of benefits have been attributed to the maintenance or re-connection of the undisturbed landscape. In essence, corridors are relatively protected passageways for animals to move between areas of high habitat importance. Conservation of distinct habitat types to protect species is not effective unless the corridors between them are also protected.

The subject lands are unlikely to provide a significant animal movement corridor because of the open and disturbed nature of the lands and adjacent lands and adjacent uses. All surrounding land use activities preclude any existing habitat connectivity/linkage or a potential for same.

5.4.3. Rare Vegetation Communities or Specialized Habitats

Rare vegetation communities apply to the maintenance of biodiversity and of rare plant communities (rather than individual rare species).

Specialized habitat conditions can include species of breeding birds that are associated with large blocks of wetland (generally >25 ha) that also include interior habitat (i.e., that which is more than 100 m from an edge).

Specialized habitats for wildlife can include habitat for species of breeding birds that are associated with large blocks of habitat (i.e., area-sensitive birds), old-growth forests, calving areas for moose, cliffs and a variety of other specialized habitats.

No rare vegetation communities occur on the subject lands.

There are no specialized habitats for wildlife found within the subject lands.

5.4.4. Species of Conservation Concern

This category is quite complex and includes species that may be locally rare or in decline but have not yet reached the level of rarity that is normally associated with Endangered or Threatened designations. The Significant Wildlife Habitat Technical Guide (MNR, 2000) suggests that the highest priority for protection be provided to habitats of the most rare species (on a scale of global through to local municipality) and that habitats that support large populations of a species of concern should be considered significant. The determination of Significant Wildlife Habitat under the Species of Concern category (and under other categories) is a comparative process that must extend across the jurisdiction of the planning authority to be considered definitive.

No areas within the subject lands qualified as significant habitat for any species of conservation concern.

5.5 Karst Topography

Ontario Geological Survey mapping indicates that the Secondary Plan area is located within 'potential' and 'known' karst areas (See Figure 4). It should be noted that much of this mapping is interpolated from individual karstic features located in Ontario. A detailed karst investigation will be required as part of an EIS prior to any development approvals within the Secondary Plan area.

5.6 **Resource Significance**

A search of the Natural Heritage Information Centre (NHIC) database was conducted on January 27, 2021 for element occurrences in natural areas, wetlands, ANSIs, natural areas and living legacy sites in proximity to the subject property. A search of the NHIC found that there was one Natural Area, within the 1km x 1km grid 17PH1972.

OGF ID 1016926 is for a Natural Area, the Lower Twenty Mile Creek Wetland Complex, which is downstream of the tributary located in Area A.

In addition to the NHIC records, the Region of Niagara website and other sources listed in the background data review were searched for environmental designations pertaining to the natural features on the subject property. The study areas do not contain any of the following environmental designations:

- Environmentally Significant/Sensitive Area (ESA)
- Life Science Area of Natural and Scientific Interest (Life Science ANSI)
- Earth Science Area of Natural and Scientific Interest (Earth Science ANSI)
- Endangered (END) or Threatened (THR) flora or fauna
- Special Concern (SC) flora

5.7 Endangered Species Act (Species at Risk in Ontario – SARO)

No Species At Risk were observed on the subject lands. A record for one Species of Special Concern was found through second source research on or adjacent to the study area (Areas A and C), however this fish species was not observed during the field visit. Only those species that are categorized as either Extirpated, Endangered or Threatened are afforded protection under the Endangered Species Act. A searchable online database of the species assessment reports is available at www.cossaroagency.ca/species.

5.8 Fisheries Act

No fish were observed in the channel during the field investigations. The Natural Heritage Information Centre (NHIC) and Conservation Ontario and DFO mapping were reviewed for potential on-site Critical Habitat or aquatic and fish Species At Risk. DFO Species At Risk mapping indicates that there are records of Grass Pickerel (Esox americanus vermiculatus), a species of Special Concern under the Endangered Species Act/Species at Risk Act, in the Twenty Mile Creek watershed, including the unnamed tributaries of Twenty Mile Creek on the subject lands (Areas A and C), however only those species that are categorized as either Extirpated, Endangered or Threatened are afforded protection under the *Endangered Species Act*.

6.0 Natural Heritage System Recommendations

Following a review of all secondary sources of information combined with the in-field assessment by a qualified biologist, it is confirmed that there are no significant species or habitats existing within the areas studied (Areas A, B and C). Areas A and C do however provide contributing fish habitat to the receiving watercourse, Twenty Mile Creek, which has records of Grass Pickerel within its watershed. Area B (thicket) is not significant, is small, isolated and should not be considered a part of the NHS. As a part of any future development plan it can be removed from the landscape (See Figure 5). Area A (Headwater Drainage Feature) should have the functions that it provides (drainage conveyance, contributing fish habitat to Twenty Mile Creek) maintained within future Secondary Plan considerations. The Area A feature can be considered for relocation so long as the ecological functions currently provided are maintained or enhanced within the plan. A 15m buffer on each side of the centre line of the feature should be provided (30m corridor) whether the feature is maintained in place or relocated (See Figure 5). Field studies were not completed for Area C however a 15m buffer on each side of the centre line of the feature has been provided for a 30m corridor (See Figure 5) until further study is completed as part of an EIS prior to any development approvals within the Secondary Plan area.

7.0 Conclusions

Based on the information gathered from second source data and from the site visit by a qualified biologist, there are no significant natural heritage features or functions located in either Areas A or B. Area A however, provides functional drainage and contiguous contributing fish habitat to Twenty Mile Creek and should be retained within a 30m corridor thus providing the basis for an NHS within the Secondary Plan area. No Species At Risk were observed on the subject lands. A record for one Species of Special Concern was found through second source research on or adjacent to the study area (Area A), however this fish species was not observed during the field visit. Second source data indicates that Area C is also contributing fish habitat to Twenty Mile Creek and a record for one Species of Special Concern has been recorded on or adjacent to Area C. As such, a preliminary 30m corridor has been provided until field investigations are completed as part of an EIS prior to any development approvals within the Secondary Plan area.

Respectfully submitted by,

C.F. CROZIER, & ASSOCIATES INC.

Michael J. Hensel, OALA, CSLA Senior Development Consultant

MH/sh

APPENDIX A

Niagara Region Official Plan, Schedule C

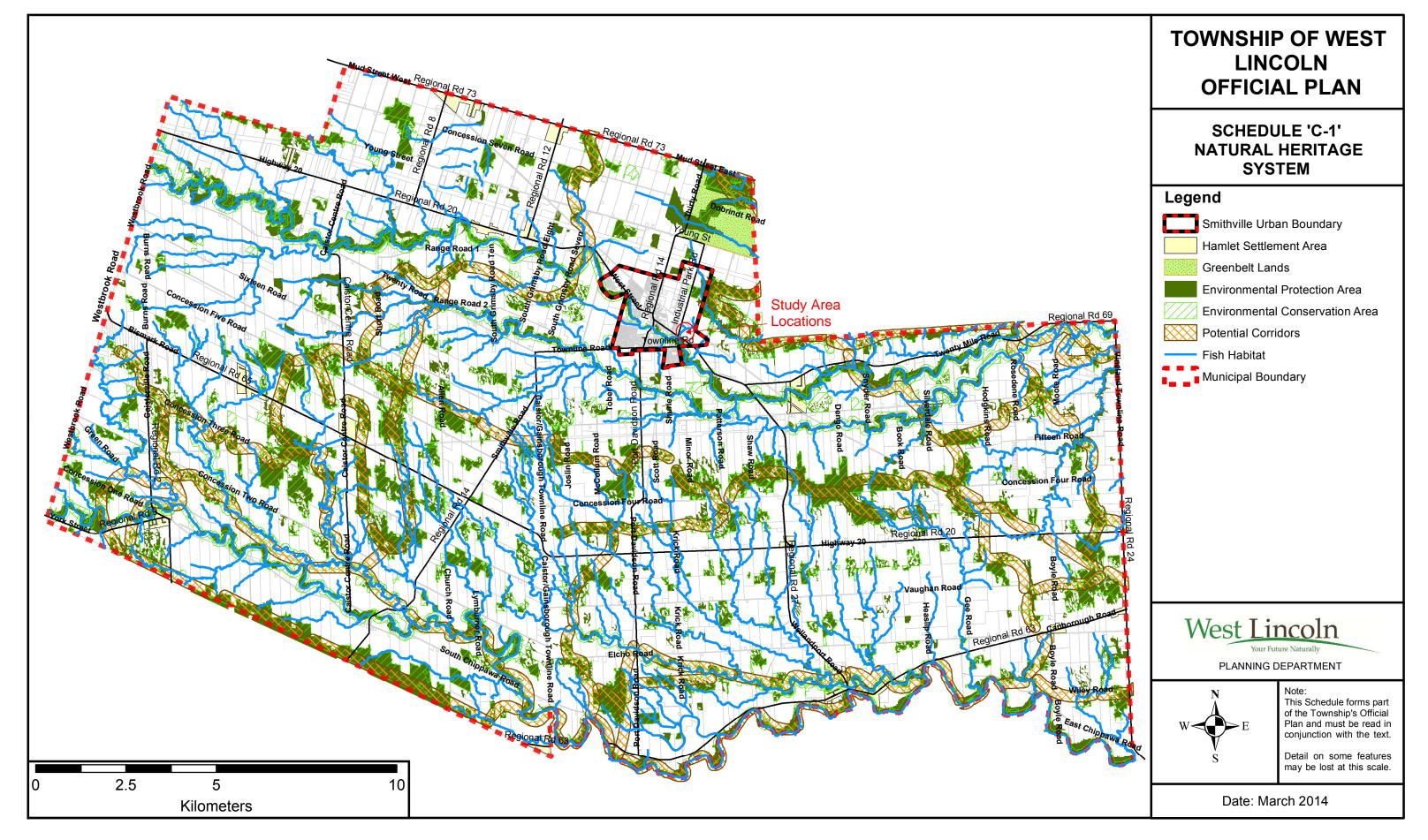
Published August 2014

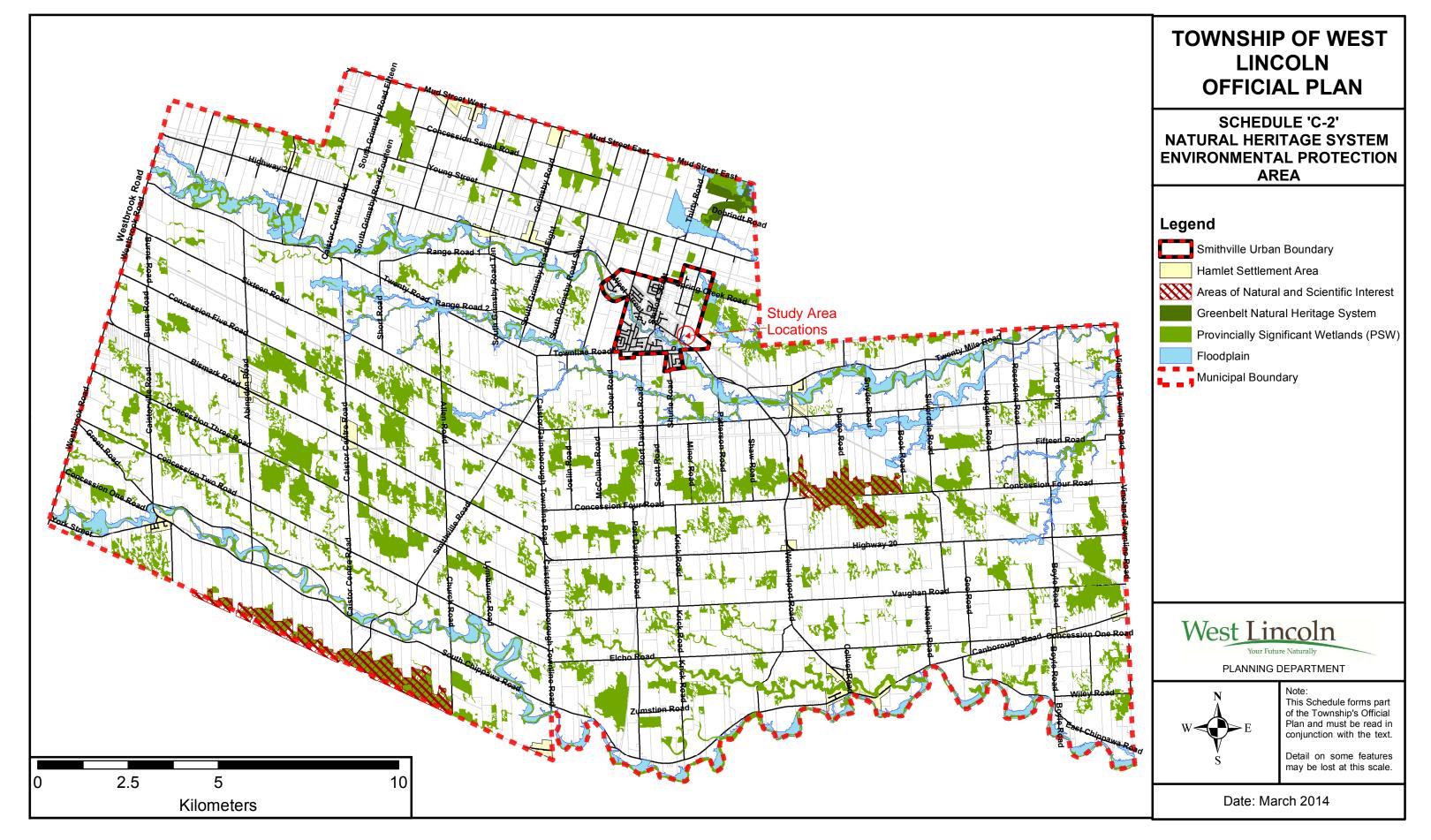
Core Natural Heritage

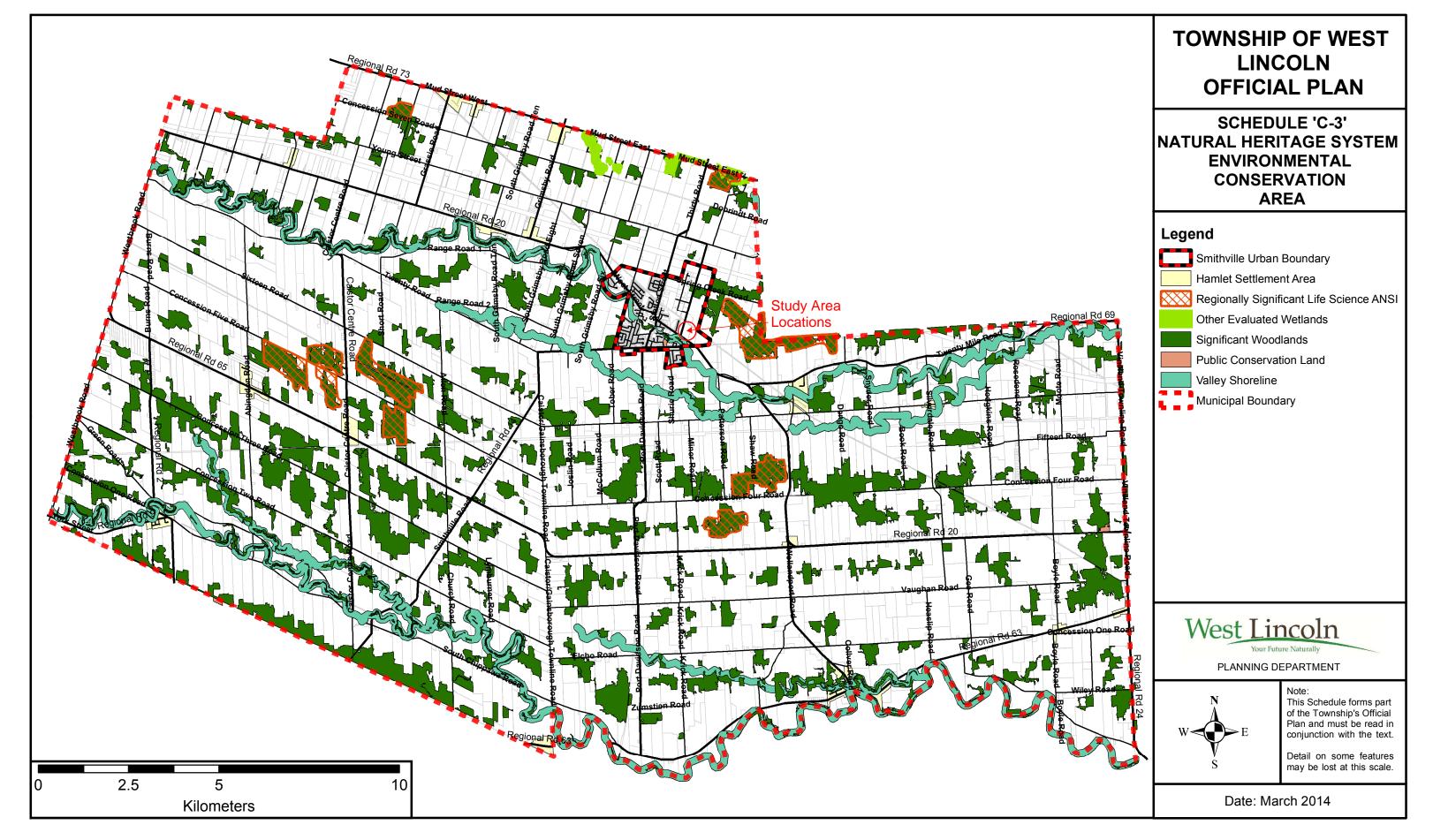
SCHEDULE C

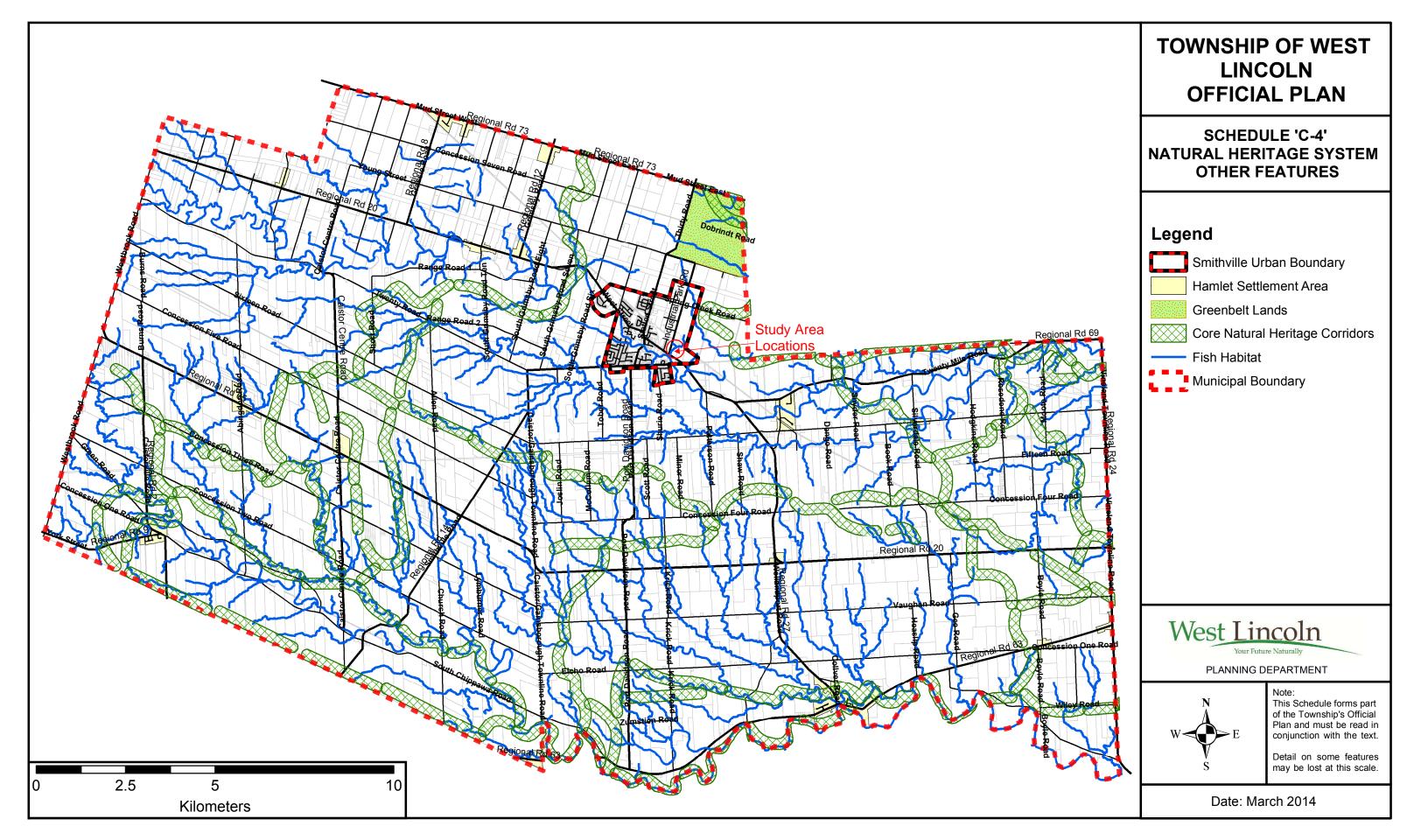
APPENDIX B

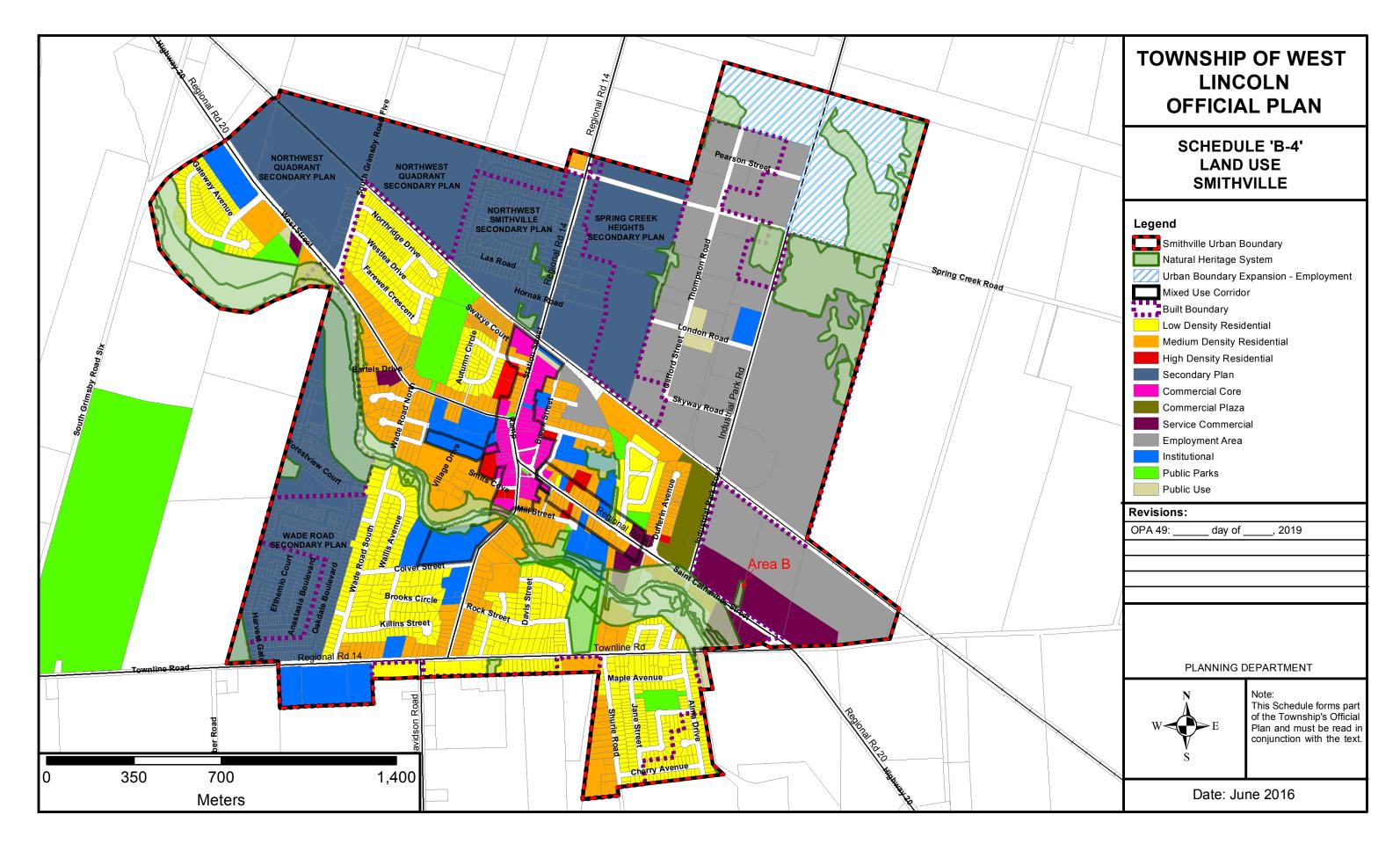
Township of West Lincoln Official Plan, Schedules B-4 & C1-C4











APPENDIX C

Headwater Drainage Features Assessment and Photographs from the Subject Lands

Technical Memorandum

To: Shelley Hensel, C.F. Crozier & Associates Inc.

Re: Property at Industrial Park Road & St. Catharines Street (Pt Lot 5,

Concession 9), Smithville, Ontario – Headwater Drainage Feature

Assessment

From: Mike Gillespie, Fisheries Ecologist, Azimuth Environmental Consulting, Inc.

Project: 20-168

Date: May 12, 2020

Azimuth Environmental Consulting, Inc. (Azimuth) visited the property on the northeast side of the intersection of Industrial Park Road and St. Catharines Street in Smithville (Township of West Lincoln) on April 27, 2020.

A headwater drainage feature assessment was undertaken using the methodology in the Ontario Stream Assessment Protocol (MNRF, 2017), and in accordance with the Evaluation, Classification and Management of Headwater Drainage Features Guidelines (TRCA/CVC, 2014). The site visit did not capture early-spring conditions resulting from thaw/snowmelt, but was completed while conditions remained relatively wet prior to leaf out.

A headwater drainage feature (an unnamed tributary of Twenty Mile Creek) is present on the site, with multiple drainage pathways as shown on Figure 1, and site photographs below. All site drainage eventually enters Twenty Mile Creek approximately 52m to the south of St. Catharines Street.

Overall, drainage on the property alternated between diffuse overland flow, more defined channelized flow and 'multi-thread' channelized flow. Drainage was also seen to flow through areas of vegetation composed primarily of cattails, in northwest, north and central areas of the property. Along the main northeast-southwest branch of the drainage feature, water levels ranged between 3-25cm, and generally increased towards St. Catharines Street.

The primary substrate type was clay, with secondary silt substrate. No coarse sand, gravel or cobble was observed on the property. Although not yet growing, the dominant riparian vegetation class is the surrounding cropland, with some sections of meadow. Infeature vegetation is expected to be abundant based on the large amount of dead herbaceous vegetation observed.

Seepage was noted in two areas: one at the northern property boundary, immediately south of the railway line (potentially the result of a buried culvert under the track conveying water from north of the track), and at the northern edge of polygon 'A' (Figures 1,2). Watercress, indicating potential groundwater inputs, was consistently observed in the southern portion of polygon 'A' within the main branch of the drainage feature (Figures 1, 2). Other aquatic vegetation was also noted in the channel in the same section, as well as in the east branch to the north.

It is expected that secondary branches off the main and east branches of the drainage feature will dry up as the season progresses (Figure 1). Flow permanency is unknown in the main and east branches, which had much greater (albeit <0.5L/s) flows during the spring site visit.

No fish were observed within the headwater drainage feature on the property during the assessment, or at the St. Catharines Street culvert. However, based on the close proximity to, and hydraulic connectivity with, Twenty Mile Creek (and no obvious barriers downstream of St. Catharines Street visible from the road), there is potential for fish to move upstream onto the property from Twenty Mile Creek. It is anticipated (but unconfirmed) that this is only possible under higher early-season flows.

Any fish usage of the headwater drainage feature on the property would likely be limited to the deeper downstream section within approximately 80m of St. Catharines Street. Upstream of this point, flow conditions, channel measurements (or the lack of a channel) and in-feature vegetation (that had not yet come up during the site visit) would restrict fish passage. Even in the deeper downstream section on the property, habitat quality is considered marginal, despite the presence of watercress. In the section of the channel downstream of St. Catharines Street (off property), the channel appears to have been historically altered given its straight alignment, the presence of a gabion retaining wall and what appears to be rip rap lining the channel. While fish passage from Twenty Mile Creek appears to be possible under the conditions observed on site, areas available to fish are very limited, and habitat is of low quality.

Fisheries and Oceans Canada species at risk mapping indicates that there are records of Grass Pickerel (*Esox americanus vermiculatus*), a species of Special Concern under the *Endangered Species Act/Species at Risk Act*, in the Twenty Mile Creek watershed, including the unnamed tributary of Twenty Mile Creek on the property (DFO, 2019).

References

Fisheries and Oceans Canada (DFO). 2019. Aquatic Species at Risk Mapping. Available from: https://www.dfo-mpo.gc.ca/species-especes/sara-lep/map-carte/index-eng.html

Toronto and Region Conservation Authority and Credit Valley Conservation (TRCA/CVC). 2014. Evaluation, Classification and Management of Headwater Drainage Features Guideline.

VuMap. 2020. First Base Solutions. Available from: http://vumap.firstbasesolutions.com/vumap.php

Figure 1: Drainage on property to northeast of Industrial Park Road and St. Catharines Street in Smithville, Ontario (VuMap, 2020) based on April 27, 2020 headwater drainage feature assessment.

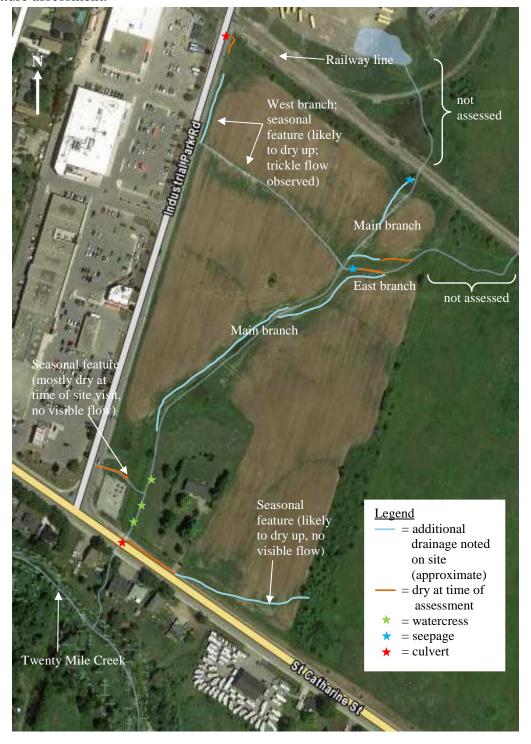


Figure 2: Polygon 'A' that was assessed for fish habitat, and visible signs of groundwater.





Photograph 1 – Headwater drainage feature, main branch, facing south from St. Catharines Street (off property; April 27, 2020).



Photograph 2 – Headwater drainage feature, main branch, at St. Catharines Street culvert outlet (off property; April 27, 2020).





Photograph 3 – Headwater drainage feature, main branch, facing north towards property from St. Catharines Street culvert inlet (April 27, 2020).



Photograph 4 – Headwater drainage feature, main branch, facing south towards St. Catharines Street (April 27, 2020).





Photograph 5 – Headwater drainage feature, main branch, facing north (April 27, 2020).



Photograph 6 – Watercress along main branch of headwater drainage feature (April 27, 2020).





Photograph 7 – Headwater drainage feature, multiple channels of main branch, facing north (April 27, 2020).



Photograph 8 – Headwater drainage feature, multiple channels of main branch, facing south (April 27, 2020).

CONSULTING, INC.

Environmental Assessments & Approvals

Headwater Drainage Feature Assessment Industrial Park Road & St. Catharines Street (Pt Lot 5, Concession 9), Smithville, Ontario AEC 20-168



Photograph 9 – Headwater drainage feature, main branch, facing northeast (April 27, 2020).



Photograph 10 – Headwater drainage feature, multiple channels of main/east branches, facing southwest (April 27, 2020).





Photograph – Headwater drainage feature, main channel, facing northeast (April 27, 2020).



Photograph 12 - – Headwater drainage feature, main branch (multiple channels) at online wetland by railway track, facing northwest (April 27, 2020).





Photograph 13 – Headwater drainage feature, west branch along Industrial Park Road, facing north (April 27, 2020).



Photograph 14 - – Headwater drainage feature, west branch, facing southeast (April 27, 2020).





Photograph 15 – Headwater drainage feature, east branch, facing southwest (April 27, 2020).



Photograph 16 – Headwater drainage feature, east branch, facing northeast (April 27, 2020).

8



Headwater Drainage Feature Assessment Industrial Park Road & St. Catharines Street (Pt Lot 5, Concession 9), Smithville, Ontario AEC 20-168



Photograph 17 – Headwater drainage feature, additional seasonal drainage from west, facing east by southwest corner of property (April 27, 2020).



Photograph 18 – Additional seasonal drainage from east, facing west by southeast corner of property (April 27, 2020). Flows diffusely into St. Catharines Street ditch (dry during site visit) to connect to headwater drainage feature.

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CONSULTING, INC.
Environmental Assessments & Approvals

Headwater Drainage Feature Assessment Industrial Park Road & St. Catharines Street (Pt Lot 5, Concession 9), Smithville, Ontario AEC 20-168

FIGURES

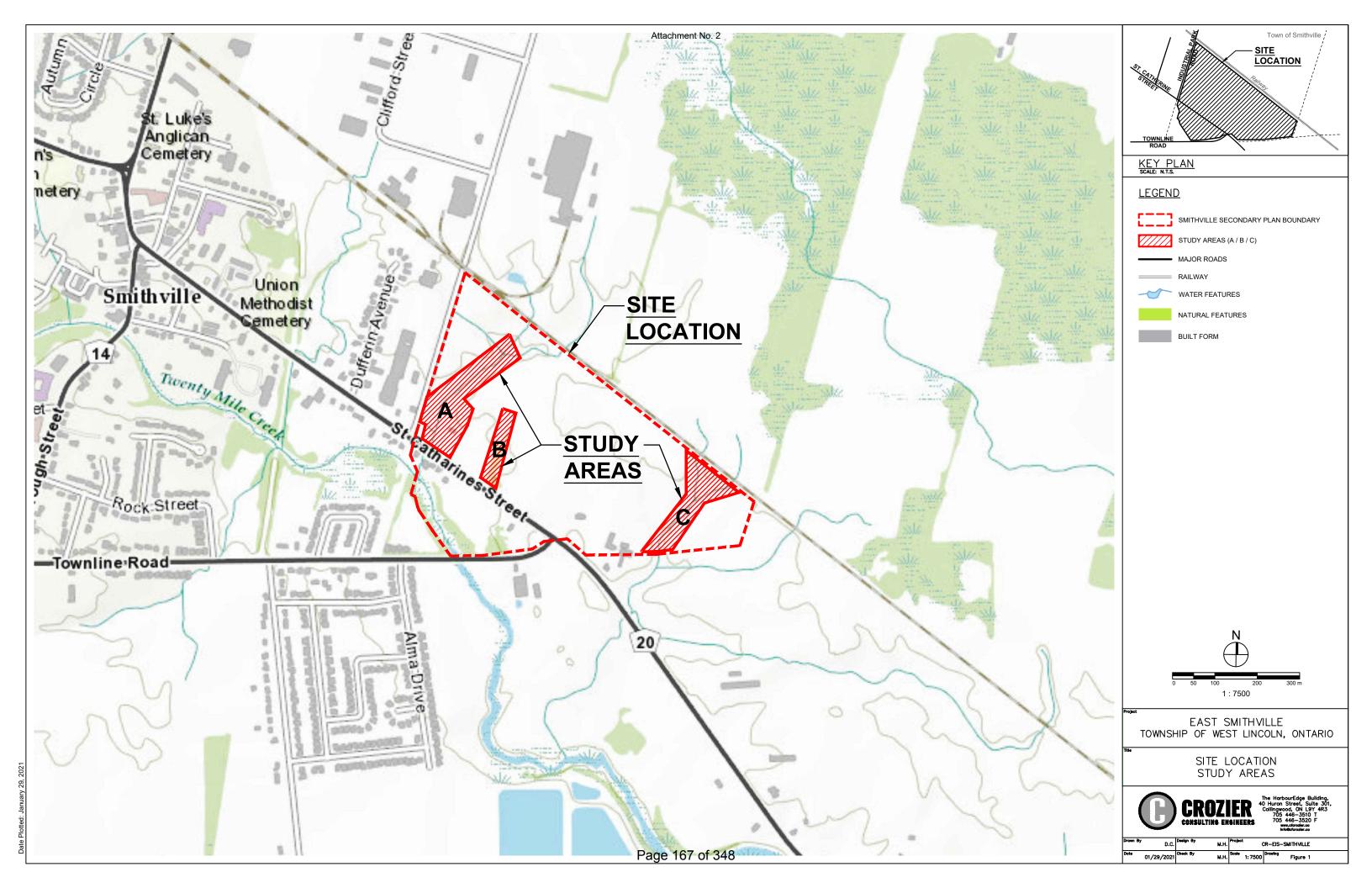
Figure 1: Site Location and Study Area

Figure 2: NPCA Regulation Limits

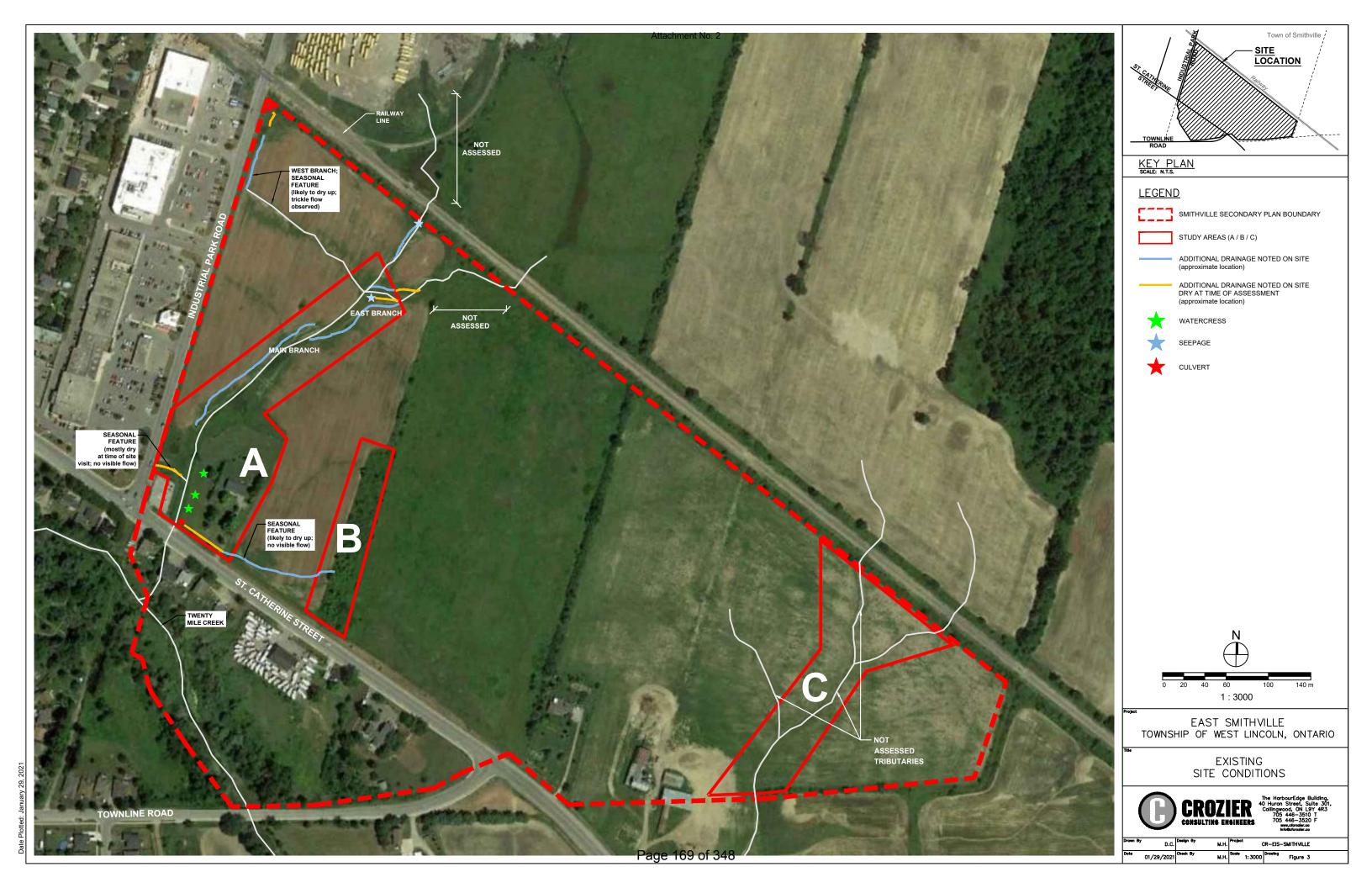
Figure 3: Existing Site Conditions

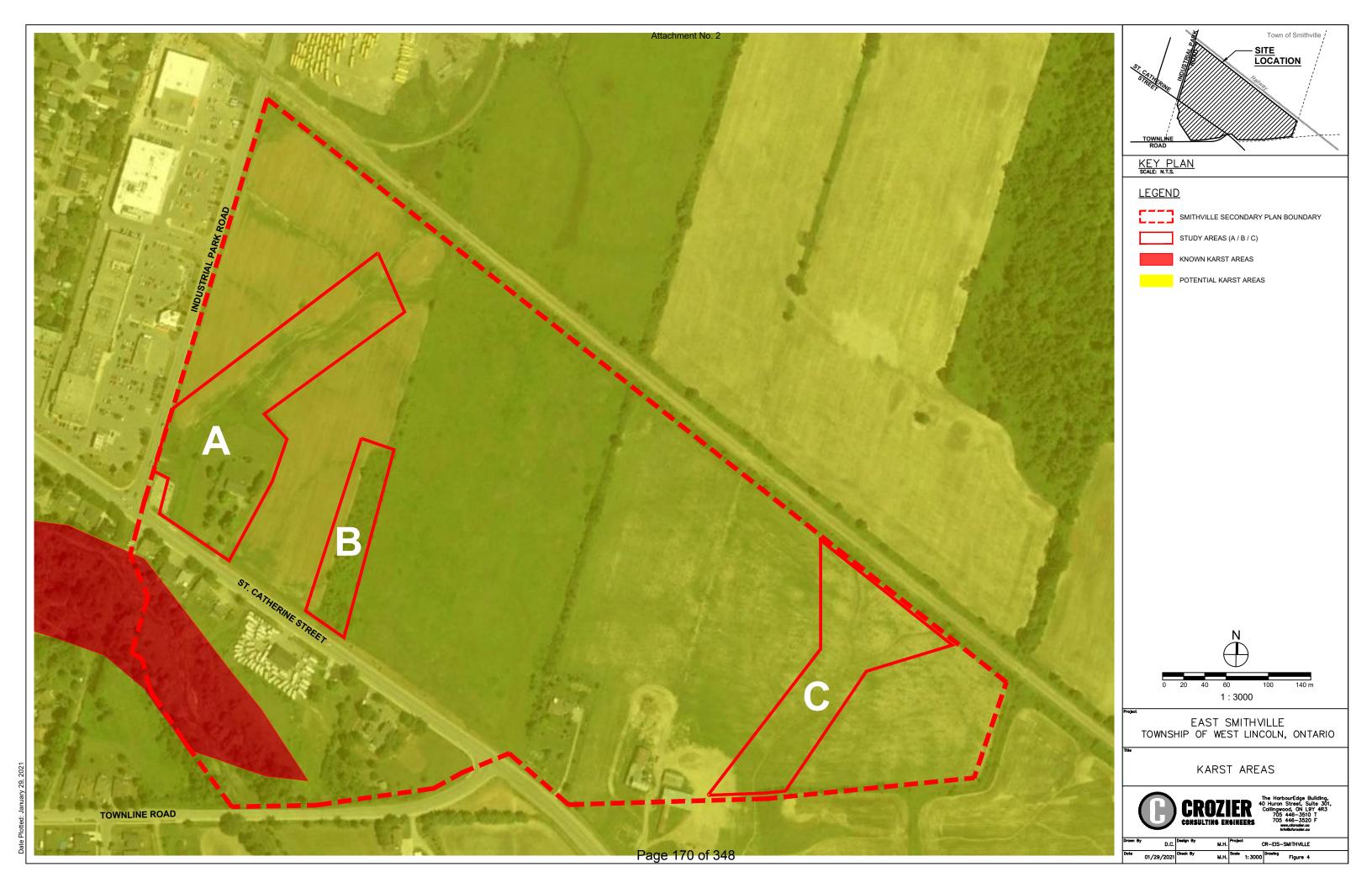
Figure 4: Karst Areas

Figure 5: Opportunities and Constraints











Appendix B

EXISTING CONDITONS BRIEF

SMITHVILLE SECONDARY PLAN

TOWNSHIP OF WEST LINCOLN NIAGRA REGION

PREPARED FOR:

MHBC

PREPARED BY:

CROZIER CONSULTING ENGINEERS
57 JOHN STREET WEST, PO BOX 1011
BRADFORD, ON L3Z 2B4

JUNE 2020

CFCA FILE NO. 529-5527

The material in this brief reflects best judgment in light of the information available at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions made based on it, are the responsibilities of such third parties. C.F. Crozier & Associates Inc. accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.



Smithville Background Info

With the preparation of the Master Community Plan for Smithville underway, the Township of West Lincoln is reviewing its land supply and land use designations in efforts to best meet the projected population growth to 2041. Currently, a portion of the lands within the East Smithville Secondary Plan is designated as 'Service Commercial' with the remainder as 'Employment', and 'Commercial Plaza'. The Secondary Plan process will determine the most efficient land use designation pattern for these lands within the Secondary Plan area than the current use. It is understood that to accommodate the projected growth, there is a need to review the existing municipal infrastructure and plan for adequate and appropriate municipal servicing (potable water, sanitary sewage and stormwater management) consistent with the proposed land use and surrounding area, which will include an analysis to support an option to convert the zoning to mixed use/ residential.

The East Smithville Secondary Plan land covers an area of approximately 34 ha and currently consists of open fields, limited single detached homes, a hydro substation, and a commercial/retail (RV sales center) located on the south side of St. Catharine's Street (Regional Road 20). The subject area, located in an employment zoned neighborhood, is bounded by a Canadian Pacific Railway corridor to the north, St. Catharine's Street/Townline Road to the south, agricultural lands to the east and Industrial Park Road to the west. Twenty Mile Creek cuts through the southern portion of the Secondary Plan area, flowing southeast, ultimately discharging to Lake Ontario to the north. As such, a portion of the lands south of St. Catharine's Street are within the regulated floodplain limits of the Niagara Peninsula Conservation Authority (NPCA).



Figure 1: Township of West Lincoln Official Plan Boundary



Figure 2: East Smithville Secondary Plan Area

Existing Conditions – Water and Wastewater

Per the 2016 Master Servicing Plan Update (MSPU) prepared by GM BluePlan, water and wastewater infrastructure was evaluated for 11 municipalities within Niagara Region, which included the Township of West Lincoln, containing the subject East Smithville Secondary Plan area being studied as part of this report. The 2016 Master Servicing Plan Update provides a review, evaluation and development of water and wastewater servicing strategies for all servicing within the urban areas of the Region. The 2016 Master Servicing Plan Update uses updated population and employment growth forecasts based on a 2041 planning horizon.

It is understood AECOM is currently completing a Community Master Plan study, which includes a town wide analysis of existing and future sanitary and water capacity, including an analysis of the existing sewers/watermains adjacent to the Secondary Plan Area on Industrial Park Road and St. Catharines Street. This study should be referred to in conjunction with the information contained in this report to support the development of the Secondary Plan Area.

Wastewater - Town of Smithville

Wastewater flows within the Community of Smithville are conveyed by gravity to the Smithville Sewage Detention Facility/Pumping Station located approximately 200m west of the intersection of St. Catharines Street and Industrial Park Road and then pumped via a 300mm forcemain on Industrial Park Road that ultimately connects directly to the Baker Road Wastewater Treatment Plant located in Grimsby. Based on the assessment completed by AMEC for the 2015 Smithville Wastewater Servicing Report it was concluded that the exiting wastewater system showed that there are potential capacity issues primarily located within western and central portion of the Town's system, based on future growth projections. It is noted that wastewater is operated as a two-tiered system where the local municipality owns and maintains the local sewer collection system and trunk infrastructure connecting between the town and downstream treatment plant is owned and operated by the Region, including forcemains and the treatment plant itself.

As part of the 2016 MSPU there were three alternatives considered with respect to sanitary servicing upgrades for the Town of Smithville to alleviate the capacity constraints in the system. Sanitary servicing for the Secondary Plan Study area will consider the recommendations of the MSPU and servicing information contained within the 2015 AMEC Report. As part of the MSPU, the following alternatives were reviewed:

- 1) Maintain existing servicing configuration with the implementation of the following:
 - a. Upgrade Smithville Sewage Pumping Station
 - b. Twin existing forcemain
 - c. Upgrade downstream sewers
- 2) Same as alternative 1, except include utilization of existing abandoned parallel forcemain instead of twinning the existing forcemain
- 3) Construct new West Smithville Sewage Pumping Station and new West Smithville to service future growth area (2041 buildout).

Alternative 1 (refer to MSPU Figure 4.A.9 below) was selected as the preferred alternative as it allows for a phased implementation of sanitary infrastructure, allowing upgrades to be staggered in parallel with future community growth and the ability to scale back planned upgrades if future growth targets are not met based on current population projections. In summary the Smithville Sewage Pumping Station will require an expansion from its existing capacity at 120 L/s to 375 L/s, which would require new twin 400mm forcemains downstream of the station.

It is noted in the 2016 MSPU that trunk sewer upgrades are also recommended in Grimsby downstream of the Smithville forcemain. As noted above, Smithville sanitary flow is directed north to the Baker Road Wastewater Treatment Plant located in Grimsby. To meet the 2041 projected growth targets, the treatment plant itself will also require an additional treatment capacity expansion of 16 MLD. Through discussions with Niagara Region staff it is understood that no recent expansions to the treatment plant have been completed as of June, 2020.

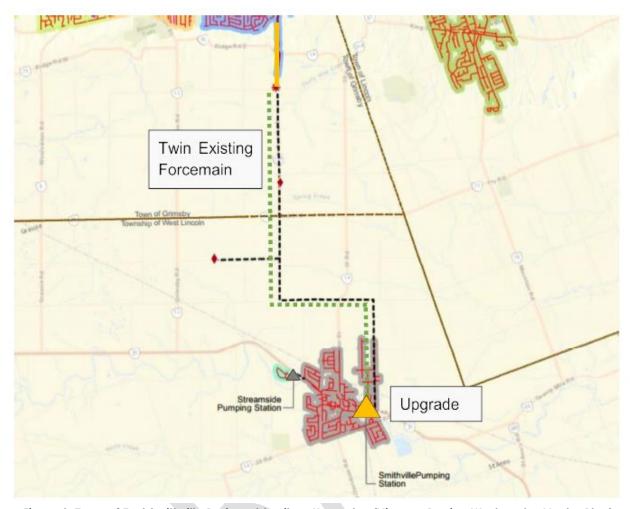


Figure 3: Town of East Smithville Preferred Sanitary Upgrades (Niagara Region Wastewater Master Plan)

Wastewater - Secondary Plan Area

The closest sanitary sewer connection to the site is located at the southwest corner of the Secondary Plan boundary, at the intersection of Industrial Park Road and Regional Road 20 (St. Catharines Street). Based on the 2015 Amec Wastewater Servicing Report completed for the Town of Smithville, sewer capacity ranged from 50% - 75% on St Catharines Street and between 35% - 57% on Industrial Park Road indicating there is sufficient capacity within the existing system to accommodate potential intensification concepts within the Secondary Plan area. Should significant future intensification of other areas outside the secondary plan occur, future capacity would need to be further analyzed for these perimeter sewers. Refer to the **Existing Servicing Figure 103** showing the existing sewers in proximity to the site.

Potential future sewer connection points would likely require an extension of the sewer on St. Catharines Street/Regional Road 20, as the Secondary Plan lands fall in a southwesterly direction towards the Regional Road. Secondary connections directly to Industrial Park Road and/or Townline Road will also be contemplated based on proposed Secondary Plan development concepts.

As part of the AMEC Servicing Report, the following design parameters were used for determining sanitary flow generation rates for the Secondary Plan Area:

Table 1: Sanitary Sewer Design Criteria (AMEC Servicing Report)

Design Criteria for Wastewater Sewage Flows					
Land Use Type	Equivalent Population Density	Design Flow Factor*			
Residential, Low Density	60 pers/ha	320 lp a d (1)			
Residential, High Density	90 pers/ha	320 lpcd ⁽¹⁾			
Commercial	125 pers/ha	275 In ad (2)			
Institutional	25 pers/ha	275 lpcd ⁽²⁾			
Industrial	125 pers/ha	20 m³/ha/day ⁽³⁾			

- 1. Residential 320 lpcd consists od 275 lpcd based on Region of Niagara technical specifications plus 45 Lpcd for inflow and infiltration;
- 2. Employment and commercial 275 L/employess/day based on Region of Niagara technical specifications;
- 3. Industrial design calculations using 15 and 28 m³/ha/day are included in Appendix D. The design flow factor of 20 m³/ha/day was used in the wastewater system analysis.

The East Smithville Secondary Plan land covers an area of approximately 34 ha and currently is designated as Service Commercial and Employment areas to the north of St. Catherine's Street. The area of the secondary plan to the south of St. Catherine's Street is currently zoned as Medium Density Residential and Natural Heritage area, as a significant portion of these southern lands resides within the floodplain.

The following is a breakdown of the existing zoning areas:

Table 2: Smithville Secondary Plan Existing Land Uses

Table 2. Similivine Secondary Flam Existing Land Oses				
Zoning	Approx. Area (ha.)			
Service Commercial	7.6			
Employment	21.5			
Medium Density Residential	1.5			
Natural Heritage / Flood Plain	3.4			

According to the corresponding population density and design flow factors, the Smithville Secondary Plan Area was anticipated to generate the following flows per the existing zoning for a full build out condition.

Table 3: Smithville Secondary Plan Anticipated Sanitary Flows

Zoning	Area (ha.)	Population Density	Population	Design Flow Factor	Flow L/d	Flow L/s
Service Commercial	7.6	125	950	275 lcpd	261,250	3.02
Employment	21.5	125	2687.5	20 m3/ha/d	430,000	4.98
Medium Density Residential	1.5	80	120	320 lcpd	38,400	0.44
Natural Heritage / Flood Plain	3.4					
Total	34				729,650	8.45

However as noted in the AMEC report, a full buildout of the entire Smithville settlement area, including the Secondary Plan lands will increase sewage flows by 93 % resulting the SPS operating over its current capacity limit of 100 L/s thus reinforcing the need for a pumping station upgrade and twinning of force mains to the Baker Road WWMP.

Water – Town of Smithville

The Grimsby water system services the areas of Grimsby, Beamsville in the Town of Lincoln, and the Smithville area in the Township of West Lincoln. The system services an existing population of 43,719 and 14,793 employees. The system is supplied by the Grimsby Water Treatment Plant, located on 300 North Service Road in Grimsby. The plant is a conventional surface water treatment plant with zebra mussel control, travelling screens, coagulation, flocculation, sedimentation, filtration, and disinfection processes. Lake Ontario serves as a source to the plant. The plant has a rated capacity of 44.0 MLD (509 L/s). The system supplies local area municipalities via a water main network, pumping stations, and service reservoirs. The supply area is divided into eight pressure zones. The existing water system including max day demand/fire flow and projected 2041 fire flow demand is shown in the MSPU figures below and existing system facilities overview in the table below.

Table 3.A.3 Storage Facilities Overview

Storage Facility	Location	Storage Type	Volume (ML)	Top Water Level (m)	Fire Supply Zones	Maximum Day Demand Supply Zones
Grimsby Water Treatment Plant Reservoir	300 North Service Road, Grimsby	Pumped Reservoir	5.0 (10.0)*	81.8	154	All
Park Road Reservoir	83 Park Road South, Grimsby	Pumped/ Floating Reservoir	3.4	158.8	154 Floating, 210 Pumped, 225 Pumped	154 Floating, 210 Pumped, 225 Pumped
London Road Reservoir	6247 London Road, Smithville	Pumped Reservoir	7.7	193.7	239	239
Smithville Elevated Tank	6247 London Road, Smithville	Elevated Tank	2.3	239.0	239	239
Hixon Street Reservoir	3991 Hixon Street, Beamsville	Pumped/ Floating Reservoir	10.0	163.4	148 Floating, 163 Floating, 193 Pumped, 216 Pumped	148 Floating, 163 Floating, 193 Pumped, 216 Pumped

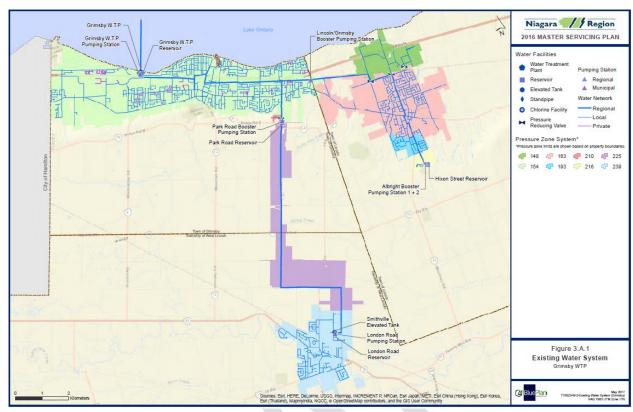


Figure 4: Grimsby Existing Water System (Region of Niagara Water Master Plan)

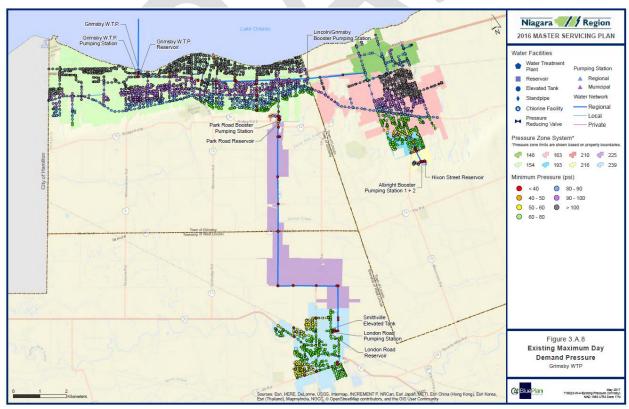


Figure 5: Grimsby Existing Maximum Day Demand Pressure (Region of Niagara Water Master Plan)

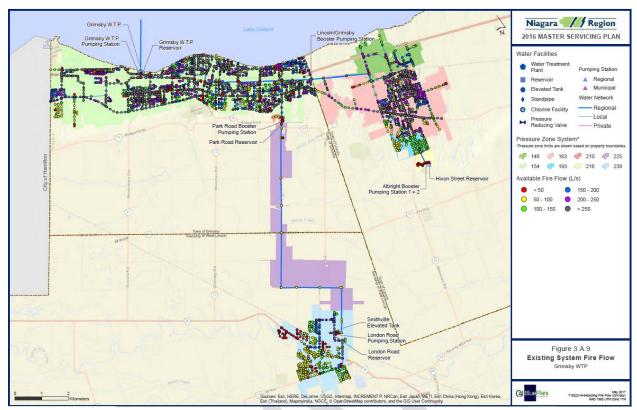


Figure 6: Grimsby Existing Fire Flow (Region of Niagara Water Master Plan)

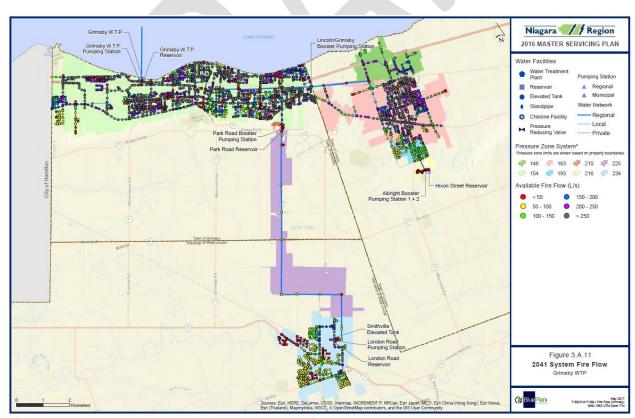


Figure 7: Grimsby 2041 System Fire Flow (Region of Niagara Water Master Plan)

Based on the level of growth on the system, the Grimsby Water Treatment Plant will require additional water treatment capacity. The location of water storage to optimize pumping costs and provide equalization and emergency storage to the system has been addressed. A new storage facility to support the Grimsby and Smithville service areas has been established. The new location results in decommissioning the existing reservoir and pumping station. To support the new storage location and to provide additional water transmission capacity through the Grimsby system, a new feedermain across Grimsby and a new feedermain from the Grimsby Water Treatment Plant are required. The level of growth in the Smithville area requires additional trunk watermain capacity through the network. Additional pumping capacity is required to support the Lincoln service area growth.

Per the Town of west Lincoln Website, the Status of the water main upgrades are as follows

- Status: Tender awarded to Alfred Beam Excavating
- Description: Installation of a new watermain on Spring Creek Rd and Industrial Park Rd from Thompson Rd to Pearson St.
- Activity: Construction to begin at the end of June to the end of August 2020.

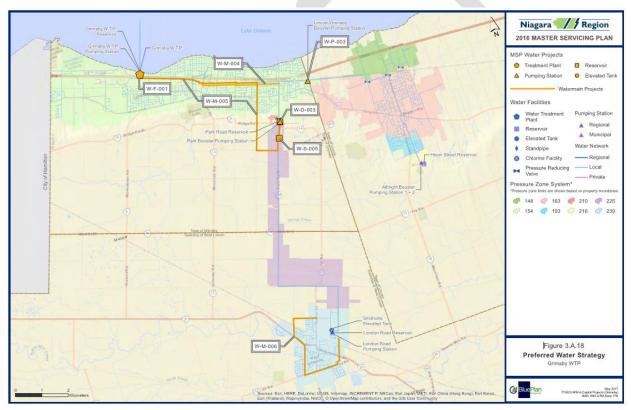


Figure 8: Grimsby Preferred Water Strategy (Region of Niagara Water Master Plan)

Water – Secondary Plan Area

An existing 150mm diameter watermain is located along Industrial Park Road, which is proposed to service the Secondary Plan area. An existing 150mm diameter watermain is also located on St. Catharines Street which currently terminates at the intersection of Industrial Park Road. A 200mm diameter watermain branches off the 150mm diameter watermain and crosses the existing water course to service the residential subdivision and the southern limits of Smithville. This

watermain could be extended easterly along the southern frontage of the subject lands if a secondary connection is required to service the site. A water analysis was completed based on a steady-state simulation for the existing parcels of land and the future development of lands within the existing urban boundary. The current watermain along Industrial Park Road should have sufficient capacity to support the Secondary Plan area, operating between existing system pressures of 60-80 psi with an available fire flow between 200 – 250 L/s. Refer to the **Existing**Servicing Figure 104 showing the existing watermains in proximity to the site.

Table 4: Water Design Criteria (AMEC Servicing Report)

Water Demand Criteria				
Land Use Type	Equivalent Population Density	Design Flow Factor*		
Residential	90 pers/ha	300 lpcd (1)		
Commercial	125 pers/ha	300 lpcd ⁽²⁾		
Institutional	25 pers/ha	300 lpcd ⁽²⁾		
Industrial	125 pers/ha	28 m³/ha/day (3)		

- 1. Residential 300 Lpcd based on Region of Niagara technical specifications;
- 2. Employment and commercial 300 L/employee/day based on Niagara technical specifications;
- 3. Industrial 28 m³/ha/day based on MOE Design Guidelines for Drinking Water Systems minimum allowance in the absence of reliable flow data.

Based on the water demand criteria for the subject lands the following water demands were anticipated for the secondary plan area in existing conditions.

Table 5: Smithville Secondary Plan Anticipated Water Flows

Zoning	Area (ha.)	Population Density	Population	Design Flow Factor	Flow L/d	Flow L/s
Service Commercial	7.6	125	950	300 lcpd	285,000	3.30
Employment	21.5	125	2687.5	28 m3/ha/d	602,000	6.97
Medium Density Residential	1.5	80	120	300 lcpd	36,000	0.42
Natural Heritage / Flood Plain	3.4					
Total	34				923,000	10.68

Existing Conditions – Drainage/Stormwater Management – Secondary Plan Area

A review of the topographic survey indicates that the subject site is generally sloping from north to south with the on-site contours ranging from 190 m near the rail line to 183 m adjacent to St. Catharines Street. South of St. Catharines Street the land is relatively flat surrounding 20 Mile Creek with elevations ranging between 181 – 182m, with a localized high point of 187m northeast of the existing RV Park Sales Centre. The land cover is generally pasture with some low density residential to the south of St. Catherine's Street. Upon review of detailed lidar information received from Niagara Region, there are three external catchment which convey flows towards the subject lands. Drainage from these catchments flow from north to south where four assumed culverts below the Trans Canada Railway convey external flows onto the subject lands. Drainage from the site and external catchments are picked up from two main draws which conveys water towards St. Catharine's street where two assumed culverts convey flow below the road towards the creek. Upon review of NPCA floodlines, there is an area designated as

floodplain immediately north of the St. Catharines street culvert, extending approximately 200m upstream along the existing draw before tapering out. To the south of St. Catharines street, the majority of the area between Townline and St. Catharine's street is designated floodplain. Refer to the sections below outlining the stormwater management criteria for the Secondary Plan Area as governed by the regulating agencies for this area: Niagara Region, Niagara Peninsula Conservation Authority and the Township of West Lincoln. Review of Engineering Drawings provide by Niagara Region, there appears to be a 250mm diameter storm sewer running along St. Catharines Street. This storm sewer appears to terminate roughly 70m west of the intersection of Industrial Road and St. Catharines, however a review of street level images suggests that the storm sewer continues west along St. Catherine's Street collecting drainage from the road through catch basins. A review of street level images along Industrial road also shows that the west side of Industrial Road is collected in catch basins to a storm sewer. The size of this storm sewer is to be confirmed. Refer to the **Existing Drainage Figure 103** showing the existing drainage conditions on site.

Stormwater Management Criteria (Region, NPCA, Township of West Lincoln)

Summary of Stormwater Management Requirements

Johnnary of John Water Management Responsible			
Control Parameter	NPCA Criteria		
Quantity Control	Post-development peak flow rates for the 2-year through to the 100-year storm should not exceed pre-development level		
Quality and Erosion Control	Quality: Achieve Ontario Ministry of the Environment and Climate Change (MOECC) Enhanced Level of protection (80% total suspended solids removal) Erosion: 24-hour detention of runoff generated during 25mm event is required		
Water Balance	Post-development infiltration rates for the 2-year through to the 100-year storm should match pre-development level		
Volume Control	Volume control for 25 mm of rainfall in accordance with LSRCA standards		
Phosphorus Loading	80% Removal		

As recently discussed with Conservation Authority staff, it is understood the NPCA's role in regulating stormwater has changed recently. The NPCA still governs all activities involving stormwater being directly discharged into a watercourse, including outfall construction (a NPCA "work" permit would be required) or if an applicant is discharging stormwater down a slope, of which adherence to all NPCA policies would be required. However, in regard to quantity and quality control of storm water criteria – the Region of Niagara is now responsible for commenting on files and regulating this activity, which would include the design and construction of any proposed stormwater management facilities. It is understood that since the Town would ultimately own and maintain any stormwater facility, strict adherence to their criteria and standards would also apply, including a full review by Town Engineering staff.

Summary of Stormwater Management Requirements

Community of Community and Management Respondence				
Control Parameter Niagara Region Criteria				
Quantity Control Post-development peak flow rates for the 2-year through to the 100-storm should not exceed pre-development level				
Quality and Erosion Control	Quality: Achieve Ontario Ministry of the Environment and Climate Change (MOECC) Enhanced Level of protection (80% total suspended solids removal)			
	Erosion: 24-hour detention of runoff generated during 25mm event is required			

Summary of Stormwater Management Requirements

Control Parameter	Township of West Lincoln Criteria		
Quantity Control	For all new developments, post-development storm water flows are to be maintained to pre-development levels.		
Quality	All regulatory concerns with respect to the quality of the storm water discharge must be fully and adequately addressed by the Consulting Engineer		

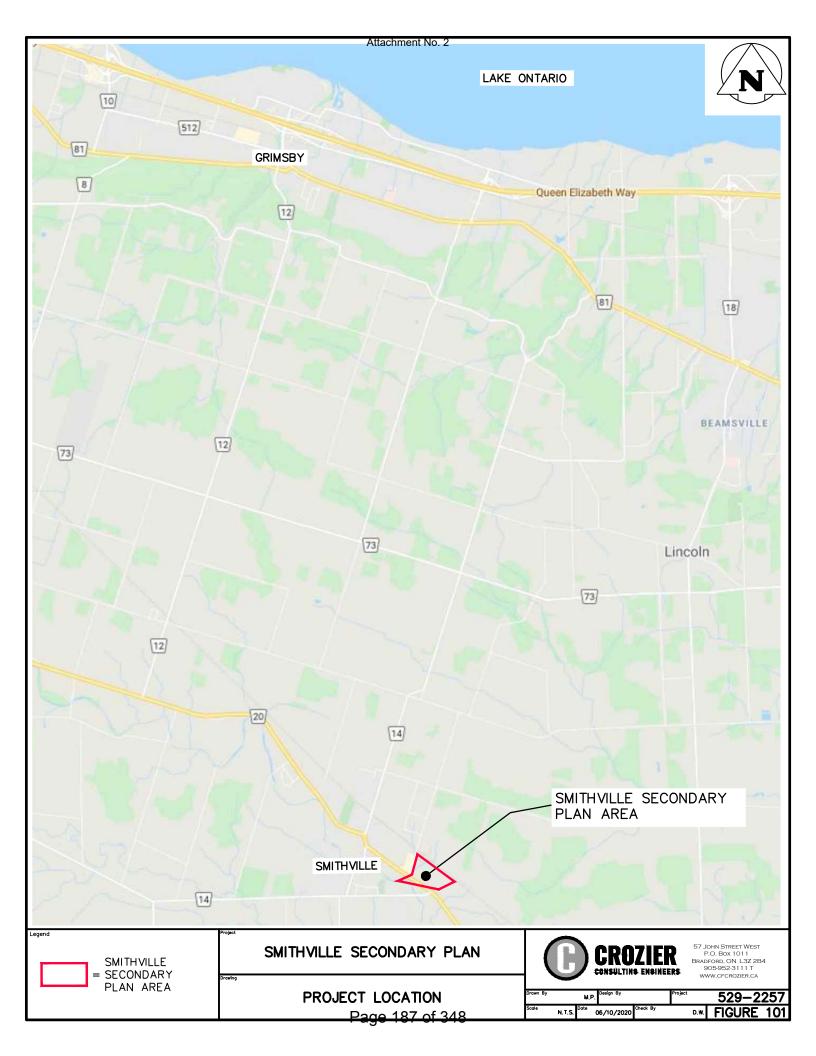
FIGURES

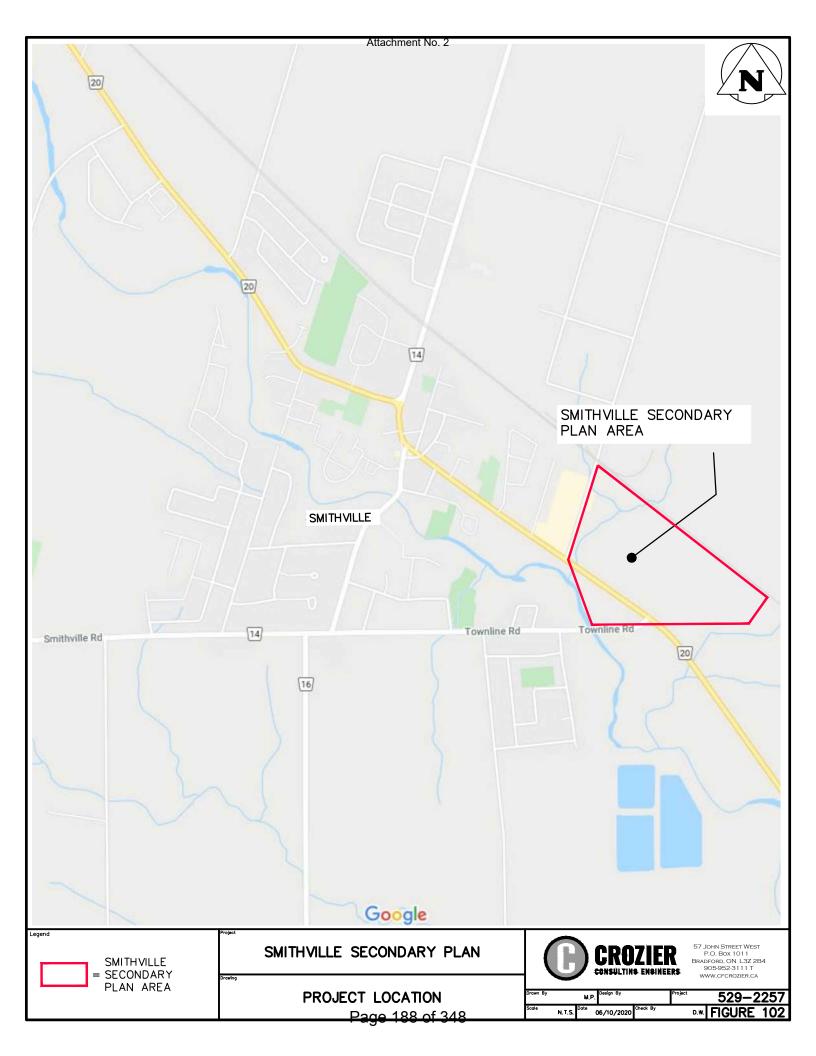
Figure 101: Context Plan – Town of Smithville

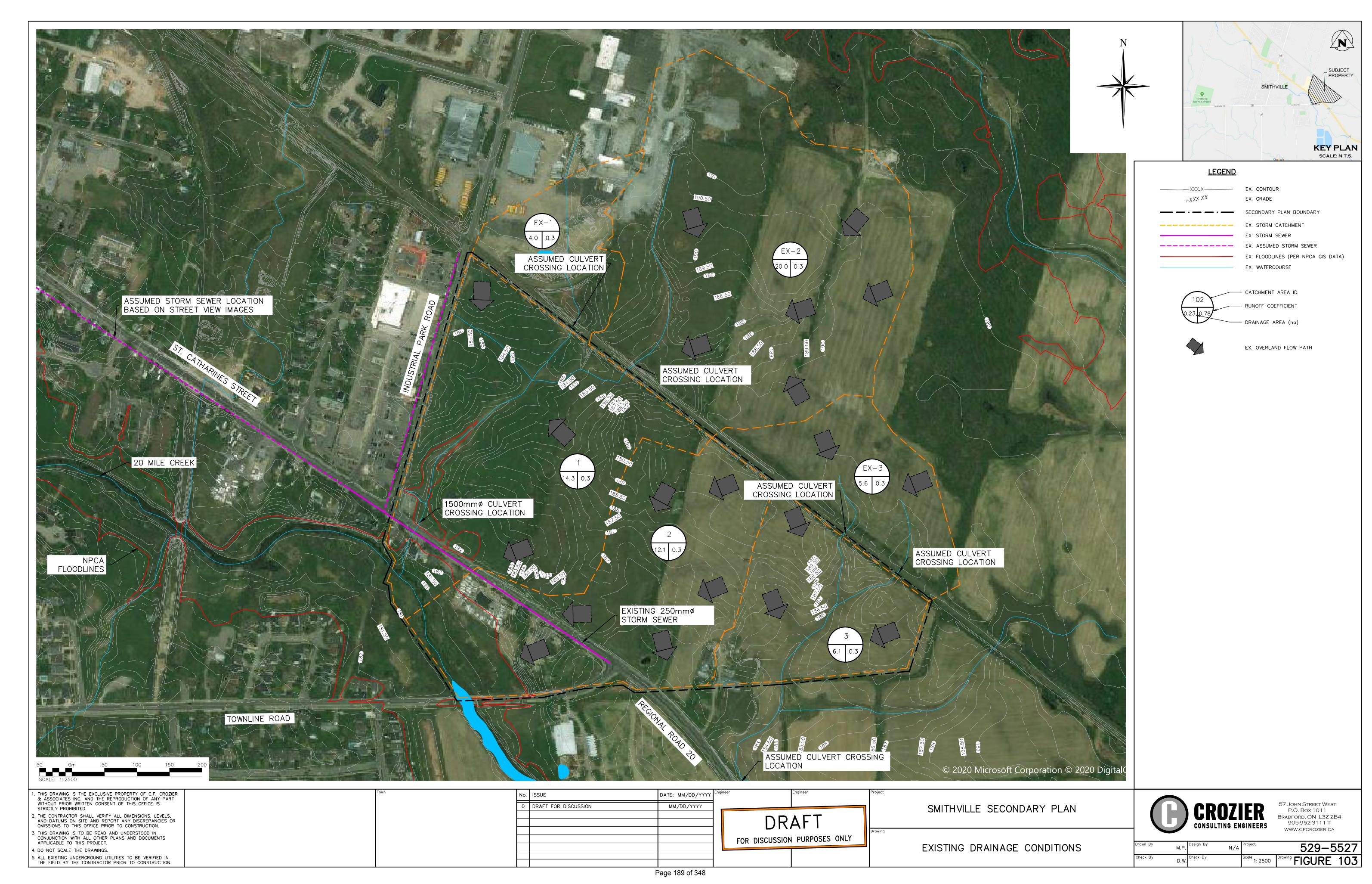
Figure 102: Context Plan – Secondary Plan Area

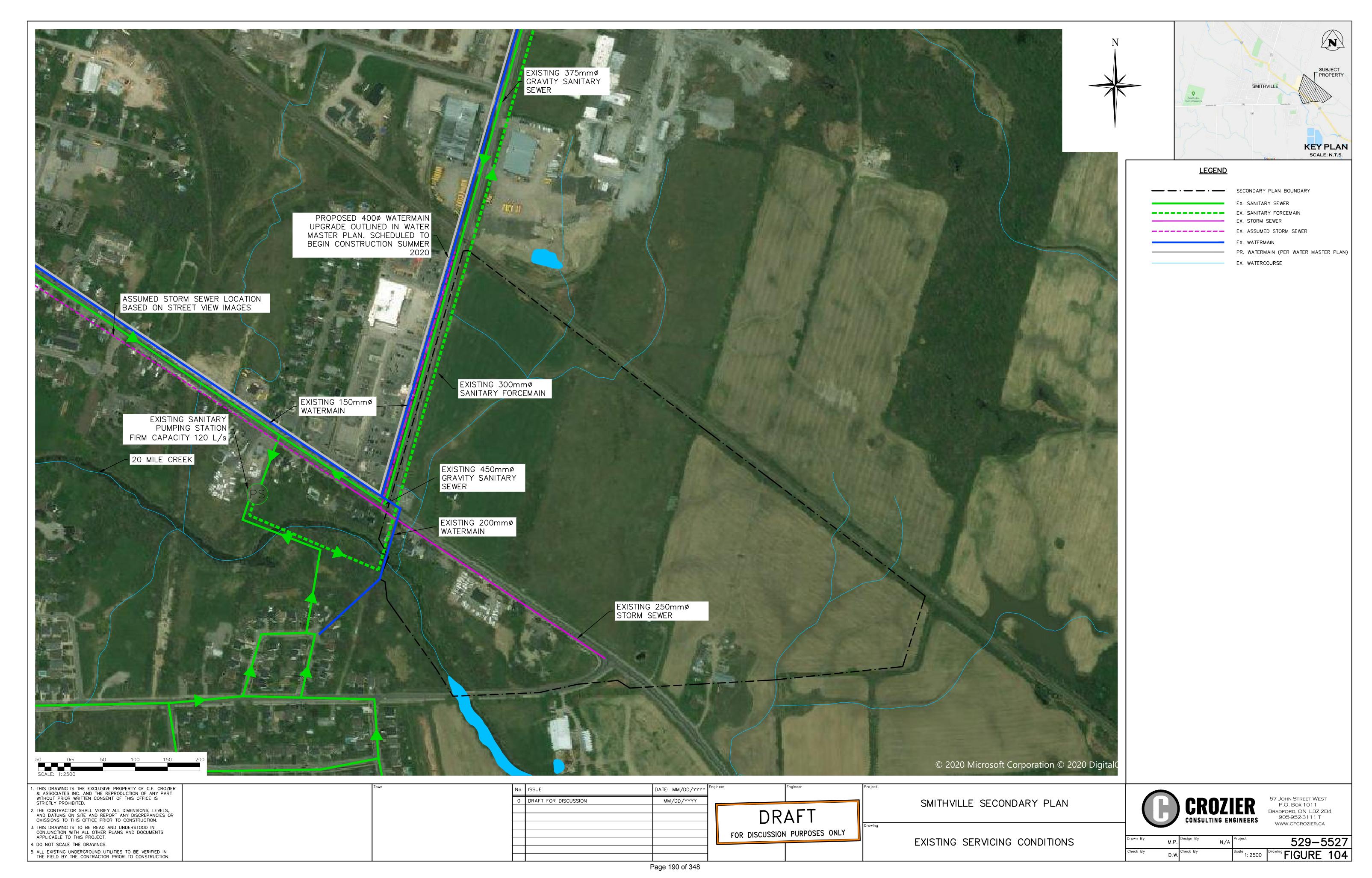
Figure 103: Secondary Plan Area - Existing Drainage Conditions

Figure 104: Secondary Plan Area – Existing Servicing Conditions









Appendix C

JULY 1st, 2020

PROJECT NO: 0529-5527

SENT VIA: EMAIL

DCURRIE@MHBCPLAN.COM

540 Bingemans Centre Drive, Suite 200 Kitchener, Ontario N2B 3X9

Attention: Dan Currie

RE: EXISITING CONDITIONS REVIEW

SMITHVILLE EAST SECONDARY PROPOSAL TOWN OF WEST LINCOLN, NIAGARA REGION

Dear Dan.

C.F. Crozier & Associates Inc. (Crozier) was retained by MHBC Planning to undertake a Transportation Study in support of Secondary Plan. The purpose of the study is to conduct a high-level assessment of transportation needs, provide recommendations as required and promote conformance to the Township of West Lincoln and Niagara Region's Official Plans and Transportation Master Plans.

The scope of work in this report is in accordance with the Region of Niagara's "Guidelines for Transportation Impact Studies." In preparing this report, the following municipal documents were received to promote consistency and ensure general conformance to the Township's and Region's planning and transportation goals:

- Niagara Region Transportation Master Plan (October 2017)
- The Township of West Lincoln Official Plan (October 2018)

Development Lands

The subject lands encompass approximately 70 acres of mostly undeveloped land bounded by a railway to the north, St. Catharines Street to the south, Industrial Park Road to the west, and farming to the east. Single-detached dwellings and a farming structure exist on the site, fronting St. Catharines Street. The lands are zoned for future service commercial and employment area use per Schedule B-4 of the Township's Official Plan.

Boundary Road Network

St. Catharines Street is an east-west major arterial roadway under the jurisdiction of the Regional Municipality of Niagara (Niagara Region). The roadway has an urban cross-section, two approximate four-metre travel lanes and a posted speed limit of 50 km/h. Pedestrian facilities exist on the south leg of St. Catharines Street terminating at Townline Road but continuing east past Industrial Park Road.

Industrial Park Road is a north-south minor arterial under the jurisdiction of the Township of West Lincoln. The two-lane roadway has a hybrid cross-section with curb and gutter along the west leg of the roadway while the east leg has a gravel shoulder and ditch. A posted 50 km/h speed limit exists, with approximately four-metre lanes. No pedestrian or bicycle facilities are provided.



Townline Road is skewed directionally, and for the purpose of this report will be given a north-south orientation to provide clarity. Townline Road is assumed to be a minor arterial roadway abutting the subject lands under the jurisdiction of the Township of West Lincoln, with an assumed speed limit of 50 km/h. The roadway consists of an urban cross-section with pedestrian sidewalks on the east side of the roadway.

Traffic Data

At the time of this study, there is an ongoing global COVID-19 crisis. Consequently, existing (2020) traffic counts were not undertaken as travel patterns on the boundary road network will not be reflective of typical commuter travel patterns. As such, the most current turning movement counts available were obtained from the Niagara Region and used for this assessment.

The turning movement counts (TMCs) at the intersection of Industrial Park Road and St. Catharines Street were undertaken on Thursday, October 11, 2016, from 7:00 a.m. to 6:00 p.m., as obtained from Niagara Region staff. The peak hours of the turning movement counts occurred between 7:15 a.m. and 8:15 a.m. for the morning peak period and between 4:30 p.m. and 5:30 p.m. for the evening peak period. The TMCs are included in the attachments for reference.

The turning movement counts (TMCs) at the intersection of Townline Road and St. Catharines Street were undertaken on Tuesday, October 1, 2013, from 7:00 a.m. to 6:00 p.m., as obtained from Niagara Region staff. The peak hours of the turning movement counts occurred between 7:30 a.m. and 8:30 a.m. for the morning peak period and between 4:30 p.m. and 5:30 p.m. for the evening peak period. The TMCs are included in the attachments for reference.

Niagara Region staff also provided annual average daily traffic (AADT) volumes for St. Catharines Street. Based on the AADT's of 8,200 in 2017 and 12,000 in 2014, it is apparent that negative growth through this corridor has occurred. As such, it has been determined a one percent (1%) growth rate would be deemed appropriate to apply to the turning movement counts to determine 2020 existing traffic volumes. AADT provided by the Region has been appended to this letter.

Cycling Routes

Bicycle routes shared with the roadway are located along Industrial Park Road, St. Catharines Street, and Townline Road, according to The Region of Niagara's GIS Navigator mapping. The shared bicycle routes connect to other bicycle routes covering the extent of the Niagara Region. The bicycle routes within the secondary plan area are named "Edge of Smithville" and "The Other Niagara Long", and further details about these routes have been appended to this letter.

Public Transit

No public transit is available to the residents of Smithville.

Traffic Modeling

The assessment of intersections is based on the method outlined in the "Highway Capacity Manual, 2010" using Synchro 10 modelling software. Intersections are assessed using a Level of Service metric, with ranges of delay assigned a letter from "A" to "F". For stop-controlled intersections, a Level of Service "A" or "B" would typically be measured during off-peak hours when lesser traffic volumes are on the roadways. Levels of Service "C" through "F" would typically be measured in the commuter peak hours when greater vehicle volumes cause longer travel times. The Level of Service (LOS) definitions for unsignalized intersections are appended to this letter.

Intersection Operations

The traffic operations at the intersections of St. Catharines at Industrial Park Road and St. Catharines Street at Townline Road were analyzed based on the traffic volumes outlined in the "Traffic Data" section of this letter. Detailed capacity analyses are also appended to this letter.

The operations of the critical intersections were analyzed based on the traffic volumes illustrated in Figure 1. Table 1 outlines the existing traffic levels of service.

Table 1: 2020 Existing Levels of Service

Intersection	Control	Peak Hour	Level of Service	Average Delay per Vehicle(s)	Max V/C Ratio (Approach)	V/C Ratio(s) > 0.85 (Approach) ¹	95 th %ile Queues > Storage Length
Industrial Park Road at	Stop Control (SB)	A.M.	С	15.3 s	0.17 (SBL)	None	None
St. Catharines Street (RR20)		P.M.	Е	49.9 s	0.86 (SBL)	0.86 (SBL)	None*
Townline Road at St.	Stop Control (NB)	A.M.	В	13.8 s	0.24 (NB)	None	None
Catharines Street (RR20)		P.M.	С	16.5 s	0.31 (NB)	None	None

Note: [1] V/C Ratio – illustrates the maximum and other volume to capacity ratios greater than 0.85.

The Level of Service (LOS) of an unsignalized intersection is based on the highest delay to the minor approach.

As indicated in Table 1, the intersections of St. Catharines Street at Industrial Park Drive and St. Catharines Street at Townline Road operate at a Level of Service "C" during both the weekday a.m. and p.m. peak hours except for Industrial Park Road and St. Catharines Street operates at a Level of Service "E" during the p.m. peak hour. The level of service "E" is indicative of very infrequent gaps in traffic on the main roadway. Queue lengths become noticeable. The maximum volume-to-capacity ratio is 0.86 at the intersection of Industrial Park Road at St. Catharines Street during the weekday p.m. peak hour.

Potential Access Locations

The assessment of access locations is based on the Transportation Association of Canada's Geometric Design Guide for Canadian Roads (TAC Manual) Figure 8.8.2 and Section 9.4.2. As outlined in Section 9.4.2.1 of the TAC Manual, "A typical minimum intersection spacing along arterial roadways is 200 metres, generally only applicable in the area of intense existing development or restrictive physical controls where feasible alternatives do not exist. The 200 metres of spacing allows for minimum lengths of back to back storage for left-turning vehicles at the adjacent intersections."

Based on the above, it is currently recommended three access points be provided to the Smithville East Secondary Plan lands. The proposed accesses are as follows:

- One full moves access to Industrial Park Road. The access is to be centred as best as applicable between the Railway and the intersection of St. Catharines Street and Industrial Park Road. The access should align with the "Village Square" commercial development on Industrial Park Road.
- A full moves access to create the 4th leg at the intersection of St. Catharines Street and Townline Road. This intersection is currently under construction to a single lane roundabout.
- A potential full moves access to St. Catharines Street directly between Townline Road and Industrial Park Road. Additional analysis will be required to confirm if this access can operate safely as a full moves access or if turning restriction will be required.

It should be noted any recommendations to provide roadway improvements to increase safety and improve operations will be reviewed as a part of the future background and total traffic conditions.

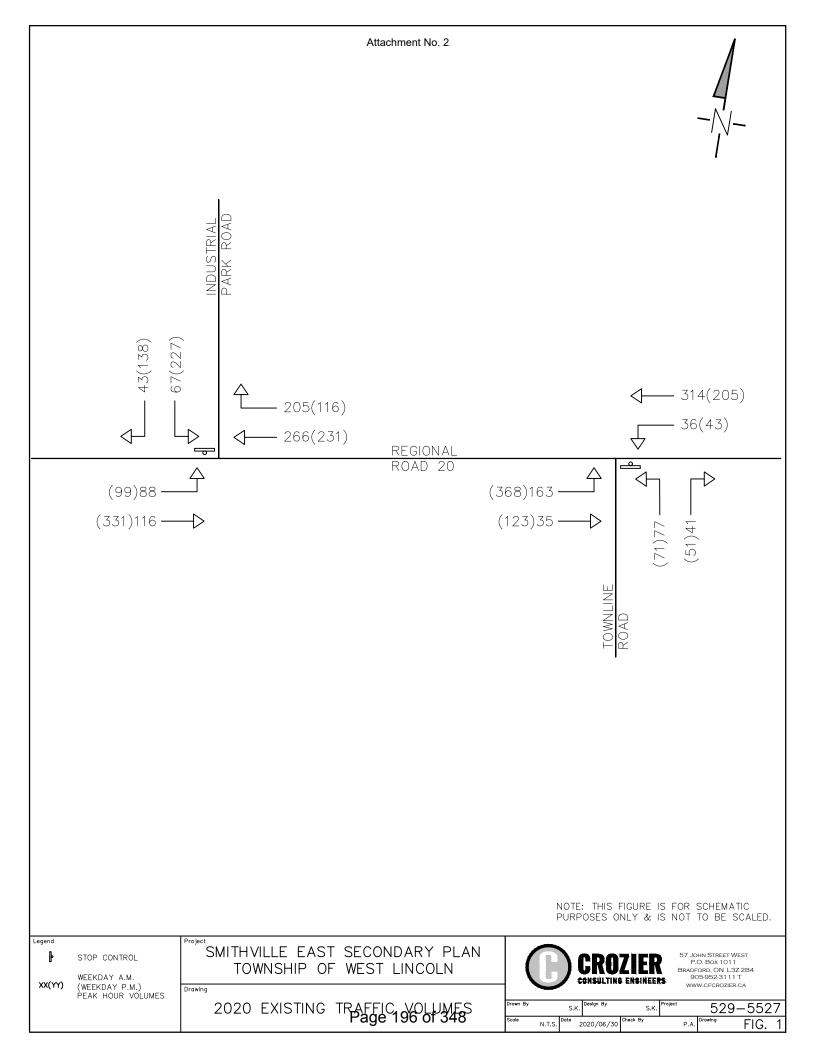
Sincerely,

C.F. CROZIER & ASSOCIATES INC.

R. Aaron Wianall

Associate, Transportation

 $\label{thm:condition} Q:\ 500\ 0529- \\ MHBC\ 5527_Smithville\ Secondary\ Reports\ Transportation\ 2020.06.30- Existing\ Conditions\ Traffic\ Letter.docx$



Aaron Wignall

From: Huppunen, Stephanie < Stephanie.Huppunen@niagararegion.ca>

Sent: June 12, 2020 9:54 AM

To: Aaron Wignall

Subject:RE: Townline Road and Highway 20 RoundaboutAttachments:2019-T-210 RR20 IFT DWGS_07-04-2019-Townline.pdf

Good morning Aaron,

The following information is from our 2019 traffic count data:

RR20 (St. Catharines Street) from RR14 (Convenient Street) to RR69 (Twenty Mile Road) - 0.9km - Year 2017 - AADT 8,200; SADT 8,400; WADT 8,100; Previous AADT 12,000 (2014)

I have also provided the IFT drawings for the roundabout at Townline currently under construction, please let me know if you need anything else. Have a great day.

Stephanie Huppunen, C.E.T.

Project Manager - Transportation Engineering

Niagara Region

Phone: 905-980-6000 ext 3552

Mail: 1815 Sir Isaac Brock Way, PO Box 1042

Thorold, Ontario, L2V 4T7

From: Aaron Wignall <a wignall@cfcrozier.ca> Sent: Wednesday, June 10, 2020 4:08 PM

To: Huppunen, Stephanie < Stephanie. Huppunen@niagararegion.ca>

Subject: Townline Road and Highway 20 Roundabout

CAUTION: This email originated from outside of the Niagara Region email system. Use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

HI Stephanie,

I am reaching out to gather as much information as I can for the work you are undertaking for the Highway 20 and Townline Road roundabout in Smithville. We are working with MHBC Planning and the Town of West Lincoln to complete various supporting documents for the East Smithville Secondary Plan.

I am looking for any traffic counts or drawings you are able to provide me that can help me complete my existing conditions traffic review. Please feel free to give me a call to chat.

Regards,

Aaron Wignall | Associate

C.F. Crozier & Associates Consulting Engineers 2800 High Point Drive, Suite 100 | Milton, ON L9T 6P4



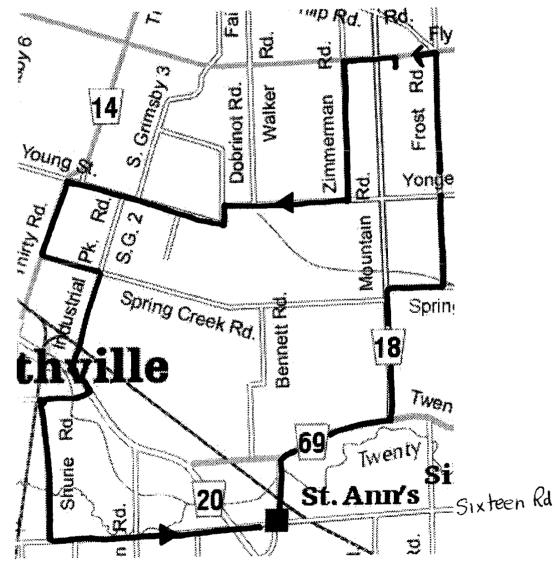
0.0		Beamsville lions Sports Park
	L	Fly Rd.
0.7	L	Zimmerman Rd.
2.7	R	Yonge Rd.
	-	mi ' i n i

6.9	L	Thi	rty Rd.	 	 	

8.1	L	Spring Creek Rd.
		Industrial Park Rd.
10.3	L	Reg.Rd. 20
10.8	R	Townline Rd.

11.5	L	Shurie Rd.
13.6	L	Sixteen Rd.
16.8	L	St. Anns Rd.
17.7	R	Twenty Rd.
19.3	L	Mountain Rd.

21.2	R	Spring Creek Rd.
21.2	7.	Spring Creen res.
22.1	T	Frost Rd.
<i>ZZ</i> .1	Ŀ	riost Ku.
25.2	T	Elec D 4
Z3.3	L	Fly Rd.
262	T	Dogmarilla Liona Charte Dark
26.2	L	Beamsville Lions Sports Park





Bicycles are considered vehicles under the Highway Traffic Act and must obey all rules of the road. Helmet use is strongly encouraged.

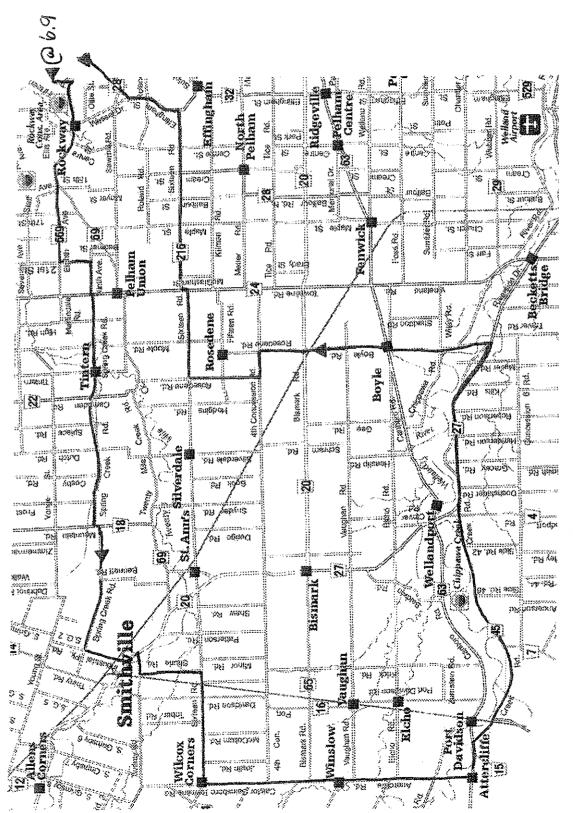


The Other Niagara – Long – 1996 – Rev. 2005 By Eveline Stout

0.0 WM Plaza @ TH	35.8 L Gainsborough Caistor
	Townline
0.6 L Vansickle Rd.	45.2 Stop@Attercliffe Restaurant
1.5 R St. Paul St. / 81	R Canborough Rd.
3.7 L Fifth St.	46.6 R Creek Rd. / 45
6.1 R Eighth Ave.	55.6 R Riverside Rd. / 27
6.9 L Seventh St.	61.4 L Boyle Rd. becomes Rosedene
7.5 R Rockway Rd. / 69	69.4 L Fourth Concession
(becomes Eighth Ave.)	
13.5 L Twenty-first St.	69.9 R Rosedene Rd.
14.5 R Spring Creek Rd.	72.4 R Sixteen Rd.
	01 0 I Essentian St. (hanning Fifth
15.5 L/R jog @ Victoria / 24	81.0 L Effingham St. (becomes Fifth St.)
	St.)
22.1 I/D iog @ Mountain Dd /	86.3 R Eighth Ave.
23.1 L/R jog @ Mountain Rd. /	60.5 K Eighti Ave.
27.4 L Industrial Park Rd.	87.2 L Third St.
28.8 R Reg. Rd. 20 to Tim	89.7 R St.Paul St. / 81
Horton's for a quick break	
28.9 R Townline Rd./Twenty Rd.	91.0 L Vansickle Rd.
29.8 L Shurie Rd.	92.0 R WM Plaza
32.0 R Sixteen Rd.	









Bicycles are considered vehicles under the Highway Traffic Act and must obey all rules of the road. Helmet use is strongly encouraged.



Level of Service Definitions

Two-Way Stop Controlled Intersections

Level of Service	Control Delay per Vehicle (seconds)	Interpretation
А	≤ 10	EXCELLENT. Large and frequent gaps in
		traffic on the main roadway. Queuing on
		the minor street is rare
В	> 10 and ≤ 15	VERY GOOD. Many gaps exist in traffic on
		the main roadway. Queuing on the minor
		street is minimal.
С	> 15 and ≤ 25	GOOD. Fewer gaps exist in traffic on the
		main roadway. Delay on the minor
		approach becomes more noticeable.
D	> 25 and ≤ 35	FAIR. Infrequent and shorter gaps in
		traffic on the main roadway. Queue
		lengths develop on minor streets.
Е	> 35 and ≤ 50	POOR. Very infrequent gaps in traffic on
		the main roadway. Queue lengths become
		noticeable.
F	> 50	UNSATISFACTORY. Very few gaps in traffic
		on the main roadway. Excessive delay with
		significant queue lengths on the minor
		street.

Adapted from Highway Capacity Manual 2000, Transportation Research Board



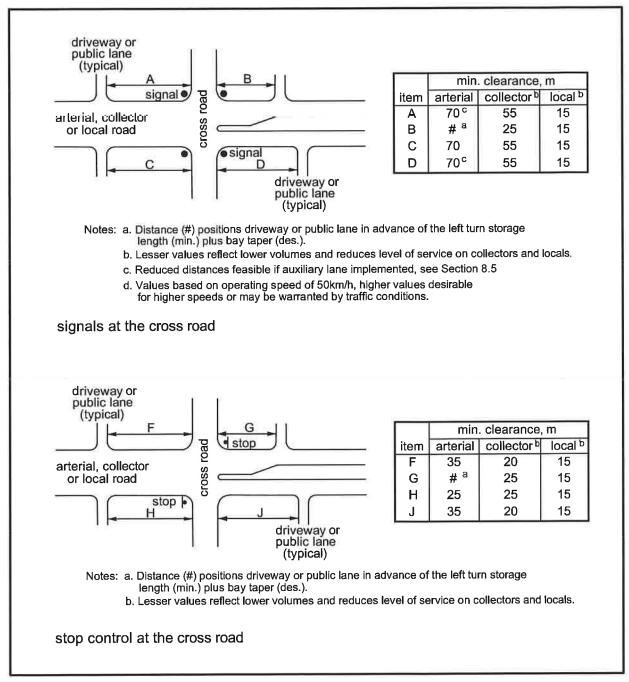


Figure 8.8.2: Suggested Minimum Corner Clearances to Accesses or Public Lanes at Major Intersections

Inadequate corner clearance between accesses and signalized intersections along a major road, such as a major arterial, can create serious operational problems including:



The development of a final design is facilitated by drawings that become progressively more detailed throughout the process. Some important aspects of the process are described below.

Roads are one form of land use and one element in the transport system. In developing areas and existing urban road networks, the role of roads is influenced by the type of land use and the other modes of transportation available. The development of new roads and road networks therefore requires input from specialists in land use planning, transport modelling, and traffic engineering.

While the current traffic situation is relevant in many cases, designs for new roads and major upgrades of existing roads requires estimations of traffic flows, traffic movements, and traffic composition in a future design year. In some cases, the need for an intersection may be questioned. A decision not to provide a new intersection or to remove an existing intersection should be taken only after an analysis of the likely effects on other roads and intersections in the surrounding road network. These effects could involve traffic congestion, crashes at other intersections, or traffic infiltration into local streets.

For new intersections, possible locations will have to be identified, taking into account topography, natural and man-made features, and many other considerations as outlined in **Section 9.3**. It may also be appropriate to consider a range of layout options and to evaluate them in terms of safety, traffic performance, environmental effect, and cost.

The process also involves an approval process that is preceded by consultation with other stakeholders (e.g., local municipalities and service authorities), the outcome of which may influence the design and final recommendation.

9.4.2 LOCATION AND SPACING OF INTERSECTIONS

Both rural road and urban road network spacing are often based on the location of the original road allowances before urban development. The systems of survey employed in the layout of original road allowances vary from region to region across Canada. As rural areas urbanize, the development of major roads generally occurs along these original road allowances; consequently, road networks vary from region to region. As examples, the land survey system in Ontario has created a basic spacing between major roads of 2.0 km, whereas the land survey system in the Prairie Provinces has resulted in a 1.6 km grid.

As development occurs, this spacing is often reduced. In areas of commercial or mixed use development, the vehicle, cyclist, and pedestrian traffic generated by employment and retail shopping may result in a reduced arterial spacing. In downtown areas, this spacing could be reduced further, as determined by the various road user characteristics and typically higher relative needs of pedestrians and cyclists.

The spacing of intersections along a road in both an urban and rural setting has a great effect on the operation, level of service, and vehicular capacity of the roadway. Ideally, intersection spacing along a road should be selected based on function, traffic volume, and the relative presence of various road user modes (e.g., vehicles, cyclists, pedestrians). However, it is often not always possible to provide ideal intersection spacing for all road users, especially in an urban setting. The designer should consider arterials, collectors, locals, cross roadway intersection spacing adjacent to interchanges, and traffic signal spacing and progression.



9.4.2.1 Arterials

Along signalized arterial roads, vehicular traffic volumes are generally high. It is therefore desirable to provide spacing between signalized intersections that is consistent with the desired vehicular traffic progression speed and signal cycle lengths. By spacing the intersections uniformly, based on known or assumed running speeds and appropriate cycle lengths, signal progression in both directions can be achieved. Progression allows platoons of vehicles to travel through successive intersections without stopping. For a progression speed of about 50 km/h and a cycle length of 60 s, the corresponding desired spacing between signalized intersections is approximately 400 m. As speeds increase, the optimal intersection spacing increases proportionately.

Where an arterial corridor must accommodate a variety of road users (e.g., vehicles, cyclists, and pedestrians), vehicle operations and the consequent intersection designs must balance the various needs while recognizing that the priority of arterial roadways is generally servicing vehicular traffic movement.

A typical minimum intersection spacing along arterial roadways is 200 m, generally only applicable in areas of intense existing development or restrictive physical controls where feasible alternatives do not exist. The 200 m spacing allows for minimum lengths of back to back storage for left turning vehicles at the adjacent intersections.

The close spacing does not permit signal progression; therefore, it is normally preferable not to signalize the intersection that interferes with progression along a major arterial. Intersection spacing at or near the 200 m minimum is normally only acceptable along minor arterials, where optimizing traffic mobility is not as important as along major arterials.

Where intersection spacing along an arterial does not permit an adequate level of traffic service, many alternatives can be considered to improve traffic flow. These include, but are not limited to:

- Converting two-way to one-way operation
- Implementing cul-de-sacs for minor connecting roads
- Introducing channelization to restrict turning movements at selected intersections to right turns only.

The designer's options may be substantially limited by the policies of the local jurisdiction.

On divided arterial roads, a right-in, right-out intersection without a median opening may be permitted at least 100 m from an adjacent all-directional intersection. The distance is measured between the closest edges of pavement of the adjacent intersecting roads.

In retrofit situations, the desired spacing of intersections along an arterial is sometimes compromised in consideration of other design controls, such as the nature of existing adjacent development and the associated access needs.

9.4.2.2 Collectors

The typical minimum spacing between adjacent intersections along a collector road is 60 m.

9.4.2.3 Locals

Along local roads, the minimum spacing between four-legged intersections is normally 60 m. Where the adjacent intersections are three-legged, a minimum spacing of 40 m is acceptable.

AMENDMENT NUMBER 60

TO THE

OFFICIAL PLAN

OF THE

TOWNSHIP OF WEST LINCOLN

EAST SMITHVILLE SECONDARY PLAN



AMENDMENT NUMBER 60

TO THE

OFFICIAL PLAN

OF THE

TOWNSHIP OF WEST LINCOLN

AS AMENDED

PART 1 – THE PREAMBLE

1.1 TITLE

This Amendment when adopted by Council shall be known as Amendment Number 60 to the Official Plan of the Township of West Lincoln.

1.2 **COMPONENTS**

This Amendment consists of the explanatory text and the attached Schedule 'A'. The preamble does not constitute part of the actual amendment, but is included as background information.

1.3 PURPOSE

The purpose of this Amendment is to provide the best and most efficient use for the lands described as the East Smithville Secondary Plan lands. These lands are described as a 34 hectare parcel located to the north of St Catharine's Street, and east of Industrial Park Road.

1.4 BASIS OF THE AMENDMENT

The Township of West Lincoln is proposing to amend the Official Plan to re-designate the subject lands to provide for a greater mix of uses and densities. The East Smithville Secondary Plan area is expected to function as a future prominent gateway into the urban area of Smithville, with the potential to accommodate up to 455 new residential units.

1.5 APPENDICES

The following items are considered appendices to this amendment:

- Staff Information Reports
- Technical Report PD-##-21
- Recommendation Report PD-XXX-20

- MHBC Planning Report Crozier Transportation Analysis



PART 2 – THE AMENDMENT

2.1 PREAMBLE

All of this part of the document entitled PART 2 – THE AMENDMENT, consisting of the following text and mapping changes constitutes Amendment No. 60 to the Official Plan of the Township of West Lincoln.

2.2 DETAILS OF THE AMENDMENT

2.2.1 The text of the Township of West Lincoln Official Plan is hereby amended by adding in Section 6.11.6 under Section 6.11 Secondary Plans - under Section 5 – Growth Management in the Township's Official Plan.

6.11.6.1 BACKGROUND

Purpose

The East Smithville Secondary Plan has been prepared to:

- Coordinate and guide development in the East Smithville Neighbourhood in a manner that integrates new Greenfield development with the existing urban neighbourhood and adjacent rural lands and employment/industrial lands, while respecting and protecting the surrounding environmental features;
- 2. Determine the appropriate density and layout of the neighbourhood;
- 3. Determine the appropriate land uses of the neighbourhood; and,
- 4. Establish parameters related to the review and approval of development applications within the Secondary Plan area.

Vision

The East Smithville Secondary Plan area totals approximately 34 hectares in size and is located on the eastern edge of Smithville. The Secondary Plan lands are surrounded by existing commercial uses to the west, the Canadian Pacific Rail Line ("CP Rail") and industrial uses to the north, primarily undeveloped agricultural land to the east, and residential/agricultural land uses to the south.

It is the intent of the Township of West Lincoln that these lands be developed with a mix of uses and densities. The East Smithville Secondary Plan area is expected to function as a future prominent gateway into the urban area of Smithville, with the potential to accommodate up to 455 new residential units.

Accordingly, it is the vision of the secondary plan that the development of East Smithville shall reflect the small town character of Smithville and provide an attractive, high-quality, safe, sustainable, interconnected, and pedestrian-friendly community for future residents of all ages and abilities to enjoy. Ultimately, East Smithville will become an urban neighbourhood with a strong pedestrian focus enhanced by public green space and trail linkages and a commercial/mixed use function to support the needs of the neighbourhood residents and the Smithville community.

Goals

The goals of the Secondary Plan are:

- To develop a land use and development concept that will implement the vision
- To determine the appropriate population and housing yield/ mix for the development area;
- To provide land use and urban design policies to guide the development of the community;
- To encourage the development of a range and mix of housing types, including the development of accessible and affordable housing;
- To encourage and promote best practices in environmental design and energy conservation:
- Provide a framework for the development of a neighbourhood with a compact urban form that is pedestrian-oriented and incorporates a park, open spaces and trails and provides linkages to the wider trail network;
- To promote active transportation by providing a safe neighbourhood with a high level of connectivity for pedestrians and cyclists;
- To ensure the orderly and logical development of the community by providing a development phasing strategy; and,
- To ensure the appropriate development of the community by providing direction and guidance to the review and approval of development applications.

a) Community Structure

The Community Structure Plan is illustrated in Schedule A and sets out the overall urban structure for the East Smithville Secondary Plan area. The Community Structure is based on the design principles identified in Section 4.2.1 and provides a neighbourhood structure organized around a central community entrance; a local road pattern which connects to the existing collector road network in the surrounding area; an integrated open space network with potential trail connections and natural features; and, the community place types considered for the Smithville Master Community Plan.

The lands are identified as Designated Greenfield Area in the Regional Official Plan and are currently Designated Greenfield Area in the Township Official Plan. The East Smithville lands will be developed as a primarily low and medium density residential neighbourhood, with the opportunity to develop a limited amount of local mixed uses at key locations. Greenfield areas are required to meet an overall density of 50 persons and jobs per hectare. The Niagara Regional Official Plan requires that residential lands in designated Greenfield areas will be planned and designed to achieve a minimum density target of 50 people and jobs combined per hectare. It is recognized that density targets are to be achieved across the designated greenfield area and the Region.

To achieve density targets and create complete communities that provide for housing needs and choice within the Township, the Township's Official Plan emphasizes the development of Greenfield areas to create more compact, multi-modal, mixed use communities with a range of housing types to develop an orderly and logical

progression and which utilizes land, infrastructure and services efficiently. Based on the land area and the density required to achieve the greenfield density target, the development of the lands is expected to yield between 266 and 455 residential units which would support a population of approximately 730-1063 people.

b) Land Use Designations

Lands within the Secondary Plan Area are designated as one, or more, of the following land use categories as illustrated on Schedule A:

- i) Low Density Residential,
- ii) Medium Density Residential,
- iii) Mixed Use,
- iv) Business Park,
- v) Park,
- vi) Stormwater Management; and,
- vii) Natural Features

The land use designations for the Secondary Plan are intended to complement the broader land use designations provided in the Township of West Lincoln Official Plan. In most cases, the land use policies and permissions described in the Secondary Plan are more detailed than those provided for within the Official Plan. Where there are inconsistencies between a particular policy in the Official Plan and the Secondary Plan, the policies of the Secondary Plan shall prevail.

The location and size of stormwater management facilities and the extent of natural features is approximate. It is the intent that a detailed stormwater management study and an environmental impact study will be required to be submitted, for consideration by the Township, as part a complete application for development.

c) Community Design

The Township Official Plan identifies that form and density of growth within the Township's urban areas should be guided by appropriate design standards intended to achieve a complete community that is livable, vibrant, well-connected, and prosperous. In order to achieve the desired vision, the Township has prepared and adopted Urban Design Guidelines for Smithville which provide enhanced guidance for the physical design of public and private development in Smithville to create an attractive, high-quality, safe, sustainable, interconnected, pedestrian-friendly and transit-ready community.

The Secondary Plan is based on neighbourhood urban design principles, aimed at establishing a complete community. These principles have used the design guidelines identified in the Township of West Lincoln Smithville Urban Design Manual as their basis.

The Secondary Plan design principles are founded on six key themes aimed at establishing a 'complete community':

- Safety;
- Integration and phasing;
- Housing mix and density;
- Open space network; and,
- Identity and urban design.

d) Design Principles

Development in the East Smithville Secondary Plan area shall be consistent with the following principles:

- Provide a diverse mix of land uses and unit types to support a vibrant neighbourhood;
- Provide a neighbourhood design concept that considers safety and mitigates railway-oriented impacts;
- Develop a neighbourhood at the pedestrian scale to promote social interaction, active streetscapes and an overall walkable neighbourhood;
- Establish an open space network of integrated and connected public spaces including a neighbourhood park, trail connections, and connections to stormwater management facilities and natural features;
- Develop a well connected network and hierarchy of streets, pedestrian paths and trail connections that enhance connectivity and provide for safe modes of active transportation (i.e. walking and cycling);
- Provide opportunities for recreational spaces that will serve all age groups and physical abilities, with an integrated active transportation system;
- Promote compatibility of scale and form between new and existing adjacent development;
- Create focal points, corridors and activity nodes within the community to enhance way-finding and establish an identifiable community structure;
- Promote sustainable design throughout the built environment to promote efficient use of energy, land, and infrastructure through conservation and energy-saving practices and systems; and,
- Establish distinct gateways to the East Smithville neighbourhood and the Smithville area to create a cohesive community identity.

e) <u>Urban Design Policies</u>

- i) Any proposed development shall address the Urban Design Policies of this Plan and, where appropriate, Policies within the Township Official Plan and the applicable built form guidelines established in the Township's Smithville Urban Design Manual.
- ii) Gateway Nodes are defined in the Township's Smithville Urban Design Manual as nodes located at the primary entrances to Smithville. Development

- within lands identified as a Gateway Node shall adhere to the Gateway Node design guidelines contained within Section 7.2 of the Urban Design Manual.
- iii) An urban design brief, or design guidelines, which demonstrate how any proposed future plan of subdivision meets the direction of the Township's Smithville Urban Design Manual and the Urban Design principles and policies of this Secondary Plan, will be required in support of any such application.
- iv) Development within the Secondary Plan area, including but not limited to areas of public use, shall be designed in accordance with the Accessibility for Ontarians with Disabilities Act, and other applicable Provincial legislation and the Region's Accessibility Design Standards.
- v) Streetscapes throughout the East Smithville Community are important components of the public realm. Streetscapes will be designed to enhance community character and sense of place.
- vi) Residential streetscapes shall be designed to ensure the provision of sufficient on-street parking through creative design solutions such as varying housing types and lotting patterns.
- vii) Development throughout the East Smithville community shall be encouraged to create a sense of identity and place through the use of various design attributes, including unique building typologies, architectural design treatments, building materials, decorative lighting, decorative street signs, boulevard treatments, gateway features and landscaping elements.
- viii) Throughout the neighbourhood, buildings shall be designed to form a well defined and continuous street edge with subtle variations in height and setbacks and high quality architectural features.
- ix) Human scale buildings will be required and be achieved through siting and orientation of a building on a lot and the distribution of building heights and massing. Consideration of building materials and architectural articulation must have regard for maintaining a human scaled form of development. Building heights shall provide appropriate transition between the higher intensity areas to the surrounding lower intensity areas.
- x) Decorative lighting, street signage and entrance features are encouraged.
- xi) Buildings on corner lots should articulate facades on both street frontages.
- xii) Buildings at terminating vistas will be encouraged to be designed as landmarks, with architectural innovation and quality urban design that reflects the community character. Incorporation of public art and enhanced landscaping will be encouraged at these areas.
- xiii) Dwellings located on lots in visually prominent locations are priority lot dwellings. Priority lots include corner lots, at 'T'- intersections, or directly adjacent to open spaces, parks, trails natural areas or agricultural lands. Priority lot dwellings shall be identified as such on plans of subdivision and the treatment of priority lots shall be described in the design brief to be submitted in support of a development application.
- xiv) Stormwater management systems shall be integrated into the design of buildings and the landscape where appropriate.
- xv) Business Park lands are:
 - expected to have a high degree of urban and architectural design;

- expected to have buildings facing the street;
- expected to have parking areas located at the side or rear of buildings. If parking is located in front of the building, there shall be landscaped buffers between the parking area and the street; and,
- expected to have site and building design controlled through the site plan approval process.

6.11.5.2 Land Use Policies

a) General Policies

- i) The East Smithville Secondary Plan is planned to achieve a minimum overall density of 50 people and jobs per hectare.
- ii) Residential lands will be designated as primarily low and medium density residential, with high density mixed use development along St. Catharines Street.
- iii) Development located adjacent to a rail line shall comply with CP Rail Principle Main Line requirements.
- iv) In order to address challenges related to development within proximity to a rail line, future development applications are encouraged to refer to recommendations contained within the Guidelines for New Development in Proximity to Railway Operations document and apply these principles, where applicable and appropriate.
- v) To be consistent with the Township Official Plan and to achieve the density target, the East Smithville Neighbourhood will be planned, designed and zoned to achieve a variety of housing types, styles and lot sizes.

b) Low Density Residential

- i) The planned function of the Low Density Residential designation is to provide opportunity for the development of low-rise residential land uses at lower densities. While the predominant land use within the Low Density Residential designation will be residential, it is intended that complementary non-residential land uses may be permitted to locate within this designation provided they do not impact the ability of the lands to achieve the vision and policies of this Plan and the required overall density target.
- ii) Lands designated Low Density Residential may be zoned to permit the following residential uses:
 - a) Single detached dwellings;
 - b) Semi-detached dwellings;
 - c) Linked semi-detached dwellings;
 - d) Street townhouse dwellings; and,
 - e) Duplex dwellings.
- iii) In addition to permitted residential uses, lands designated Low Density Residential shall permit the following uses, subject to applicable policies of the Township of West Lincoln Official Plan and the Zoning By-law:

- a) Home Occupations;
- b) Public and Private Utilities;
- c) Bed and Breakfast Establishments;
- d) Day Care Facilities;
- e) Places of Worship;
- f) Educational Facilities;
- g) Accessory Apartments; and,
- h) Garden Suites.
- iv) Low Density Residential uses shall achieve a maximum density of 30 units per hectare.
- v) The maximum building height in the Low Density Residential land use designation shall be 2.5 storeys
- c) Medium Density Residential
- i) The planned function of the Medium Density Residential designation is to accommodate a range of medium density housing types including townhouse dwellings and stacked townhouse dwellings. The aim of this designation is to encourage medium density development and provide for the appropriate transition from lower density uses and non-residential uses. While the predominant land use within the Medium Density Residential land use designation will be residential, it is intended that complementary non-residential land uses may be permitted to locate within this designation provided they do not impact the ability of the lands to achieve the vision and policies of this Plan and the required overall density target.
- ii) The Township will encourage and support the mixing and integrating of innovative and different forms of housing to achieve and maintain a higher density built form.
- iii) Lands designated Medium Density Residential may be zoned to permit the following residential uses:
 - Street townhouses
 - Cluster townhouses:
 - Stacked townhouses; and,
 - All residential uses permitted in the low density residential designation of this Secondary Plan.
- iv) In addition to permitted residential uses, lands designated Medium Density Residential shall permit the following uses, subject to applicable policies of the Township of West Lincoln Official Plan and an amendment to the Zoning By-law, where applicable:
 - Day Care Facilities
 - Places of Worship; and
 - Educational Facilities
- v) Medium Density Residential uses shall have a maximum density of 40 units per hectare.
- vi) The maximum building height in the Medium Density Residential designation

- shall be 4 storeys.
- vii) Medium Density Residential development shall be subject to Site Plan Control and shall be designed and appropriately located with the direction of the Township's Smithville Urban Design Manual.

d) Mixed Use

- i. The Mixed Use designation is intended to be flexible and responsive to land use pattern changes and demands, and permit a broad range of residential, commercial and retail uses which are compatible with the surrounding area and meet the day to day needs of the neighbourhood. It is the intent that multiple residential buildings, with commercial uses at the ground floor are the predominant use of land in the mixed use designation; however, the Township will consider applications that provide a mixture of uses on a site provided this type of built form does not impact the ability of the East Smithville Neighbourhood to achieve the required density target.
- ii. Lands designated Mixed Use may be zoned to permit the following uses:
- Office
- Clinic
- Live-work units
- Apartment buildings
- Stacked and street townhouses; and
- Communal housing
- iii. Lands designated Mixed Use may be zoned to permit the following uses on the ground floor of a building that contains residential uses:
 - a) Small scale local serving retail uses; and
 - b) Small scale local serving commercial uses
 - The maximum size of such uses shall be 1,000m2.
- iv. Lands designated Mixed Use may be zoned to permit mixed use buildings with ground floor commercial uses and/or a mixed use site with residential uses located to the rear of commercial uses
- v. The Mixed Use designation shall have a minimum density 50 units per hectare.
- vi. The maximum building height in the Mixed Use designation shall be 6 storeys.
- vii. The Township may consider a height beyond 6 storeys subject to the submission of a design brief which demonstrates the proposed increase in height will maintain an appropriate public realm and pedestrian streetscape.
- viii. Development within the Mixed Use designation shall be subject to Site Plan Control and shall be designed and located with consideration for the direction of the Township's Smithville Urban Design Manual.
- ix. A design brief in support of site plan applications for mixed usedevelopment is required.
- x. Entrances and driveways are prohibited along the frontage of St.

Catharine's street.

e) Business Park

- i. The planned function of the Business Park designation is to accommodate service commercial, small scale and self-contained plant or warehouse uses, and office uses. It is the intent of the business park area to act as a connecting centre for the neighbourhood and create opportunities for residents to obtain commercial services and employment opportunities required to meet their day to day needs, within reasonable walking and cycling distance. Accordingly, a range of commercial uses, light industrial business and professional offices are appropriate.
- ii. Commercial uses should be small scale in nature and be developed up to a maximum of 1,000m2 of gross leasable area.
- iii. Lands designated Business Park may be zoned to permit the following uses:
 - Service commercial
 - Small scale employment uses that are compatible with adjacent residential uses
 - Personal service
 - Restaurants
 - Commercial recreational facilities
 - Office
 - Clinic; and
 - Local convenience/retail
- iv. The following uses are prohibited within the business Park designation
 - Drive through facilities of any kind
 - Automotive-oriented uses of any kind (sales, service, as stations) and
 - Adult entertainment establishments
- v. The zoning by-law may further refine the list of permitted and prohibited uses
- vi. Buildings shall have a minimum building height the equivalent of 2 storeys and a maximum building height of 5 storeys.
- vii. The Township may consider a maximum height beyond 5 storeys in the Business Park designation subject to the submission of a design brief which demonstrates the proposed increase in height will maintain an appropriate public realm and pedestrian streetscape.
- viii. Commercial facilities shall be designed to provide a safe environment for pedestrians and encourage walking.
- ix. Buildings shall be located such that they help to frame the street, and vehicle parking is located to minimize conflicts with pedestrians.
- x. Surface parking lots are to be adequately screened.
- xi. Lighting shall be oriented away from residential areas and have minimal impact on existing and new residential uses.

- xii. Development within the Business park designation shall be subject to Site Plan Control and shall be designed and located consistent with the direction of the Township's Smithville Urban Design Manual.
- xiii. A design brief in support of site plan applications for commercial development is required.
- xiv. A stationary noise assessment should be required at the site plan approval stage to ensure compatibility of non-residential uses with adjacent residential and other sensitive uses.

f) Parks and Natural Features

- i. The planned function of the Parks land use designation is to provide East Smithville and the surrounding neighbourhood with convenient access to a broad range of uses, including municipal parks and other green spaces.
- ii. A central park is a key component of the Secondary Plan. It is the intent that the park designation be developed consistent with the Neighbourhood Parks and playgrounds and Linear Parks and Greenspace Corridors typologies identified in Section 9 of the Township Official Plan.
- iii. The amount and type of parkland within the community shall be consistent with the policies contained within Seciton9 of the Township Official Plan and will be determined through the draft plan of subdivision process.
- iv. Park spaces shall have trail connections to promote connectivity via onstreet or off-street trails connecting blocks, open spaces and other points of interest.
- v. Parks and trails shall be strategically located and linked to the broader trail system, as identified in the Township's Trails and Corridors Master Plana d the identified potential trail connections on Schedule A.
- vi. All trails shall be designed consistent with the Township of West Lincoln trails and Corridors Master Plan.
- vii. Parks shall be easily accessible to residents and will be located within close proximity to all residential areas.
- viii. The Township encourages the integration of stormwater management facilities as part of the parks and open space system. Wherever feasible and appropriate, stormwater management facilities shall be designed to provide a park-like setting or the character of a natural wetland. However, stormwater management facilities shall not be accepted as parkland under the parkland dedication provisions of the Township Official Plan and the Planning Act.
- ix. The planting of trees within parkland blocks is encouraged to provide shade and to enhance the urban forest.
- x. In addition to the provision of open space and parks, private amenity recreation space should also be provided through future development applications, particularly for lands designated for medium density residential uses.

xi. Minor adjustments may be made to the size and location of parks and open space through the development approval process, without further amendment to the Secondary Plan, as long as the general intent of the Secondary Plan is respected.

g) Natural Features

i. The location and extent of the natural features, on Schedule A, are approximate. The boundary of the natural features shall be delineated more precisely through an Environmental Impact Study, or other appropriate study deemed acceptable by the Township of West Lincoln, Regional Municipality of Niagara and the Niagara Peninsula Conservation Authority, and be required to be submitted as part of a future development application for the lands.

6.11.5.3 Sustainability

- i) Development of the East Smithville Community is encouraged to implement efficient and effective methods of providing energy. This could be achieved by incorporating renewable energy resources, neighbourhood and building design techniques or other innovative initiatives.
- **ii)** The Township will promote development that strives to conserve energy and achieve the sustainability objectives of the Official Plan by encouraging, supporting and, where appropriate, requiring:
- Compact development and efficient built form;
- Transit supportive development and the greater use of active modes of transportation;
- Environmentally responsible design and construction practices;
- The use of green roofs;
- The integration, protection and enhancement of natural features and landscapes into building and site design; and,
- The reduction of resource consumption associated with development.
- **iii)** The incorporation of renewable energy sources, high-efficiency electrical and mechanical systems, water recycling and other "green" building features is encouraged.
- iv) The Township will encourage, at the development application stage, the reduction of energy and residential combustion emissions through a range of approaches including the development of R-2000 homes and similar commercial construction standards such as LEED or other similar published standards, the incorporation of Energy Star appliances, the physical layout of the plan having regard to energy conservation, and buildings powered by renewable energy sources.

6.11.5.4 Servicing and Transportation

Stormwater Management

This Plan provides a general stormwater management strategy as follows:

- 1. The lands located on the western half of the Secondary Plan area will drain west to a stormwater management facility located along the western portion of the Secondary Plan area and outlet to the western tributary of Twenty Mile Creek.
- 2. The lands located on the eastern half of the Secondary Plan area will drain east to a stormwater management facility located along the eastern portion of the Secondary Plan area and outlet to the eastern tributary of Twenty Mile Creek.
- 3. The location and size of stormwater facilities, as shown on Schedule A, is based on the general stormwater strategy and is, therefore, approximate. A detailed stormwater management study will be required to be submitted, for consideration by the Township of West Lincoln, the Niagara Peninsula Conservation Authority and the Region of Niagara as part of a complete application for development.
- 4. General stormwater management criteria required by the regulating agencies as follows:
 - a. For quantity control of all new developments, postdevelopment storm water flows are to be maintained to predevelopment levels;
 - b. For quality control, all regulatory concerns with respect to the quality of the storm water discharge must be fully and adequately addressed by the Consulting Engineer; and,
 - For water balance, post-development infiltration rates for the 2-year through to the 100-year storm should match predevelopment level.

Servicing Strategy

This Plan provides a general water and sanitary servicing strategy as follows:

- 1. Full development of the lands will require the installation of water and sanitary sewer infrastructure.
- 2. The lands within the Secondary Plan will be serviced through the extension of sewer and water services along St. Catharine's Street from Industrial Road.

3. The lands designated Business Park, located adjacent to Industrial Road may be serviced through connection to the existing sanitary sewer and water services on Industrial Road, subject to the completion of functional servicing reports and the satisfaction of Township and Niagara Region, as part of an application submission for development.

Transportation Strategy

This Plan provides a general transportation strategy as follows:

- 1. Lands in the Secondary Plan area shall be serviced by a collector road with a connection to the roundabout at St. Catharine's Street and a connection to industrial Road. The alignment of the collector road, as shown in Schedule A, is conceptual and may be modified without amendment to this plan provided any change is consistent with the intent of the Secondary Plan.
- 2. Driveways and local street connections shall not be permitted on the north side of St. Catharine's Street.
- 3. The Secondary Plan recognizes that there are existing driveway connections located on the south side of St. Catharine's Street. It is a long range goal of the Secondary Plan to ensure that the number of driveways on the south side of St. Catharine's Street will be reduced over time and, as such, additional driveways shall not be permitted on the south side of St. Catharine's Street.

Internal Local Streets

- 1. All internal local streets shall require continuous sidewalks on either side of internal local streets.
- 2. All internal local streets shall be designed in accordance with the Township's Smithville Urban Design Manual.

6.11.5.5 Development Phasing

The purpose of the Secondary Plan is to ensure the orderly and logical development of the East Smithville area. Draft Plans of Subdivision shall consider the following:

- 1. Full development of the lands will require the installation of water and sanitary sewer infrastructure.
- 2. Plans and functional servicing reports prepared in support of plans of subdivision are to identify staging and the rationale in support of the proposed staging.
- 3. It is the goal of the Secondary Plan to have all the lands, north of St. Catharines Street, developed at one time or incrementally from west to east. The Secondary

Plan would permit alternate phasing whereby lands on the east side of the Secondary Plan area proceed as the first stage, subject to:

- Any road connection to St. Catharine's Street being provided to the satisfaction of the Township of West Lincoln and the Region of Niagara; and,
- The extension of services being consistent with the servicing strategy identified in Section 7.0 and approval being granted to the satisfaction of the Township and the Region of Niagara.
- Lands on the south side of St. Catharine's Street may redevelop once municipal services have been extended.

2.3 LOCATION MAP

Schedule "A" of this amendment illustrates the location of this amendment.

2.4 IMPLEMENTATION

The purpose of the Secondary Plan is to guide the detailed planning and development of the East Smithville Lands over the next 20 years. The approval of plans of subdivision, and other development applications, that are consistent with the Secondary Plan will be the primary implementation mechanism.

This amendment will be required to be adopted by Township Council and forwarded to Regional Council for approval. This amendment will be implemented through notification of the Regional Clerk's department by the decision of Regional Council to approve, modify and approve, or deny.

Should the final approval be delegated to the Township, this amendment will be implemented through notification of the Township Clerk's department of decision to approve, modify and approve, or deny.

If no appeals are received within the appeal period, the amendment will be in full force and effect as approved by the appropriate Council.

3.0 APPENDICES

- Staff Info Reports
- Technical Report PD-XXX-21
- Recommendation Report PD-XXX-21
- MHBC Planning Report
- Crozier Transportation Analysis

AMENDMENT NUMBER 53

TO THE

OFFICIAL PLAN

OF THE

TOWNSHIP OF WEST LINCOLN

AS AMENDED

Official Plan Amendment Number ## was adopted by the Council of the Corporation of the Township of West Lincoln by By-law No. 2021-XX in accordance with the provisions of Section 17 (22) of The Planning Act, R.S.O. 1990, amendments made thereto on the XX day of XX, 2021

Joanne Scime, Clerk	Mayor Dave Bylsma

I, Joanne Scime, the Clerk of the Corporation of the Township of West Lincoln, hereby certify that the requirements for the giving of Notice, and the holding of at least one Public Meeting as set out in Section 17(22) of the Planning Act, R.S.O. 1990 have been complied with for Official Plan Amendment Number 55.

Joanne Scime, Clerk

DRAFT East Smithville Secondary Plan Response to Agency Comments

Niagara Region – October 20, 2020 (K. McCauley)

Comments Response

PROVINCIAL AND REGIONAL LAND USE DESIGNATIONS

The lands to the north of St. Catharines Street are within the Designated Greenfield Area and the lands to the south of St. Catharines Street are within the Delineated Built-up Area. The Growth Plan, 2019 requires that a minimum of 50% of all residential development occurring annually within Niagara Region be within the delineated built-up area once a municipal comprehensive review is approved and in effect. The Region is currently preparing a new Official Plan (MCR). Once the new Regional Official Plan is complete, the minimum residential intensification target of 50% will be applicable. The minimum density target within the Designated Greenfield Area is 50 people and jobs per hectare

The land use designations and policies of the Secondary Plan have been applied to ensure that the development within the secondary plan contributes to achievement of the intensification target. The lands within the Designated Greenfield Area are planned to meet the DGA density target of 50 p-j/ha.

EMPLOYMENT LANDS

The employment lands within the East Smithville study area are considered employment lands outside of an employment area and are subject to local consideration for a land use change. The criteria of the PPS (Policies 1.2.6 and 1.3.1) and Growth Plan Policy 2.2.5.14, which requires that the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site, should be considered to ensure this plan aligns with Provincial policies and directions.

The Secondary Plan area is not considered to be within an Employment Area. Therefore, the employment area conversion policies of the Growth Plan, Regional Official Plan and Township Official Plan do not apply. Instead, policy 2.2.5.14 of the Growth Plan which specifies that redevelopment of employment lands that are outside of Employment Areas is permitted provided that the lands will retain space for a similar number of jobs.

The Background Report has been revised to accurately reflect these policies, which provide that outside of employment areas, development criteria should be established to ensure that the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site.

ARCHAEOLOGICAL POTENTIAL

No identified cultural heritage landscapes of built heritage resources. Not known whether the lands have any archaeological constraints, but an archaeological assessment would be undertaken as a requirement of a subdivision application. Policies of the secondary plan could incorporate this requirements.

The Draft Secondary Plan policies incorporate this requirement through the provision of policies identifying the requirement for such assessment through a subdivision application. Please refer to Section 9.4.

According to Provincial screening criteria, the Secondary Plan lands exhibit potential for the discovery of archaeological resources due to

the presence of watercourses on the lands both north and south of St.	
Catharines Street and proximity to three (3) registered archaeological	
sites within 300 metres. Based on available aerial imagery, it does not	
appear that the majority of the study area has been subjected to recent	
extensive or intensive ground disturbance as defined by the Province.	
Section 2.0 Current Conditions/ Sub-Section 2.2 Summary of Technical Reports does not include a review of archaeology or cultural heritage. Information should be summarized in this section.	
Prior to any development on the Secondary Plan lands, future applicant(s) and/or owner(s) should be aware that an archaeological assessment will be required. It is Regional practice to require that the completed archaeological assessment(s) be submitted to the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) for review, and to satisfy Provincial criteria (provided in the form of an acknowledgement letter). Policy to this effect should be included in the Secondary Plan.	
LAND USE COMPATIBILITY – Rail	

The Guidelines for New Development in Proximity to Railway Operations (dated May 2013, prepared by Dialog & J.E. Coulter Associates Limited) notes that the noise influence area from a principal main line is 300 metres, and the recommended minimum vibration influence area is considered 75 metres from a railway corridor. Accordingly, any development within 300 metres of the rail line will be subjected to further study; such studies shall align with NPC-300 Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning. Policy to this effect should be included in the Secondary Plan.

According to the "Guidelines for New Development in Proximity to Railway Operations" document, the standard recommended building setbacks for new residential development in proximity to railway operations is 30 metres for both a Principle Main Line and a Secondary Main Line, which has been addressed in Section 2.3.5 of the Background Report.

The Draft Secondary Plan policies have made considerations for the potential effects of the secondary plan area in close proximity to a railway. Please refer to the Draft Structure Plan and Section 5.

LAND USE COMPATIBILITY – Nearby Industrial Facilities/Uses

The Background Review notes that the subject lands are located to the south of a number of industrial and commercial businesses. The Review identifies Harbison Walker International as a Class III manufacturing facility, Premier Express Lines as a Class II facility due to outdoor storage and its consideration as a medium scale industrial business, and Stanpac as a Class I industrial facility due to its indoor operations and lack of outdoor storage. These classifications are provided based on the definitions and criteria listed in the D-6 Guidelines (Compatibility between Industrial Facilities). When applying the D-6 Guidelines, the potential influence area from these facilities to sensitive land uses ranges from 1,000 metres (Class III) to 70 metres (Class I), with the minimum separation distance ranging from 300 metres (Class III) to 20

The Draft Secondary Plan policies provide wording, throughout the Secondary Plan, for how impacts between residential uses in the Secondary Plan and the industrial uses to the north can be minimized. Please refer to Sections 9.2 and 9.4.

metres (Class I). These Guidelines require that setbacks be measured from the lot lines, unless site-specific zoning or site plan control precludes the use of the setback for any activity associated with the industrial use.	
Options for ensuring compatibility include:	
1) Should the Township wish to apply the buffer from the extent of the industrial operation's use (i.e. building versus the property line), it is recommended that site specific zoning be applied to limit future expansion, or an amendment to any existing site plans be completed to establish a definitive extent for build-out.	
2) Through the redevelopment of the Secondary Plan lands, future land owners will be required to undertake studies to determine compatibility between proposed sensitive land uses and existing industrial and/or commercial land uses. These studies may include assessments of noise and/or air quality applicable to the existing operations, and require additional mitigation measures for the new use. Further discussion with the Township is required to determine the most	
appropriate action.	
MINIMUM DISTANCE SEPARATION	

The Background Review includes a Minimum Distance Separation (MDS) assessment, which was completed in 2007. According to the current Minimum Distance Separation Document (prepared by the Ontario Ministry of Agriculture, Food and Rural Affairs), MDS I setbacks are not required for proposed land use changes within approved settlement areas, as it is generally understood that the long-term use of the land is intended to be for non-agricultural purposes. At the time of establishing new or expanding settlement area boundaries, MDS setbacks apply. Given that the urban area boundary has been established and is not expanding, MDS setbacks do not appear to be applicable; however, Township staff are responsible to calculating and implementing any necessary MDS setbacks and should be consulted accordingly.

Surrounding livestock operations will not be impacted by the proposed future development of the subject lands given the existing residential development surrounding the agricultural operations and the removal of the existing agricultural operation within the subject lands to accommodate future residential. Please refer to Section 4 of the Background Report.

ENVIRONMENTAL

Environmental Planning staff have reviewed the information provided and note the following. An email from the Region dated April 16th, 2020 provided additional clarification for the environmental work and study requirements. Specifically, Regional staff requested the completion of:

- A watercourse characterization for non-Headwater Drainage Features (HDFs) to be completed when flow is present (i.e., during the spring).
- A HDF/watercourse assessment

As noted in Section 3.1 of the Background Report and Section 4 of the Natural Heritage Constraints Analysis (Appendix A), Crozier completed a Natural Heritage Constraints Analysis in order to determine the physical and ecological characteristics of the natural heritage features found on the subject lands. The following natural heritage constraints were encountered as a result of field investigations completed on the site in April 2020:

 A desktop screening for Species At Risk (SAR) and Significant Wildlife Habitat (SWH) to determine whether the small woodland actually meets significance criteria and confirm if it is providing any significant ecological function as habitat.
 Depending on the outcome of this assessment, additional EIS work may be required.

Although the East Smithville Secondary Plan Background Report suggests that spring field investigations were completed to inform the Secondary Plan mapping and identification of features, the details of that work have not been forwarded to the Region for review. As such, the Region continues to request the above noted information, in order to confirm that the constraint identification outlined in the Background Report is valid.

- A headwater drainage feature (tributary of Twenty Mile Creek) is located on the western half of the subject lands. A water course is also located on the eastern portion of the lands, which connects to Twenty Mile Creek;
- Fish habitat were not observed within the tributaries, however, based on the close proximity to the Twenty Mile Creek, there is potential for fish to move upstream onto the property;
- The lands located south of St. Catharine's Street and immediately north of the Twenty Mile Creek is partially located within an identified floodplain area;

The Draft Structure Plan has been developed with consideration for this technical work.

URBAN DSEIGN

Section 1.0 Introduction (Page 3)

-This section recognizes that the secondary plan functions as a future gateway into Smithville from the East. Consideration of how a gateway into Smithville can be achieved visually or physically should be further contemplated through the process.

The Draft Secondary Plan policies provide direction on how identified Gateways are to be addressed. Please refer to Section 4.2.

Section 2.0 Current Conditions/ Sub-Section 2.1 Guiding Policies and
Studies (Pages 8-22)

-This section does not reference the Township's Smithville Urban Design Manual. It is an important document that will help to guide the urban design vision for this Secondary Plan. This secondary plan should include urban design guidance for features and elements within the plan not addressed within the Smithville Urban Design Manual.

The Draft Secondary Plan policies provide additional urban design guidance, which address direction from the Smithville Urban Design Manual. Please refer to Section 4.2

-Further, this section could provide an inventory and analysis of existing built form typologies within Smithville, including materials and architectural styles. It is recognized that this information may be provided in a later document (i.e. urban design guidelines/policy).

The Draft Secondary Plan policies notes the requirement for an urban design brief or guideline for future development applications, and additional direction requiring the demonstration of how proposed future plans of subdivision are to meet the direction of the Township's Smithville Urban Design Manual.

Sub-Section 2.1.5 Parks and Recreation Master Plan, 2010 (Page 19)

-The options provided show SWM ponds, but no parks, trails, corridors, open spaces or linkages to natural heritage features. If options for land use are to be presented then consideration should be given for these land uses and networks are integrated to assist with the creation of a complete community.

As illustrated on the Draft Structure Plan, linkages have been contemplated between potential trail connections and SWM ponds. In addition, a centralized park has been contemplated. Please also refer to Section 5.6.

It is suggested that these recommendations are presented with another column for how these recommendations can be achieved within the Plan. Barriers to achieving recommendations should also be identified

including any capital works that may be required to implement the recommendations.	
Sub-Section 2.1.6 Trails and Corridors Master Plan, 2012 (Page 19) -The report notes that trails and corridors are not considered within the secondary plan area. Similar to parks and open spaces, is it suggested that conceptual evaluation of this network is carried out – especially considering that the recommendations of section identified above reference trails and other linkages. For example, the Secondary plan area includes Twenty Mile creek plus some natural heritage features. These represent basic starting points and linkages for a future trail and corridor system.	As illustrated on the Draft Structure Plan, linkages have been contemplated between potential trail connections and a central park has been conceptualized. Please also refer to Section 5.6 of the Draft Secondary Plan policies.
Sub-Section 2.2.4 Transportation (Page 28) -This section only discusses access points. There is no discussion of active transportation or the street network itself.	Please refer to Section 7.3 of the Draft Secondary Plan policies.
-Although streets are not shown in the land use option drawings, it is suggested that block sizes are connected and supportive of transit and active transportation	
-Page 29 notes that front lotting will not be permitted onto the Regional Road. Please clarify what is meant by this statement as buildings may front onto the Regional Road but individual driveway access may not be permitted.	

- Niagara Region is implementing a complete streets approach to the design and function of Regional Roads. If active transportation facilities are considered above and beyond what is existing, the Township should collaborate with the Region to address these.

TRANSPORTATION

Regional Transportation staff reviewed the report and provide the following comments. The report identifies a roundabout under construction at St. Catharines Street and Townline Rd. The construction is now complete and the LOS for this intersection should be revised to reflect the implementation of this feature. The study also recommends that a fourth leg be added to the intersection of St. Catharines Street and Townline Road.

There is an additional road connection contemplated between the roundabout and Industrial Park Rd. At this time, the fourth leg of the roundabout or access of Industrial Park Road is a preferable solution until new information is provided to support otherwise.

As illustrated on the Draft Structure Plan, a collector road has been conceptualized, with a connection to the roundabout at St. Catharines Street and a connection to industrial Road.Conceptual road network.

LAND USE SCENARIOS

The Background Review presents three land use options for consideration. These land use options were prepared acknowledging land conditions, constraints and opportunities.

Option 1 and 2 includes a large amount of Low Density Residential (LDR) area. Low density land uses do not represent compact form when applied to singles and semi-detached units. More information is required to determine if the LDR will reflect the land use permissions within the existing OP or if the land use permissions will be broader. Alternatively, medium density could be strategically added to the plan to add more housing and built form options. It will also provide visual diversity to the streetscape and assist in the creation of a complete community.

Please provide additional information on each option in terms of density targets and population/employment forecasts.

The Draft Structure Plan as well as the application of the individual land use designations have been informed by these comments. Please refer to the Structure Plan and Section 5 of the Draft Secondary Plan policies.

Each concept shows the location for stormwater management ponds. However, it doesn't identify parks or trails. More information on the required amount of parkland to serve the new neighbourhood should be provided.

As illustrated on the Draft Structure Plan, a collector road with a connection to the roundabout at St. Catharines Street and a connection to industrial Road has been proposed.

More information on the required amount of parkland to serve the new neighbourhood should be provided.	Parkland information and how parkland is to serve the neighbourhood has been provided in the Draft Secondary Plan policies. Please refer to Section 5.6.
Further to the comment noted above regarding the road network, the Secondary Plan should to establish direction for complete streets and active transportation facilities to provide important connections points for trail extensions.	As illustrated on the Draft Structure Plan, potential trail connections have been identified. Consideration for active transportation opportunities through connections to trails and natural features has been addressed in the Draft Secondary Plan policies. Please refer to Section 4.2.
As noted in the employment lands compatibility section, it may be desirable to expand the commercial/class 1 employment area as a buffer between the industrial park to the north and the future neighbourhood. It may be desirable to expand the commercial/class 1 employment area as a buffer between the industrial park to the north and the future neighbourhood.	This has been addressed and illustrated in the Draft Structure Plan. In additions, a 30 m railway setback is applied on either side of the railway, with an additional setback south of the railway, to accommodate a potential trail connection. As further noted in the Draft Secondary Plan policies, the requirement for the completion of studies to the satisfaction of public agencies, has been included.
All three land use options suggest a mixed use designation along the south side of St. Catharines Street. Have any other land use designations been explored? A mixed use designation may be impacted by the floodplain and the lack of a complementary land use. At least one option should explore the placement of medium or high density within this block as an alternative. A well designed building could act as a gateway feature for Smithville.	As illustrated on the Draft Structure Plan, the initially contemplated mixed use area has been revised and the consideration for higher densities has been addressed in the Draft Secondary Plan policies. Please refer to Section 5.4.

The Master Community Plan for Smithville identifies lands to the east of the Industrial Park and north of the study area as being studied for future expansion. If the lands south of the rail line are re-designated to residential, this could impact the future employment uses on these lands should they be brought in the boundary

The Draft Secondary Plan policies have made considerations for the place types conceptualized for the Smithville Master Community Plan. The Secondary Plan supports the Master Plan by continuing the mixed use corridor along St. Catharines Street. The node area identified in the Master Plan is supported by the mixed use designation conceptualized around the roundabout area. Mixed Use designation would be compatible with the concept of the node on south side of roundabout. Please refer to the Draft Structure Plan.

We have also reviewed the environmental work and features identified on the Secondary Plan, which are consistent with the features identified in the Master Plan.

Niagara Region – April 21, 2020 (C. Millar)

One of the most significant constraints to the "preferred" Concept Plan as presented at the PIC remains the Ministry D6 separation matter.

The Draft Secondary Plan policies provide wording, throughout the Secondary Plan, for how impacts between residential uses in the

Draft policies and background papers are being released with the May 12 Region PEDC report that will include mapping of draft Employment Areas, which the Harbison Walker Lands are in. The purpose of identifying Employment Areas is to increase awareness and protections from sensitive uses such as residential.

The preferred Concept Plan implies the minimum 300m setback to Class III will be taken from the source building, generally that being illustrated in Option 1 of the slides showing D-6 impacts.

In the Region's October comments, two options were suggested for dealing with the industrial/residential D-6 buffer requirements. Has any discussion happened with Harbison Walker to address or support the buffer setback to the building over the property line? If so, what was the approach agreed to?

As noted in the Region's comments, the other option is for the onus to be on the future development applications to justify a reduced setback; however, this could compromise the land use permissions for both residential and employment. It could also lead to future land use conflict and issues/challenges with implementing the Secondary Plan.

These D-6 impacts are seen as a major obstacle as it relates to Harbinson Walker and the potential for types of employment on lands north of the rail line, should they added through the MCP. This matter needs a clear resolution as part of the Secondary Plan process.

Secondary Plan and the industrial uses to the north can be minimized. Please refer to Sections 9.2 and 9.4.

NPCA – December 11, 2020 (S. Mastroianni)	
Comments	Response
NPCA mapping indicates that the East Smithville Secondary Plan Study Area consists of the following NPCA regulated features: • Main Channel of Twenty Mile Creek as well as associated tributaries • Regulatory 100 year floodplain associated with Twenty Mile Creek • Lower Twenty Mile Creek Wetland Complex associated with the main channel of Twenty Mile Creek. Identified as a Provincially Significant Wetland by the MNRF. • Valleylands associated with the main channel of the Creek. There may also be areas identified as Karst within the subject area that were identified within the Smithville Subwatershed Planning process. Please be advised that the NPCA regulates karst formations as a Hazard land in accordance with Section 7.0 of our Land Use Policy Document.	These comments have been considered alongside the Smithville Subwatershed Study documents. As illustrated on the Draft Structure Plan, the Natural Heritage System area has been revised, and are consistent with the Karst mapping and other environmental mapping provided within the Sub-watershed Study documents. The Draft Secondary Plan policies noted the requirement for further environmental studies to be completed to the satisfaction of the NPCA, among the other applicable agencies. It should also be noted that the Background Report provides updated mapping to address the regulated features noted.
The areas studied within the Constraints Analysis are not representative of the full Secondary Plan area in terms of the NPCA regulated features noted above. The Constraints Analysis does not address the main channel of Twenty Mile Creek (which is a type 1 Fish Habitat) or the associated Provincially Significant Wetlands. Further, the Background Report	The constraints associated with Twenty Mile Creek are well known and the appropriate land use designations that protect these features are already incorporated into the existing Official Plan (with the exception of potential Karst formations). The Natural Heritage designation in the

concludes that the subject lands do not contain Significant Valley lands or
Significant Wetlands. This statement is a bit misleading as these features
do exist within the East Smithville Secondary Plan area. It is unclear as to
why the Constraints Analysis only studied smaller areas and did not take
into account the entire Secondary Plan area. The NPCA requests further
clarity on this matter.

Official Plan, associated with Twenty Mile Creek are included in the Draft Secondary Plan.

The following specific comments relate to our review of the Natural Heritage Constraints Analysis:

1. The Constraints Analysis did not include the full extent of the tributary to Twenty Mile Creek within Study Area A. This study area should be extended to capture the remaining reaches (west, north and east) of the tributary to their full extent or to the property boundary. It is recommended that additional studies be conducted for Area A which includes fish sampling and amphibian surveys to better determine the sensitivity of this feature.

The natural heritage features being identified within the greater master planning process coincide with the areas identified as natural heritage features within the Draft Secondary Plan.

2. No study was undertaken of the remaining NPCA regulated features located within the Secondary Plan boundary. Several watercourses are located in the southeastern portion of the Secondary Plan area. Further, one of the watercourses is identified as being potential habitat for Grass Pickerel by DFO and is identified as Type 2 Important Fish Habitat. Additional study of these features is requested.

- 3. The Constraints Analysis does not discuss either Twenty Mile Creek (Type 1 Critical Fish Habitat) or the Provincially Significant Lower Twenty Mile Creek Wetland Complex. As these features are within the Secondary Plan additional study and consideration of these features is requested.
- 4. It appears that a Headwater Drainage Feature Assessment report has been completed (by Azimuth Environmental Consulting Inc.) which was summarized within the Constraints Analysis. NPCA staff request that a copy of that Assessment be forwarded to our office for review to assist in ensuring the identification of the features to protect on site is valid and the application of the future buffers (as shown on the Land Use Scenarios) on those features are appropriate.

The NPCA notes that the Smithville Area is known to have potential Karst Topography. Karst formations and the mapping of those features are being addressed within the Smithville Subwatershed Study. The NPCA suggests that consideration of these hazard features be addressed within the Secondary Plan process as these areas have the potential to alter the proposed land use concepts moving forward. The NPCA regulates Karst Formations and may require further assessment of these features through various studies such as Geotechnical Evaluations and EIS work if these features are present.

As illustrated on the Draft Structure Plan, the Natural Heritage System area has been revised, and are consistent with the Karst mapping and other environmental mapping provided within the Sub-watershed Study documents.

NPCA staff suggest that more consideration be given to the fact that a Subwatershed Study is being undertaken which includes the subject area and how these two processes can work in tandem in order to achieve optimum protection to the noted features on site. The work and studies that have currently been done through the Subwatershed Planning process may be of benefit to this process moving forward in order to avoid duplication of effort.

As illustrated on the Draft Structure Plan, the Natural Heritage System area has been revised, and are consistent with the Karst mapping and other environmental mapping provided within the Sub-watershed Study documents.



REPORT PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE

DATE: June 14, 2021

REPORT NO: PD-73-2021

SUBJECT: Rural Settlement Area (Hamlet) Boundary Review

CONTACT: Gerrit Boerema, Planner II

Brian Treble, Director of Planning & Building

OVERVIEW:

• The Region of Niagara is currently undertaking a Municipal Comprehensive Review as part of the process to create and adopt a new Regional Official Plan.

- As part of this process, the Region is reviewing settlement area boundaries, including rural settlement boundaries in Wainfleet and West Lincoln.
- The Provincial Policy Statement previously did not permit expansions to unserviced hamlet areas, but in the most recent 2020 iteration, Policy 1.1.6.4 now permits the 'minor rounding out' of rural settlement areas.
- Regional and Township staff have received a number of private requests to consider adding additional lands to specific rural settlement areas.
- Township staff are also considering a few areas where additional lands could be added to existing rural settlement areas to include already built out areas and to make more efficient use of existing infrastructure.
- Planning staff recommend that this report, including the hamlet adjustment considerations, be circulated to the Region to ensure they are aware of the Township's ongoing work.

RECOMMENDATION:

- 1. That, report PD-73-2021, regarding "Rural Settlement Area (Hamlet) Boundary Review", dated June 14, 2021 be received, and;
- 2. That, report PD-73-2021 be circulated to Regional Planning Staff to ensure that they are aware of the Township's ongoing work on reviewing the existing Rural Settlement Area boundaries, and;
- 3. That, staff present a Recommendation report at a future Planning/Building/ Environmental Committee meeting identifying which adjustments to rural settlement area boundaries, if any, are recommended by Township staff to support the Regional Municipal Comprehensive Review work.

ALIGNMENT TO STRATEGIC PLAN:

Theme #3

Strategic Responsible Growth

BACKGROUND:

The Region of Niagara has been working on a new Regional Official Plan for a number of years. The new Regional Official Plan is expected to be completed in late 2021 or 2022. As a part of the new Regional Official Plan, the Region is currently undertaking a Municipal Comprehensive Review (MCR) which includes the review of existing settlement area boundaries, including unserviced rural settlement area boundaries.

West Lincoln has 15 rural settlement areas, or hamlets, which are not serviced by municipal sewer or water. These rural settlement areas provide an important role in supporting the surrounding agricultural areas by providing residential and commercial opportunities.

As the Region is getting closer to preparing and presenting a draft Official Plan, Township staff want to ensure that the private landowner rural settlement area boundary adjustment requests and the adjustments that the Township is in the process of considering are formally submitted to the Region for their consideration. As such, staff are recommending that this report and its attachments are circulated to the Region.

CURRENT SITUATION:

Several private property owner requests have been made to adjust the rural settlement area boundaries in a number of West Lincoln Hamlets. In most if not all cases, these requests have also been sent to the Region for consideration, but they have also been included as attachments to this report.

These requests involve adjusting the rural settlement boundaries of Caistorville, Grassie, Bismark, East Boyle, Fulton, Silverdale and Abingdon.

There are also a number of boundary adjustments that the Township Staff are considering and will continue to review. These requests and considerations can be found in the attachment mapping.

Township staff are recommending to circulate this report with the Township's considerations and the private owner requests to the Region to ensure that the Region is aware of the ongoing work. Planning staff will continue to review the proposed adjustments and prepare and present a final recommendation report at a future Planning Committee meeting.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report.

CONCLUSION:

Township staff have compiled all of the private owner rural settlement area boundary adjustment requests that we are aware of and in addition have mapped out a number of adjustments that the Township is considering, but needs more time for a fulsome review. These requests and considerations are attached to this report.

Staff recommend that this report be circulated to the Regional Planning Staff and that a recommendation report be prepared and presented at a future Planning Committee meeting once all requests have been fully reviewed.

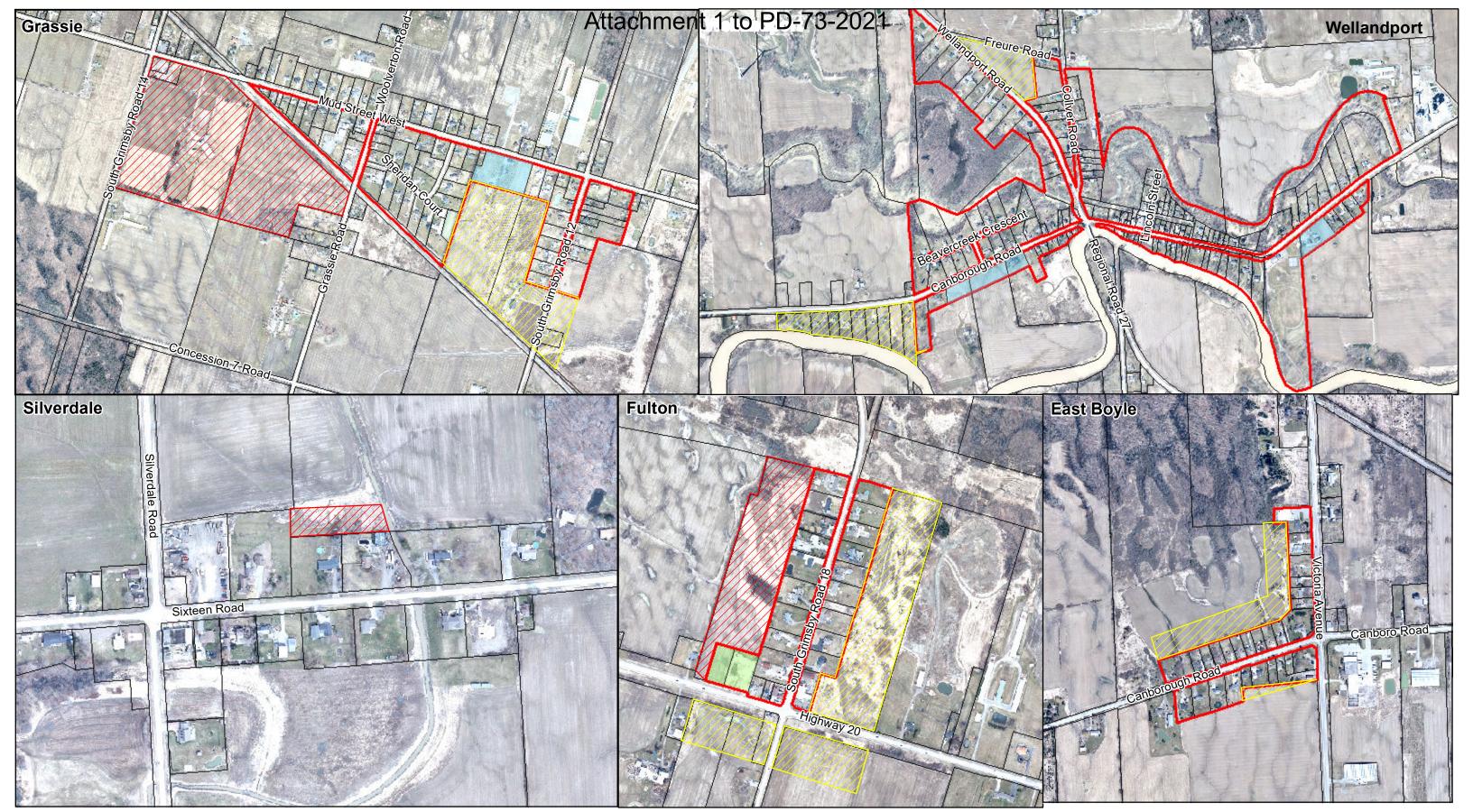
ATTACHMENTS:

- 1. Proposed Rural Settlement Area Adjustments
- 2. Private Owner Requests

Prepared & Submitted by:	Approved by:	
Gund Bocma	BHerdy	
Gerrit Boerema Planner II	Bev Hendry CAO	

Brian Treble

Director of Planning & Building



Hamlet Boundary Review



Legend

Proposed Expansion - Township Consideration
Proposed Expansion - Landowner Request
Underutilized Lands

Hamlet Boundary

Vacant Lands

June 2021





Hamlet Boundary Review



Legend

Proposed Expansion - Township Consideration Proposed Expansion - Landowner Request

Underutilized Lands

Hamlet Boundary

Vacant Lands

September 2020

Attachment 2 to PD-73-2021



April 9, 2020

VIA EMAIL AND REGULAR MAIL

Township of West Lincoln 318 Canborough Street Smithville ON LOR 2A0

Attention: Mr. Brian Treble. MCIP, RPP

Director of Planning & Building

Dear Mr. Treble,

Re: Abingdon Road Property, Town of West Lincoln

Proposed Hamlett Boundary Expansion

WEBB Planning Consultants are retained by Toscani Development Limited, the owners of a 5 hectare parcel of land that is partially within and adjacent to the existing Abingdon rural settlement area.

As you will be familiar, this parcel of land previously was entirely within the Hamlet area Boundary but inadvertently removed following the Township's adoption of the new Comprehensive Zoning Bylaw in June 2017.

Please note that the property owners have maintained their intent to see these lands appropriately developed in keeping with the planned function and sustainable practices for the various Hamlet areas that characterize the rural area of the Township. In addition, the owners are aware of drainage issues affecting Abingdon Road and the potential for the subject lands to rectify these issues through development of appropriate drainage and storm water management practices.

Having regard for the Policies of the Regional and local Official Plans, it is noted that the appropriate time to bring forward proposals to expand the Hamlet Boundaries is during the municipal comprehensive review process. As the MCR's are underway for both the Regional and local Plans, we believe it is appropriate to formally engage in the review process and seek to have the subject lands included within the Abingdon Hamlet boundary.

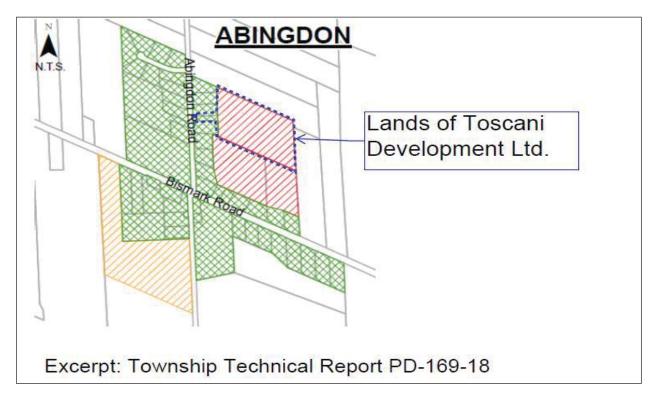
Specific to the MCR Process of West Lincoln, we have reviewed the Technical Report dated December 17th, 2018, (PD-169-18) that was prepared by Planning staff to identify proposals for possible Hamlet boundary expansions. The subject lands are identified as being proposed by the Township for inclusion (red hatching) in the Hamlet expansion according to the Figure appended to the Staff Report, an excerpt of which is provided on the following page. We concur with the preliminary position of the Staff Report that the subject lands should be considered as a possible expansion area.

Attn.: Brian Treble, MCIP, RPP

Re: Abingdon Road Property

April 9, 2020

Page 2



In summary, we believe that the lands of Toscani Development Limited have merit for inclusion within the Hamlet Boundary and wish to further discuss with Township Planning Staff the necessary steps to formalize this request and have the proposal considered as part of the on-going MCR process.

We would be pleased for the opportunity to have a further discussion with the Township staff to discuss this proposal and identify the supporting technical studies and concept drawings that may be required to facilitate a comprehensive review of the proposal. We will contact your office to arrange this discussion, in the meantime, please give me a call should you have any questions or comments regarding this submission.

Yours truly,

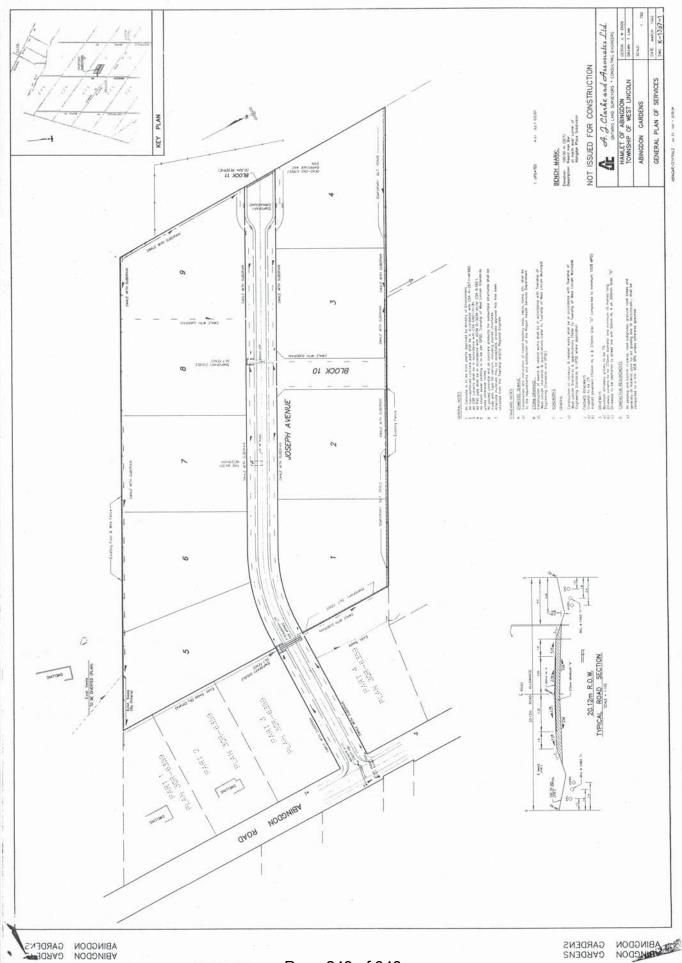
WEBB Planning Consultants Inc.

m nell

James Webb, MCIP, RPP

cc: Toscani Development Ltd. S. Lewellyn & Associates

Attachment 2 to PD-73-2021



GARDENS CYBDENS



Attachment 2 to PD-73-2021



April 8, 2021

Ms. Kirsten McCauley, RPP
Acting Manager, Long Range Planning
Planning and Development Services
1815 Sir Isaac Brock Way, Thorold, ON
kirsten.mccauley@niagararegion.ca

Re: Abingdon Hamlet Expansion 9197 Regional Road 65 (Silver St.) Caistor Centre, ON LOR 1E0

DEVELOPMENT FEASIBILITY MEMO

LandPro Planning Solutions (LandPro) has been retained by the Mildenberger family (client) to submit this letter as a private request to expand the Hamlet of Abingdon settlement area boundary to include their property. The subject lands are located at 9197 Regional Road 65 (Silver St.). Our request is part of the current Municipal Comprehensive Review (MCR) being conducted by Niagara Region, which includes a review of all settlement area boundaries. The property is presented in Figure 1, right.

This letter is presenting justification for inclusion of the property into the Hamlet during the MCR process.

Figure 1 – Subject lands outlined in green (Source Niagara Navigator)



Abingdon Hamlet Expansion: Planning Justification RequestMildenberger Family c/o Werner & Adam Mildenberger

BACKGROUND

LandPro was retained in June 2020 to assist the client in developing the subject lands as a residential subdivision. Preliminary discussions with the Township of West Lincoln (Township) indicated general support for the project, recognizing that a hamlet boundary expansion to be possible. The Township noted that Niagara Region is the responsible authority for boundary expansion.

In August 2020, an initial meeting was held with Township Planning staff; Niagara Region Planning staff; the client and LandPro, at which the idea of developing this land was presented. The meeting resulted in three (3) options being presented to proceed with the development of their property, namely:

- Private Application (non-MCR);
- 2. Regional Request (MCR); and
- 3. Township Sponsored Application (Hybrid);

With that information the client took some time to consider their options.

On re-engaging at a Pre-consultation meeting, held January 21, 2021 with the Township and Region, the client was advised that private applications were no longer being accepted and that they will only be evaluating hamlet boundary expansions through the MCR. A soft deadline of March 31, 2021 was set to submit any such requests.

Subsequent follow-up with Regional Planning staff identified a revised target date of June 2021 for this request. LandPro wanted to ensure the client's request was substantiated and not deemed frivolous, so took the time needed to prepare this submission.

This letter serves to express our client's interest in having the Hamlet of Abingdon settlement area boundary expanded to include the lands located at the above referenced address. LandPro believes this request is logical, appropriate and represents good planning. We trust the Region will agree after reading this submission.

PURPOSE AND SCOPE

This letter provides the land use planning justification in support of the expansion request; demonstrating that this request represents good planning based on our review and analysis of applicable provincial and municipal policy, which includes:

- The Provincial Policy Statement, 2020;
- The Growth Plan for the Greater Golden Horseshoe, 2019;
- Niagara Region Official Plan (NROP), Consolidated 2014, including:
 - Council Direction provided to staff; and
 - o Guidelines for Minor Rounding Out of Settlement Areas; and the



Abingdon Hamlet Expansion: Planning Justification Request Mildenberger Family c/o Werner & Adam Mildenberger

Township of West Lincoln Official Plan, Consolidated 2019

The focus of this submission is to demonstrate that this request will maintain the rural and agricultural character of the area; support the surrounding agricultural area, and be sustainably serviced in a financially and environmentally manner. This, together represents good planning.

THE SUBJECT LANDS

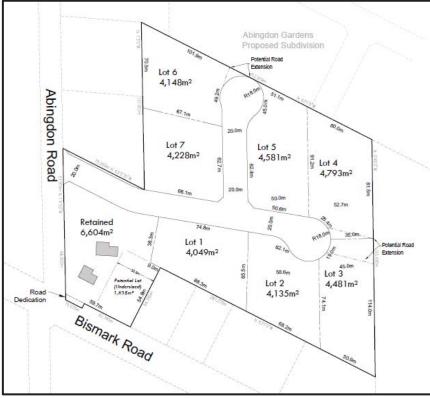
PROPERTY DESCRIPTION

The subject property is located at the north-east corner of Abingdon Road and Regional Road 65 (Silver Street), in the Township of West Lincoln. Of note, the intersection is the geographic centre of the Hamlet of Abingdon.

The property offers the following approximate dimensions:

- 4.05 ha in area
- 58 m frontage on Abingdon Road
- Approx 287 m deep.

Figure 2 – Conceptual Plan of Subdivision



The property contains two

designations under the Township Official Plan: "Settlement Area" (20%) and "Good General Agriculture" (80%). Our client's goal is to develop the property with approximately eight (8) new lots. A Conceptual Plan has been prepared and is presented in **Figure 2**, and attached as an Appendix 1.



Abingdon Hamlet Expansion: Planning Justification RequestMildenberger Family c/o Werner & Adam Mildenberger

HISTORICAL USE

Based on air photo analysis (<u>www.niagaranavigator.com</u>) and from anecdotal evidence provided by the family, it is our understanding the land was used for agricultural livestock, operating as a mink farm for many years.

It is unknown when the mink farm ceased operations, although visual examination of the agricultural buildings, they appear to be in fair repair, but would need some focused effort to be usable for most agricultural purposes.

SURROUNDING LAND USES

Surrounding land uses to the north, south and west include hamlet settlement areas. To the east it is agricultural with some environmental features. This information is presented in **Figure**

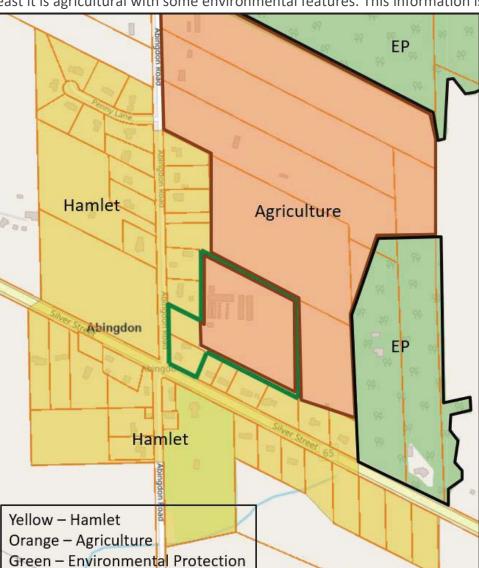


Figure 3 – Overhead view of Abingdon, Subject Lands outlined in Green (source: Niagara Navigator)

3, below.



Abingdon Hamlet Expansion: Planning Justification Request Mildenberger Family c/o Werner & Adam Mildenberger

LAND USE POLICY JUSTIFICATION FOR HAMLET EXPANSION

PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement (PPS, 2020) governs all land uses in Ontario by providing direction on matters of provincial interest related to land use planning and development. The current PPS is based on three overarching principles: 1) *Building Strong Healthy Communities*; 2) *Wise Use and Management of Resources*; and 3) *Protecting Public Health and Safety*. To be considered good planning, an application must be consistent with the policies of the PPS.

Expanding a settlement area is subject to Section 1.1.3 - Settlements Area, which sets policy for hamlets, including setting criteria when an expansion is considered. This policy is based on the long-term prosperity of Ontario communities, with the goal being to achieve good planning. With that in mind 1.1.3 of the PPS states that communities; 'use land and resources wisely, promote efficient development patterns, protect resources, promote green spaces, and minimize unnecessary public expenditures through effective use of infrastructure'. Expansion of the hamlet to include these lands can meet that, and it will be outlined more thoroughly below in the NROP and Township Official Plan sections.

Policy 1.1.3.8 provides authority for municipalities, in this case the Region of Niagara, to expand community boundaries, subject to meeting specific criteria. Policy 1.1.3.9 is also available, which provides for boundary expansions outside of the MCR process. Through discussion with the Township and Region, it is our understanding that all requests for expansion are being considered under 1.1.3.8 only. To be clear, satisfying policy 1.1.3.8 is based on meeting five (5) criteria, which are summarized in the Table 1 below.

Table 1 – Section 1.1.3.8 Settlement Area Expansion Criteria

1.1.3.8	Subsection	Comment
A planning authority may identify a settlement area or allow the expansion of a settlement	a) Sufficient growth cannot be accommodated through intensification, redevelopment and in designated growth areas.	This will likely be demonstrated through the Land Needs Assessment that is being conducted by the Region, as provincial data indicates that growth is meeting and/ or exceeding projections.
area boundary only at the time of a comprehensive	b) The infrastructure servicing is financially and environmentally sustainable.	The infrastructure in this location is private and would be sustainably engineered.



Abingdon Hamlet Expansion: Planning Justification RequestMildenberger Family c/o Werner & Adam Mildenberger

1.1.3.8	Subsection	Comment	
review and only where it has been demonstrated that:	c) In prime agricultural areas: 1.the lands do not comprise specialty crop areas; 2. alternative locations have been evaluated, and i. there are no reasonable alternatives which avoid prime agricultural areas; and ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;	 They do not. No reasonable alternatives. 	
	d) Expanding settlement area complies with Minimum Distance Separation (MDS) Formulae	It does not appear that any livestock barns, manure storages or anaerobic digesters are within the MDS setback area.	
	e) impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.	Impacts will be mitigated to the extent feasible.	

The proposed expansion is consistent with the PPS and specifically policy 1.1.3.8 which deals with settlement area expansion. Additionally, Section 1.1.3.8 is addressed in greater detail in A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), which is consistent with the PPS. We defer further comment to this section, which is presented below. However, it needs to be mentioned that settlement expansion policies under Sections 2 and 3 of the PPS



Mildenberger Family c/o Werner & Adam Mildenberger

need to be adequately addressed as per policy 2.2.8.2(h) of the Growth Plan, that being said Sections 2 and 3 of the PPS do not apply to this property and therefore it complies.

Lastly, expanding the hamlet boundary would contribute to building strong, healthy communities; and the expansion will maintain the character of the surrounding, while also servicing the nearby agricultural community.

This submission is consistent with the PPS 2020.

A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides a provincial level policy framework for managing growth in the Greater Golden Horseshoe, which applies to the Niagara Region.

The Growth Plan is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life.

The purpose of this letter to demonstrate that a hamlet expansion is appropriate in this area and to cover the subject property into the settlement area. The following are key principles and policies of the Growth Plan that apply to this matter.

As outlined above, the Growth Plan provides criteria for Settlement Area Boundary Expansion by complying with PPS policies. It also has policies setting out criteria for Settlement Boundary Expansions under Section 2.2.8. Of the policies under 2.2.8, subsections 1-2; and 4-6 all empower the municipalities to implement settlement area expansions. Lastly, 2.2.8.3 outlines that a boundary expansion must demonstrate that it can meet a set of feasibility criteria; of which this expansion can meet or mitigate.

Hamlet expansions are subject to the policies of the Growth Plan outlined above. The subject property meets all of the criteria that needs to be consider for a hamlet expansion to occur. It also can meet or mitigate any of the technical requirements needed for an expansion to be considered. The subject lands are a good candidate for inclusive into an expanded hamlet settlement area.

This application is consistent with Growth Plan policies.

MUNICIPAL POLICY

NIAGARA REGION OFFICIAL PLAN (CONSOLIDATED 2014)

The Niagara Region Official Plan (NROP) is the guiding long-range and community planning document used to manage the physical, economic and social development of Niagara Region.



Mildenberger Family c/o Werner & Adam Mildenberger

It contains the objectives and policies pertaining to the economy, natural environment, resources, infrastructure, agricultural land and managing growth. Through these policies it implements Niagara Region's vision for growth management and regulating land use, of which applies to this development.

TOWNSHIP OF WEST LINCOLN OFFICIAL PLAN (CONSOLIDATED 2019)

Similarly, the Township of West Lincoln Official Plan (WLOP) provides detailed policies for development and land use guidance to ensure long-term social, economic and environmental stability for the Township.

A review of both planning documents outlines three consistent main points of focus for settlement area expansions in both Official Plans (OPs). Both OPs generally overlap on policies as they relate to Settlement Area Boundary Expansions. In Table 1 below, it will outline the overlapping policies criteria and include additional relevant policies.

Table 2 – Overlapping Polices of the Niagara Region, and West Lincoln Official Plans

Policy Synopsis	NROP	WLOP	Comment
Lands contiguous to existing hamlet boundary	4.H.2.3.vi 4.H.2.3.vi	5.2.c	Figure 1 demonstrates that the subject property is contiguous to the hamlet boundary.
Conformity with the PPS and the	4.D.1.1.a)	5.2.a)	Conforms to 1.1.3.8.a) of the PPS and 2.2.6.2.a) of the Growth Plan
Growth Plan	4.D.1.1.b)	5.2.b)	Conforms to 1.1.3.8.a) of the PPS and 2.2.8.2.a) of the Growth Plan
	4.D.1.1.c)	5.2.g)	Conforms to 1.1.3.7.a) of the PPS and 2.2.8.2. of the Growth Plan
			Further support indicated in report: Niagara Official Plan – Steps and Directions Moving Forward, January 13, 2021, (suggests more land is needed to accommodate growth)
Servicing must be financially and environmentally sustainable	4.D.1.1.e)	5.7.c.xi	Appropriate technical reports will address this policy at the Plan of Subdivision level. Which will conform with 1.6 of the PPS and 2.2.8.3 of the Growth Plan.



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The policies outlined above in Table 1 indicate support from both the NROP and WLOP. There are additional policies from both OPs that further support the expansion of the Hamlet. They are outlined below with a brief comment.

NIAGARA REGION OFFICIAL PLAN

4.H.33 – Development in Hamlets will be permitted by plan of subdivision or consent.

The goal of the property owner is to develop this land through a plan of subdivision and rezoning.

TOWNSHIP OF WEST LINCOLN OFFICIAL PLAN

- 5.2.a) Sufficient land to accommodate the forecasted growth;
- 5.2.b) To develop as a complete, balanced community with a diverse mix of land uses, where residents have the opportunity to live, work and play in their community;
- 5.2.e) provides a framework to support rural Hamlets;
- 5.2.g) To direct a limited amount of growth to the Hamlet Settlement areas;
- 5.2.i) Infill is also supported within each of the Hamlet Settlement areas;

These policies address growth management. The intent for this land if included in a hamlet expansion, is for development by plan of subdivision, which will also require a re-zoning. This will meet the policies by providing housing options for anticipated growth.

Section 7 - Hamlet Settlement Boundaries present policies that are comparable and compatible with those outlined in Section 5. A number of the policies outline specific criteria for Hamlet expansions, residential development, and permitted uses. If the hamlet expansion were to be permitted to include the client's lands, the next step would be to develop this land through a Plan of Subdivision and Zoning By-law Amendment, which will directly address the policy criteria.

Based on recent changes to provincial policy, the NROP is expected to be updated at the conclusion of the Municipal Comprehensive Review. It is anticipated that this update will include more robust policies on Settlement Area expansions, which must be consistent with both the PPS and the Growth Plan, which we have already demonstrated.

Our client's request for expansion of the Hamlet of Abingdon is consistent with the policies, and indeed the spirit and intent of the Growth Plan. It is appropriate for the Hamlet's boundary to be expanded to include this property.



Abingdon Hamlet Expansion: Planning Justification Request Mildenberger Family c/o Werner & Adam Mildenberger

NIAGARA REGION OFFICIAL PLAN REVIEW

The current Municipal Comprehensive Review (MCR) being undertaken for a New NROP is to formulate policy for the long-range physical, economic, and social development of the City's and Town's within Niagara Region. The objective of this MCR is to replace the existing NROP to reflect provincial policy approaches to growth management in Niagara over the next 30 years.

It is anticipated that the Regional Official Plan Policy Report (ROPPR) will be prepared for Planning and Economic Development Committee (PEDC) and Regional Council in the 2nd quarter of 2021. This report will reflect recent consultations and provide a status update on five (5) policy sets. These include:

- Growing Region
- Connected Region
- Vibrant Region
- Competitive Region
- Sustainable Region

The focus of our submission is the *Growing Region* policy, which includes the following policy topics:

- Regional Structure, as it relates to strategic population distribution
- Housing, as it relates to housing supply diversity to accommodate current and future growth
- <u>Land Needs Assessment</u> (Growth Allocations), as it relates land requirements to accommodation population growth
- <u>Settlement Area Boundary Expansions</u>

An emerging theme of the NROP Review is growth management. Data provided to the Region by the Province indicates that population growth is expected to meet or exceed the 2041 projections if current levels of growth are sustained. Additional data from the Canadian Centre for Economic Analysis indicates that increasingly all forms of housing density will improve affordability and support Niagara's long-term future socially and economically.¹

As we understand it, a Land Needs Assessment (LNA) is currently underway to quantify how much land the local area municipalities require to accommodate growth forecasts and a summary draft of the LNA will be provided in the ROPPR to PEDC/Council in Q2.

It is our understanding that the Region will allocate most additional land in West Lincoln to Smithville, with some additional lands in designated hamlets. It is our belief that the LNA should

¹ PDS 4-2021 - Niagara Official Plan – Steps and Directions Moving Forward, January 13, 2021.



10

Mildenberger Family c/o Werner & Adam Mildenberger

recognize that the hamlets, specifically including Abingdon, are appropriate and timely for limited expansion, as is proposed here.

ANALYSIS

Based on the policy framework provided, our analysis focuses on two key aspects:

- 1. Maintaining the rural character of the area; and
- 2. Supporting the surrounding agricultural community

Our analysis focuses primarily on these areas. However, we also considered the shape of the property, context as a corner lot, surrounding uses, overall rural context of Abingdon, proximity to Smithville, Grimsby, and Hamilton. As planners, we naturally based the design on good planning principles (efficient lot/road design, sustainable water/sewer servicing, emergency access, seasonal road maintenance, diversity of housing options and walkability).

The challenge with many rural communities is lack of supply, in particular including new stock. Due to the rural location, municipal water/sewer is not anticipated to be available, so the lots were designed larger to accommodate private servicing. The lots were designed based on land needed to accommodate private sewage disposal systems. It is anticipated that the lots will be sold off for smaller custom homes, or to smaller builders aiming to service the immediate rural community.

The two key aspects of our analysis, however are maintaining rural character and

MAINTAINING RURAL & AGRICULTURAL CHARACTER

In developing the draft Plan of Subdivision in consultation with the client; the proposed plan of subdivision would not detract from maintaining the rural and agricultural character of the area. It would maintain what is currently reflected in the Hamlet of Abingdon, specifically large lots at a minimum of approximately 1 hectare in size. Large driveways with single detached dwellings set back from the road, surrounded by agricultural and natural uses.

A relevant, comparable example would be the properties located north of the subject property on Penny Lane, presented in Figure 4, below.



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The Penny Lane subdivision is approximately the same size of this subject property and has successfully maintained the character of the surrounding area with the residential development.

Figure 4 - Penny Lane Subdivision



SUPPORTING THE SURROUNDING AGRICULTURAL COMMUNITY

The population of West Lincoln is approximately 13,170, with an expected growth to approximately 17,000 people by 2021 (Section 3.2, WLOP). The primary economic activity is agriculture and agriculture-related and although manufacturing comprises the highest segment of the labour force (Section 3.3 Economy, WLOP), agriculture is in the top 4.

Additionally, agricultural makes up the highest number of business industries in West Lincoln. This is demonstrated in the statistics below from Statistics Canada, presented in **Figures 5 and 6**. Considering the high instances of agricultural contribution to the labour force and business; it is reasonable to assume that the proposed subdivision would support the surrounding agricultural community by increasing housing options for those involved in the sector. This



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includes providing alternative housing for retiring farmers, or for family and friends wishing to live closer to family farms. In addition, for those larger farm operations, commonly called corporate farms, this housing provides additional options for additional members of the corporation to live proximate to their work.

Figure 5 - Labour Force by Industry. Source Statistics Canada. 2016 Census (Chart supplied by: https://townfolio.co/on/west-lincoln/companies)

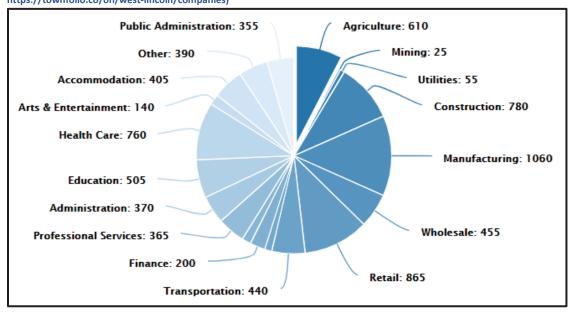
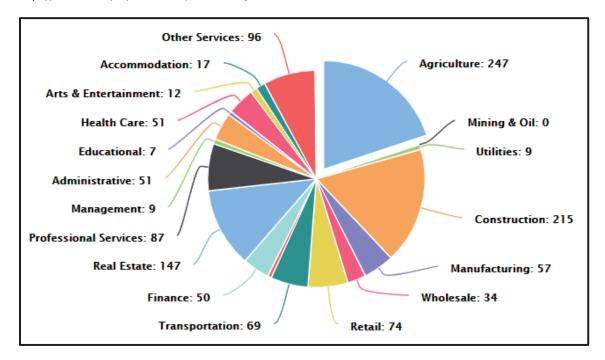


Figure 6 – Business Industries. Statistics Canada, Business Register. February 2020 (Chart supplied by: https://townfolio.co/on/west-lincoln/labour-force)





Abingdon Hamlet Expansion: Planning Justification RequestMildenberger Family c/o Werner & Adam Mildenberger

During the current pandemic, there is a heightened need for open space, which is often an unattainable luxury in larger, urban centres. This smaller form of development provides an alternative which is often ignored or forgotten with the strong focus on urban growth.

From a pure land use perspective, the demand for rural housing, in subdivisions like this, is largely recognized nor pursued as significant effort is required by the proponent to demonstrate to the Region and Township that such housing is required and appropriate. The MCR process provides a rare opportunity for considering such expansions.

Generally, having worked at the Township of Wainfleet during its Official Plan review process, expanding hamlets is often reviewed at a cursory level only, leaving historical settlement area boundaries untouched due to misperceptions, including lack of demand and difficulty servicing, which shifts the focus of such reviews to larger, traditional growth areas. In West Lincoln, the historical focus continues to be on Smithville, the largest settlement area in the Township. This is appropriate based on water/sewer servicing, while this approach may result in satisfying non-resident populations, including commuters looking for less expensive housing. This approach tends to overlook the local farming community, which may also be seeking housing alternatives that remain proximate to family operations.

It is our position that expanding Abingdon is both appropriate and timely from a land use planning and economic development perspective. The proposed development is small and tailored to service local housing needs. In particular, the hamlet boundary line seems to have followed historical lines, based on adjacent property lines, which resulted in including only a small portion of the subject property. In examining the rest of Abingdon, especially from aerial photography, including the rest of the subject property appears logical and could be considered, by some as a mapping error.

Including this entire property within the hamlet boundary provides space for up to seven (7) new residential lots. This is very small request, which will result in a very positive impact to Abingdon and the Township of West Lincoln as a whole. Providing housing for approximately 20 people (8 lots x 2.47 people per dwelling = 19.76 people) is a very small request for the Township and even a smaller request when looking at the Region. This request simply makes sense with very little, to no risk for either the Township or Region, while providing Abingdon with a some new residential dwellings that will benefit the rural community.

CONCLUDING REMARKS

The subject property has historically been used for livestock agricultural purposes. As the Hamlet has been developed with more residential uses it have become unviable to continue to operate the livestock farm without impacting neighbours with odours and noise; and thus the



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operation has ceased to operate in the past few years. Additionally, the property is generally unfit for crops because of the size of the lot and the natural features that exist on the property.

By expanding the hamlet boundaries, it will allow the property to be utilized to it's highest potential given those circumstances. That in turn will benefit the property owner and the Niagara Region and Township of West Lincoln with property tax revenue.

To envision an expanded hamlet boundary in this area one needs to look no further than **Figure 3**. The figure shows the natural features in the vicinity that could serve as natural boundaries for the settlement area expansion.

Further, we understand that there is development interest in the property immediately to the north. We understand they too would like to see a Hamlet expansion occur in this area to develop the land with residential units. As outlined in many of the hamlet expansion policies; expansions should only occur so long as they are orderly, logical, and contiguous progressions of the existing boundaries, of which the subject property can demonstrate. Throughout our negotiations with the Township and Region, this neighbour has been contacteds and chosen not to participate in our discussions.

Expanding the boundary of Abingdon will enable our client to pursue further approvals under the Planning Act, including Plan of Subdivision and Zoning By-law Amendment. These applications would be supported by a variety of technical studies, drawings and reports, as required by Township and Regional planning policy. Thus, expanding the hamlet boundary will not, in itself result in new development. It will enable to pursue development, subject to successfully meeting policy criteria to ensure sustainable and viable development occurs.

Lastly, when considering land use planning policy, expanding the hamlet boundary to include the subject property is evident. Inclusion of this property meets the criteria for expansion in provincial and municipal policy. And we believe that the Land Needs Assessment being undertaken by the Niagara Region will indicate that growth in the Hamlet, along with other urban areas is vital to meeting the forecasted growth of the Niagara Region.



Abingdon Hamlet Expansion: Planning Justification Request Mildenberger Family c/o Werner & Adam Mildenberger

CLOSING STATEMENT

The expansion of the Hamlet of Abingdon is reasonable, appropriate and attainable and which is supported by the applicable provincial and municipal policies. It is our position that the expansion is timely, appropriate and should be considered as good planning.

Sincerely,

LANDPRO PLANNING SOLUTIONS INC.

Michael J. Sullivan, MCIP, RPP, EP

President

mike@landproplan.ca

Adam Moote, MPlan

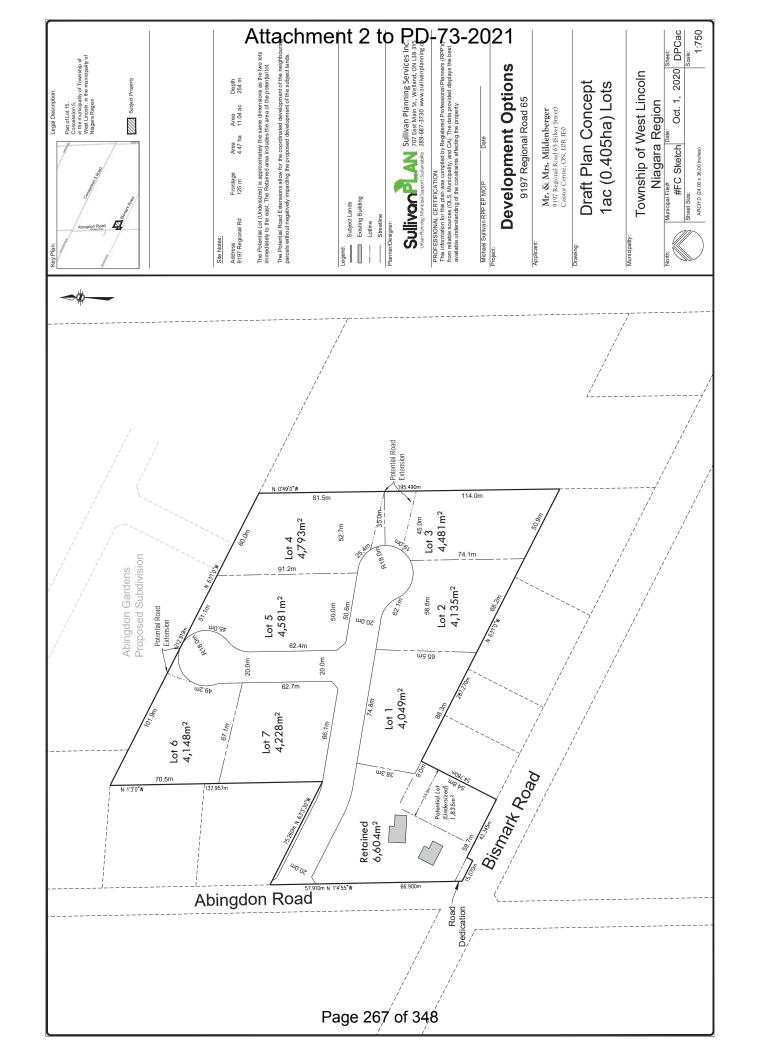
Adam Moote

Planner

adam@landproplan.ca



APPENDIX 1



Gerrit Boerema

To: Brian Treble; McCauley, Kirsten; Millar, Chris

Subject: RE: Property at 5520/5568/5614 silver St, regional road 65

From: Robert Beliak [

Sent: March 26, 2021 2:14 PM

To: Brian Treble < btreble@westlincoln.ca cc: Robert Beliak < r

Subject: Fw: Property at 5520/5568/5614 silver St, regional road 65

Good afternoon Mr. Brian Treble

Thank you for the discussion that we have had concerning the expansion of the Bismark Hamlet. As you know, we own the property at the south west corner of Regional Road 65 and Regional Road 27 in Bismark. The other corners have a school, an automotive shop and a restaurant. The Hamlet also contains a number of residential homes including a multi family building.

Property description Concession 3 Part lot 11 Roll no. 2602-020-010-12300-0000

We understand that the municipality is currently undertaking a comprehensive review of the hamlet Boundaries. Please accept this email as our request to be included within the Bismark hamlet boundary.

Our corner, the 5520 emergency number driveway, had a home on it for many years until July 1988, there was a weather storm and lightning hit the home and caused serious damage that the home was not repairable. We demolished the home and built a new home in 1989/1990 on the property but much further to the west, at 5614 regional road 65.

We are suggesting that some 5 to 10 acres be added in order to accommodate 5 to 7 houses, a hamlet commercial use and a self storage facility. This would provide an alternative place for residential uses as well as provide needed commercial services as per section 7.2.2 of the Official Plan.

We look forward to your consideration of this matter and would be happy to discuss this further with you.

Best regards,

Robert Beliak

Gerrit Boerema

From: Jeni Fisher

Sent: February 22, 2019 9:28 AM

To: Madyson Etzl
Cc: Brian Treble

Subject: FW: Hamlet Expansion Requests/Considerations as Part of the Township of West

Lincoln Urban Boundary Expansion Study

From: Lillian Jocic

Sent: February-21-19 5:08 PM

To: Jeni Fisher

Subject: Re: Hamlet Expansion Requests/Considerations as Part of the Township of West Lincoln Urban Boundary

Expansion Study

Good afternoon,

As a Co-Executor of the Estate of Mira Jocic, my dear late Mother, I am interested in learning more about this expansion. Please notify me by email with information and inform me of any upcoming meetings. Thank you, in advance, for doing so.

Respectfully, Lillian Jocic

Co-Executor of THE ESTATE OF MIRA JOCIC



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

Gerrit Boerema

To: Brian Treble; Kirsten McCauley

Subject: RE: Hamlet Expansion

From: Sherri de Wilde

Date: June 2, 2021 at 4:29:00 PM EDT **To:** Brian Treble btreble@westlincoln.ca

Subject: Hamlet Expansion

Dear Mr. Treble,

I am writing this letter because I would like my home and one or two more acres of land to be considered as part of the Hamlet Expansion Review Process. I live at 9491 South Chippawa Road. My home abuts the hamlet of Caistorville. I have 53 acres of land which abut the hamlet on the northeast side. Ultimately, I would like to be considered for five acres to be included in the hamlet, but would also appreciate if my home and only one or two of the 53 acres were included.

The land I am referring to is on the north side of South Chippawa Road. Approximately, 45 acres is being farmed by a neighbour who is older (early 70s) and who uses smaller equipment. I do not believe he will be farming in the next five years and most farmers today use very large equipment. This is not a large piece of land and it is divided by fences. It is not conducive for large equipment so I do not believe other farmers will be interested in farming it. Furthermore, approximately eight acres of the land is along the bank of the Chippawa Creek and it is not being farmed. It is overgrown with thick brush. This means even less incentive for the next farmer with large equipment. Farmers are looking for large, wide open parcels of land.

I believe many people are looking for parcels of land in rural areas where they can build their beautiful large homes surrounded by fresh country air, space, quiet, and privacy. In the past five years, the homes that have been built in the area just outside of Caistorville have been all large. People want room for a large house and often a shed/garage where they can work. I am requesting my home which abuts the hamlet, and one or two lots within the 53 acres be included in the hamlet.

Your consideration in this matter is very much appreciated.

Sincerely,

Sherri de Wilde



May 11, 2021 Via Email Only

Niagara Region

Attention: Kirsten McCauley, MCIP, RPP Acting Manager, Long Range Planning Planning and Development Services 1815 Sir Isaac Brock Way Thorold, ON L2V 4T7

Dear Ms. McCauley:

RE: 8250 MUD STREET WEST & 3498 GRASSIE ROAD, GRASSIE, TOWN OF WEST LINCON, NIAGARA REGION

T. Johns Consulting Group Ltd. ("T. Johns Consulting") was retained by the landowners of 8250 Mud Street West and 3498 Grassie Road, Grassie on April 20th, 2021 and April 27, 2021, respectively, to provide assistance through the Niagara Region's Municipal Comprehensive Review (MCR) as it relates to the current and on-going land need considerations of the "Settlement Area Boundary Review" (SABR). The following letter is a formal acknowledgement that the landowners have expressed interest for their lands to be considered with the rural area settlement area boundary expansions.

T. Johns Consulting Group will work with the Region of Niagara to submit a formal request for consideration in context of the draft SABR criteria as set out in Report PDS-17-2021.

Respectfully Submitted,

T. JOHNS CONSULTING GROUP LTD.

Terri Johns, MCIP, RPP

President

Katelyn[∥]Gillis, BA

Intermediate Planner

cc: Mr. B. Treble, Director of Planning & Building, Town of West Lincoln (via email only)

Ms. P. Coletto, landowner of 8250 Mud St W, Grassie (via email only)

Mr. D. Bartels, landowner of 3498 Grassie Rd, Grassie (via email only)

Planning Justification Brief

Part Lot 20, Concession 1, Geographic Township of Caistor, Township of West Lincoln

Proposed Rural Settlement Area Expansion



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1 Introduction

Mr. Andre Leblanc ("Owner") is the Owner of the lands legally described as PT LT 20 CON 1 CAISTOR AS IN RO703128 EXCEPT 30M194; WEST LINCOLN ("subject lands"). IBI Group has been retained by the Owner to provide an independent professional planning opinion with respect to the subject lands, and specifically whether a portion could be considered as a candidate for expansion of the Caistorville Rural Settlement Area ("RSA" or "Hamlet"). This report provides the planning review and analysis and is intended to be the main component of a submission to the Region of Niagara within the overall Municipal Comprehensive Review ("MCR") and New Regional Official Plan Project ("NROP") processes for consideration of an RSA expansion through the Settlement Area Boundary Review ("SABR") component. Accordingly, this report reviews the site context and planning framework, and provides independent analysis to recommend an expansion area to be incorporated through the MCR and NROP.

2 Subject Lands and Context

2.1 Location and Size of Subject Lands

The subject lands are located immediately south of the existing Caistorville Hamlet area, on the east side of Caistorville Rd, as depicted in **Figure 1** below. The lands are about 36 ha in area, with frontage on Caistorville Rd of approximately 1445 m and frontage on Indian Line of approximately 308 m. The lands are vacant, with the exception of two small accessory structures. Portions of the lands are actively farmed while other portions contain woodland and wetland areas. There are also several existing drainage features which traverse the lands, as well as several ponds. The lands are located near the westerly limit of both the Region and the Township boundaries.



Figure 1 - Subject Lands and Surrounding Context, Approximate Extent of Subject Lands in Red

2.2 Location and Size of Existing Caistorville Rural Settlement Area

The existing Caistorville RSA is located in the westerly area of the Region, as depicted in **Figures 2 and 3** below. It is arranged around the irregular intersection of Caistorville Rd and York St, also connecting to North Chippawa Rd and Concession One Rd. The RSA is also irregular in shape, bounded to the north by a curved, linear water feature we understand is named Wolf Creek. It is approximately 42.5 ha (105 acres), and is surrounded by agricultural uses, some of which contains natural heritage features and open space lands.

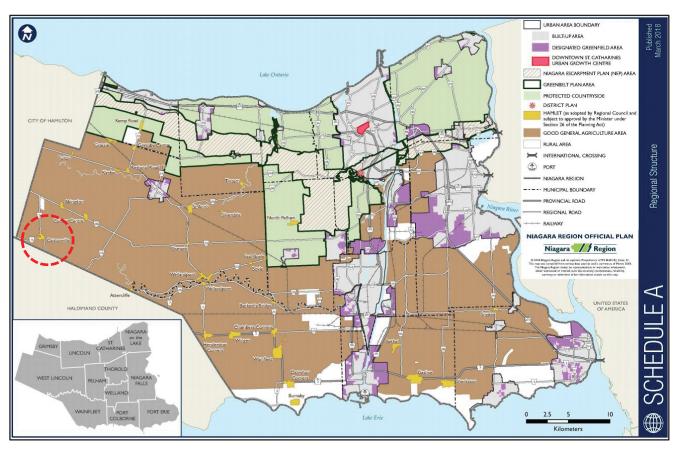


Figure 2 - Location of Caistorville in Context of Region



Figure 3 - Location of Caistorville in Context of Region - Google Earth Imagery

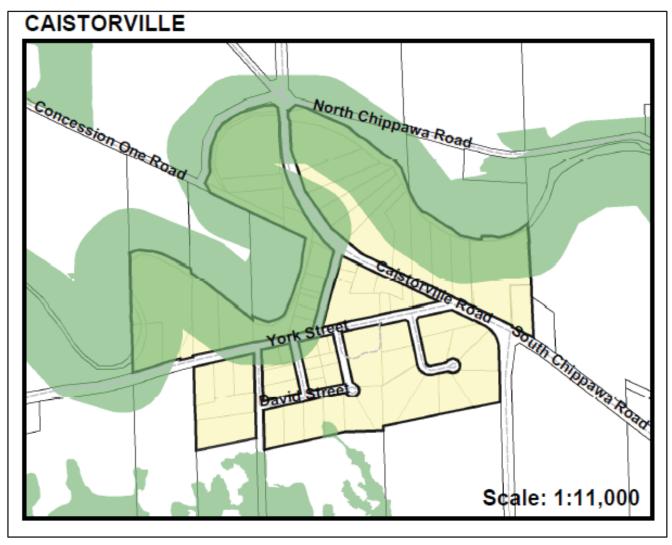


Figure 4 - Location and Extent of Existing Caistorville RSA - Town of Lincoln Official Plan Mapping

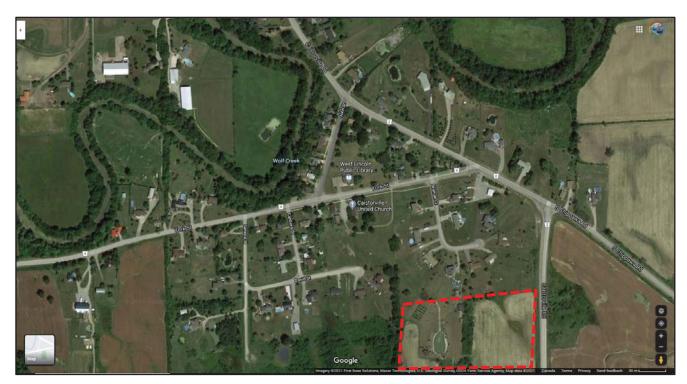


Figure 5 - Zoomed View of portion of Caistorville RSA, Portion of Subject Lands in Red, Google Earth Air Photo

3 Proposed Rural Settlement Area Expansion

This report will provide a review and justification for a proposed RSA expansion area on the subject lands of approximately 7.3 ha (18 acres), as shown in **Figure 6**. This expansion would be to the existing southerly RSA boundary, on relatively flat lands currently used for agriculture, immediately adjacent to existing rural residential development arranged around Broman Court. This expansion area would equate to an approximately 17% increase in the size of the existing RSA. Making assumptions for minimum lot sizes of 0.4 ha to comply with standard zoning requirements and to provide area for on-site individual private services, and a new public Right-of-Way ("ROW") width of 18 m, this proposed expansion area is capable of accommodating 13 new rural residential lots arranged around a "C-shaped" road, with two new connections to Caistorville Rd. The westerly and southerly boundary of the proposed expansion would follow delineated 30 m buffers from existing wetlands, and the expansion area and concept development plans incorporate existing drainage features with associated buffers, preserving connections external to the subject lands.

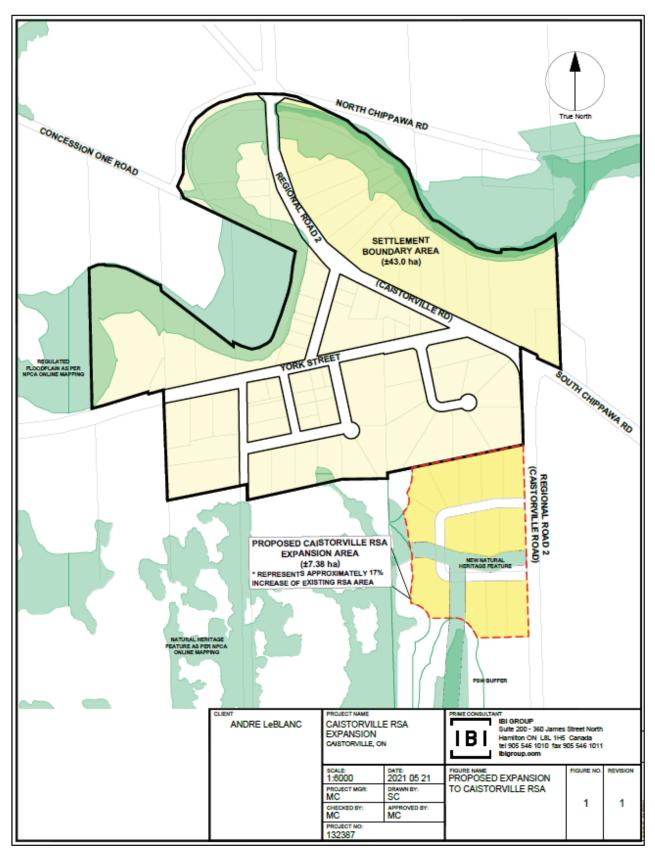


Figure 6 - Proposed Expansion Area in the Context of the Existing Settlement Area

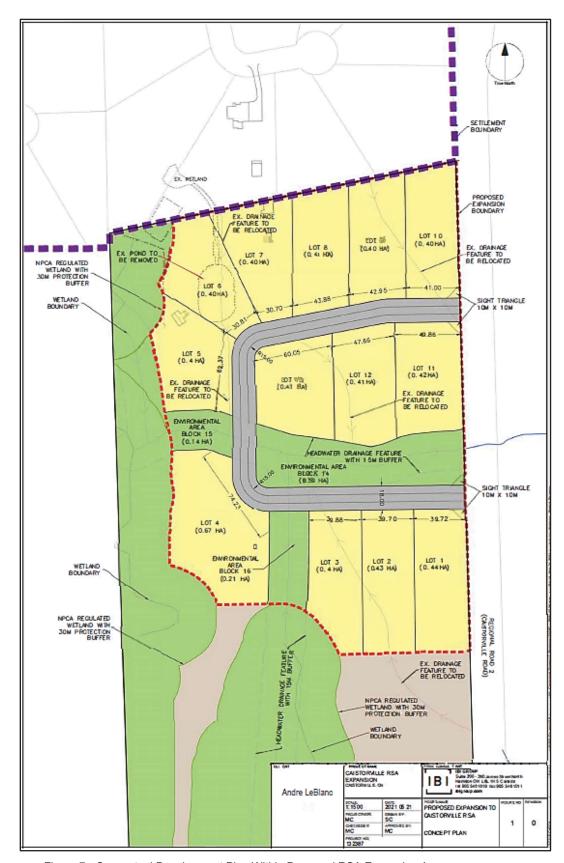


Figure 7 - Conceptual Development Plan Within Proposed RSA Expansion Area

4 Region of Niagara Municipal Comprehensive Review and Official Plan Project

At the time of writing this report, the Region of Niagara was progressing through it's MCR process, which is to result in the creation of a New Official Plan. Most of the planning analysis for the proposed RSA Expansion is provided below in **Section 5**, including a review and provides justification for the proposed expansion against the Region's draft criteria for consideration of RSA expansions through the MCR. It is noted here that the process for accepting, considering and commenting on proposed RSA expansions by the Region is through the coordinated MCR and the sub-component SABR process. For clarity, this report is being submitted to the Region within the SABR sub-component process in accordance with the defined process and is not a full Planning Justification Report which would accompany a planning application.

5 Planning Framework Applicable to Rural Settlement Areas and Expansions

There are multiple policy documents and specific policies which guide and structure RSA expansion considerations.

5.1 Provincial Policy Statement 2020

To begin, the PPS defines Settlement Areas as:

Settlement areas: means urban areas and **rural settlement areas within municipalities** (such as cities, towns, villages and **hamlets**) that are:

- a) built-up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long-term planning horizon provided for in policy 1.1.2. In cases where land in designated growth areas is not available, the settlement area may be no larger than the area where development is concentrated (emphasis added in bold)

Planning Comment: Consistent with the definition and discussion in the Growth Plan Section below, the existing Caistorville Hamlet is a Rural Settlement Area ("RSA") within the above definition from the PPS. The following sections review and provide planning analysis in consideration of this definition and policies applicable to existing RSA areas and proposed expansions of same.

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

- 1.1.1 Healthy, liveable and safe communities are sustained by:
 - accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multiunit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

Planning Comment: The proposed RSA expansion will provide land for additional low-density, ground-oriented rural residential dwellings in the westerly area of the Region and the Township. This will assist in meeting forecasted population growth to the planning horizon established in the growth plan, as well as in meeting market-based demand for rural, low-density, ground-related dwellings. Further, the proposed RSA expansion would extend the existing boundary to the south but would not preclude future expansions in other locations, if and when warranted.

1.1.3 Settlement Areas

- 1.1.3.1 Settlement areas shall be the focus of growth and development.
- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

Planning Comment: Based on air photo analysis, there are limited if any vacant residential lots within the existing Caistorville Hamlet. There appears to be two vacant lots just west of Caistorville United Church, with one fronting directly on David Street and the other fronting on what appears to be an unopened road allowance. There are other lots which appear larger but unsuitable for further land division without land assembly, due to limited frontage or lot shape. Lastly, there appear numerous lots that would be too small for further land division to either comply with zoning standards or requirements for private servicing. The proposed RSA expansion is supported by a concept development plan which extends the rural character and provides lot sizes that would be generally considered to be the minimum area for rural residential development.

- 1.1.3.8 A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:
 - a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;
 - b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
 - c) in prime agricultural areas:
 - 1.the lands do not comprise specialty crop areas;
 - 2.alternative locations have been evaluated, and
 - i. there are no reasonable alternatives which avoid prime agricultural areas; and
 - ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;

- d) the new or expanding settlement area is in compliance with the minimum distance separation formulae; and
- e) impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.

Planning Comment: At the time of writing this report, the Region is in the midst of it's MCR, and has produced a Draft Land Needs Assessment ("LNA") which identifies total land needs to the 2051 planning year horizon, indicating approximately 460 ha of community land need is required to accommodate forecasted growth. Further, a portion of this growth is to be allocated to rural areas, with West Lincoln and Wainfleet being identified as municipalities that will have a likely need for RSA expansions. There are no municipal water or wastewater servicing implications, but the existing Caistorville Hamlet contains the Caistorville Branch of the West Lincoln Public Library. With respect to Prime Agricultural lands, almost all of the West Lincoln Rural Area is designated as Good General Agriculture, which is a Prime Agricultural designation, and any RSA expansion would occur on Prime Agriculture lands. In the context of the Caistorville Hamlet, the boundary is surrounded by Class 3 and 4 soils, which are afforded lower priority protection. Further, the area with Class 4 soils appears to be within hazard lands and undevelopable. Lastly, MDS calculations have not been prepared for this submission, but distances to existing agricultural facilities based on air photo analysis have been provided (see sections below) It is anticipated that MDS calculations will be further considered through the MCR process.

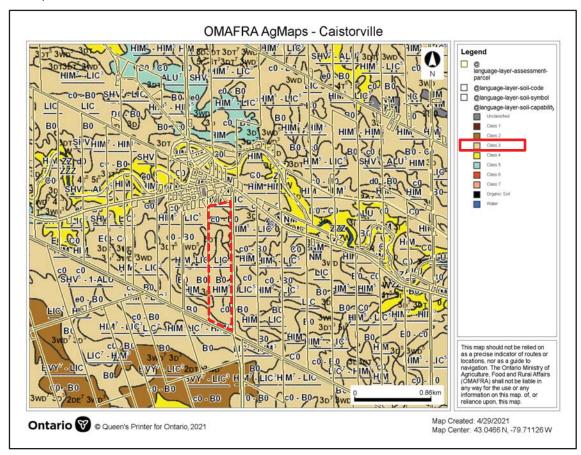


Figure 8 - Subject Lands and Soil Classification, Excerpt from Online OMAFRA AgMaps

1.1.4 Rural Areas in Municipalities

- 1.1.4.1 Healthy, integrated and viable rural areas should be supported by:
 - a) building upon rural character, and leveraging rural amenities and assets;
 - accommodating an appropriate range and mix of housing in rural settlement areas:
 - e) using rural infrastructure and public service facilities efficiently;

Planning Comment: The proposed RSA expansion would extend the existing Caistorville Hamlet to the south in a controlled and scoped area. The accompanying concept development plan illustrates that 13 new rural residential lots of a minimum 0.4 ha in size can be created within this expansion area, and that the location, size and shape of these lots extend and are compatible with the Hamlet character. This would also contribute to the number, size and shape of rural residential lots within the Hamlet, and provide low-density, ground-related rural residential dwellings in the western part of the Region and the Township, to accommodate forecasted growth and respond to market demand for these dwelling types in this location.

- 1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.
- 1.1.4.3 When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

Planning Comment: The existing Caistorville Hamlet is a RSA, and the proposed expansion would permit residential growth and development that would contribute to Hamlet vitality, such as through supporting the existing public library and place of worship. Further, the size and shape of the proposed expansion area afford a minor expansion in relation to the size of the existing Hamlet, being a total of approximately 7.5 ha and representing an approximately 17% increase in the size of the existing Hamlet. Further, the concept development plan provides lot sizes and shapes consistent with rural residential standards to accommodate individual lot-level private services, and completing the existing residential character of the Hamlet, particularly the lotting pattern and street design of Broman Court immediately to the north.

1.4 Housing

- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
 - b) permitting and facilitating:
 - all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and

Planning Comment: The proposed RSA expansion area will provide additional lands to accommodate low-density, ground-related rural residential dwellings to meet forecasted growth and market-based housing options to 2051, specifically the amount of dwelling unit growth within the Rural Area of both the Region and the Township. The size and number of potential lots provided in the concept development plan will provide housing for those looking for or requiring low-density, single-detached dwellings in a rural setting within the western area of the Region and Township.

1.6.6 Sewage, Water and Stormwater

1.6.6.4 Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.

Planning Comment: This submission is based on a planning review and analysis of applicable policy but is not supported at this stage by other technical work, such as a hydrogeological study. However, in developing the proposed RSA expansion area and concept development plan, typical rural residential standards were applied, including minimum lot areas of 0.4 ha which would typically be sufficient for accommodating on-site private well and septic services. Further, in the context of the Township, the 0.4 ha lot area is the minimum standard for Rural Residential zones.

2.0 Wise Use and Management of Resources

2.1 Natural Heritage

- 2.1.1 Natural features and areas shall be protected for the long term.
- 2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.
- 2.1.4 Development and site alteration shall not be permitted in:
 - a) significant wetlands in Ecoregions 5E, 6E and 7E1; and

Planning Comment: A preliminary assessment of the lands for natural heritage features has informed the proposed RSA expansion area map as well as the concept development plan. In both cases, existing wetlands have been delineated and required 30 m buffers have been used to separate the overall RSA and lot boundaries, so no development is proposed within the 30 m buffers. Further, existing drainage features of significance have been incorporated into the RSA expansion and development concept, such that the features are buffered and enhanced, and exterior connections maintained. Identified drainage features that are not critical are proposed to be relocated such that the functions would be incorporated into lot-level drainage.

2.2 Water

- 2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:
 - d) identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;
 - e) maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;

Planning Comment: As noted above, drainage features have been identified and either incorporated through preservation and associated buffers or through replication of function via relocated lot-level drainage. This approach will ensure features and functions are preserved and enhanced, including off-site connections.

2.3 Agriculture

2.3.1 Prime agricultural areas shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.

Planning Comment: Based on the online soil mapping data from OMAFRA provided in **Figure 8**, the subject lands consist of Class 3 soils. Further, most of the area around the Caistorville Hamlet consists of Class 3 and 4 soils, but the areas of Class 4 appear undevelopable due to hazard area delineations. The proposed RSA expansion is approximately 7.3 ha, and thus no more than this amount of land would be removed from Prime Agricultural Lands, all consisting of Class 3 soils.

2.3.5 Removal of Land from Prime Agricultural Areas

2.3.5.1 Planning authorities may only exclude land from prime agricultural areas for expansions of or identification of settlement areas in accordance with policy 1.1.3.8.

Planning Comment: The proposed RSA expansion is being submitted for review during the Region's MCR and is coordinated with process and substantive policy issues as required by policy 1.1.3.8.

5.2 Greenbelt Plan 2017

The subject lands are not within the Greenbelt Plan, and thus no Greenbelt Plan policies apply. Further, no Growth Plan policies dealing with Hamlet and/or Rural Settlement expansions into the Greenbelt Plan Area apply. **Figure 9** below provides mapping confirming the lands are outside the Greenbelt Plan Area.

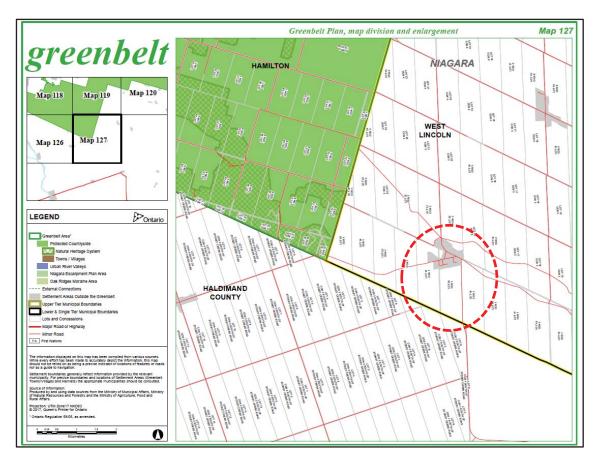


Figure 9 - Subject Lands in Context of Greenbelt Plan, Excerpt from Greenbelt Plan Map 127

5.3 Growth Plan 2019

To begin, Caistorville is identified within the Township of West Lincoln Official Plan ("TWLOP") as one of the four original Hamlet areas.

The Growth Plan provides the following definition of a Rural Settlement:

Rural Settlements

Existing hamlets or similar existing small settlement areas that are long-established and identified in official plans. These communities are serviced by individual private on-site water and/or private wastewater systems, contain a limited amount of undeveloped lands that are designated for development and are subject to official plan policies that limit growth. All settlement areas that are identified as hamlets in the Greenbelt Plan, as rural settlements in the Oak Ridges Moraine Conservation Plan, or as minor urban centres in the Niagara Escarpment Plan are considered rural settlements for the purposes of this Plan, including those that would not otherwise meet this definition.

Further, Settlement Areas are defined in the Growth Plan as:

Settlement Areas

Urban areas and **rural settlements within municipalities (such as** cities, towns, villages and **hamlets**) that are:

 a) built up areas where development is concentrated and which have a mix of land uses; and; b) lands which have been designated in an official plan for development in accordance with the policies of this Plan. Where there are no lands that have been designated for development, the settlement area may be no larger than the area where development is concentrated.

(Based on PPS, 2020 and modified for this Plan) (emphasis in bold added)

Planning Comment: As per these definitions, the Caistorville Hamlet is considered a Rural Settlement Area within the Growth Plan, and applicable policies pertaining to RSAs provide the overarching framework for consideration of proposed RSA expansion requests.

1.2.1 Guiding Principles

- Support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.
- Provide for different approaches to manage growth that recognize the diversity of communities in the GGH.
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.
- Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the agri-food network.

Planning Comment: The proposed RSA expansion shows how the lands can be utilized for rural residential development that extends from the southerly boundary of the existing RSA, providing a lotting pattern that is consistent with Hamlet character in terms of size and shape of lots as well as public ROW. Providing rural residential development on lots a minimum of 0.4 ha in area will add to the choice of housing within the Region and the Township. Further, this proposed expansion maintains identified drainage features with appropriate buffers, so that these hydrologic features are protected and enhanced. Based on available online provincial soils mapping, the proposed expansion lands are a lower priority class of soil, the removal of which would present an extremely minor quantum of overall agricultural lands in the Region and the Township.

2 Where and How to Grow

2.2 Policies for Where and How to Grow

2.2.1 Managing Growth

- 1. Population and employment forecasts contained in Schedule 3 or such higher forecasts as established by the applicable upper-or single-tier municipality through its municipal comprehensive review will be used for planning and managing growth in the GGH to the horizon of this Plan in accordance with the policies in subsection 5.2.4.
- 2. Forecasted growth to the horizon of this Plan will be allocated based on the following:
 - b. growth will be limited in settlement areas that:
 - i. are rural settlements;
 - ii. are not serviced by existing or planned *municipal water and wastewater* systems; or
 - iii. are in the Greenbelt Area;

Planning Comment: As identified above, the existing Caistorville Hamlet is a RSA within the Growth Plan. This Hamlet is served by public roads, but all development is serviced by private water and wastewater systems. Further, the Region, through the MCR, is working through the

process of planning to accommodate forecasted growth to 2051, which includes a 2051 population of 674 000 people. The basis for this planning work for population growth includes the required LNA to identify community area land need. At the time of writing this report the LNA was released as a draft that identified a community area land need of approximately 460 ha. Our review of the supporting MCR material produced by staff indicates that RSA expansions considered through the SABR process will be guided by the results of the LNA, but also considered through the SABR sub-component specific to RSAs. The submitted concept expansion area map and plan show that the proposed RSA expansion is limited to approximately 7.3 ha and 13 lots, which are both extremely minor in the context of the Region and the Township.

- d. development will be directed to settlement areas, except where the policies of this Plan permit otherwise;
- f. the establishment of new settlement areas is prohibited.

Planning Comment: As indicated above, a limited amount of growth is to be directed to existing RSAs. The Caistorville Hamlet is an existing RSA, and no new RSA is proposed.

- 3. Upper-and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:
 - a. establish a hierarchy of *settlement areas*, and of areas within *settlement areas*, in accordance with policy 2.2.1.2;
 - d. support the environmental and agricultural protection and conservation objectives of this Plan; and
 - e. be implemented through a *municipal comprehensive review* and, where applicable, include direction to lower-tier municipalities.

Planning Comment: The existing Region and Township Official Plans provide a Regional and Township structure which includes a hierarchy of settlements areas, which include existing Hamlets. At the time of writing this report, the proposed NROP also proposes a Regional structure that includes existing Hamlets, including the existing Caistorville Area Hamlet. Potential RSA expansions are to be considered through the SABR sub-component of the MCR. The proposed RSA expansion area incorporates existing drainage features, which will be protected and enhanced via buffers, and will have a very minimum impact on agricultural resources of the Region and the Township. Should the proposed RSA expansion be adopted by Regional Council, it would be incorporated into the adopted NROP at the conclusion of the MCR process.

- 4. Applying the policies of this Plan will support the achievement of *complete communities* that:
 - a. feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*;
 - b. improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
 - c. provide a diverse range and mix of housing options, including additional residential units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;

Planning Comment: The proposed RSA expansion area can accommodate approximately 13 new rural residential lots of a minimum of 0.4 ha in area, arranged around a new public road, while maintaining buffers and incorporating drainage features. While the proposed lot sizes would have to be verified through subsequent technical work, mainly a hydrogeological

investigation to confirm recommended minimum lot sizes, there is sufficient size within the expansion area to accommodate rural residential dwellings that will contribute to a diversity of housing supply options. In the context of complete communities, the existing Caistorville Hamlet is served by the Caistorville Branch of the West Lincoln Public Library as well as Caistorville United Church. Both of these existing uses will be supported and enhanced by additional residents in close proximity.

5. The Minister will establish a methodology for assessing land needs to implement this Plan, including relevant assumptions and other direction as required. This methodology will be used by upper-and single-tier municipalities to assess the quantity of land required to accommodate forecasted growth to the horizon of this Plan.

Planning Comment: At the time of writing this report, the Region had released a Draft LNA which identified a community area land need of approximately 460 ha to accommodate a forecasted population of 674 000 persons by the year 2051. This report does not assess the validity of the Draft LNA but notes that in accordance with the above policy the Region is utilizing the prescribed methodology to support the NROP and planning to the year 2051 as required.

2.2.6 Housing

- 1. Upper-and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:
 - a. support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
 - identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents; and
- 2. Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy2.2.6.1, municipalities will support the achievement of complete communities by:
 - a. planning to accommodate forecasted growth to the horizon of this Plan;
 - c. considering the range and mix of housing options and densities of the existing housing stock; and
 - d. planning to diversify their overall housing stock across the municipality.

Planning Comment: While the Growth Plan directs that limited growth can occur within existing RSAs and, further, that RSAs may be expanded, new development within existing and expanded RSAs does not contribute to meeting intensification or Designated Greenfield Area ("DGA") targets, as RSAs are outside of the defined urban boundary. However, our interpretation of the policy framework indicates that the direction to allow limited development and expansions of RSAs is balanced against the direction to plan for and accommodate minimum intensification and DGA targets, such that RSAs can not compete with intensification areas, DGAs and overall urban areas for growth. This report outlines that the proposed RSA is minor in scale at both the Regional and Township levels with respect to overall area and potential number of rural residential lots. The conceptual expansion area map and development plan illustrate the ability to accommodate additional residential development to provide choice in housing options to accommodate forecasted population growth. This minor expansion area and relatively small number of residential lots will not impact the Region's ability to plan for and achieve required intensification or DGA targets but will allow for additional growth and development to support housing choice and existing facilities within the Caistorville Hamlet.

2.2.8 Settlement Area Boundary Expansions

1. Settlement area boundaries will be delineated in official plans.

- 2. A settlement area boundary expansion may only occur through a municipal comprehensive review where it is demonstrated that:
 - a. based on the minimum intensification and density targets in this Plan and a land needs assessment undertaken in accordance with policy2.2.1.5, sufficient opportunities to accommodate forecasted growth to the horizon of this Plan are not available through intensification and in the designated greenfield area:
 - i. within the upper-or single-tier municipality, and
 - ii. within the applicable lower-tier municipality;
 - b. the proposed expansion will make available sufficient lands not exceeding the horizon of this Plan, based on the analysis provided for in policy 2.2.8.2 a), while minimizing land consumption; and
 - c. the timing of the proposed expansion and the phasing of development within the designated greenfield area will not adversely affect the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan.

Planning Comment: The Region's ongoing MCR is the appropriate process for consideration of boundary expansions, including the proposed RSA expansion request. The MCR process includes a Draft LNA that indicates a community area land need of approximately 460 ha. In addition, the Region has indicated the following:

Appendix 18.1:

The Region is working with municipalities that will likely have a need for rural settlement area boundary expansions: Wainfleet and West Lincoln. These municipalities have rural settlement areas outside of the Greenbelt Plan area.

For West Lincoln, the majority of its growth will be directed to Smithville as its only urban area. A small portion of growth will be directed to its rural settlement areas.

Appendix 18.3:

In West Lincoln, the majority of forecasted growth will be directed to the urban area of Smithville. A small percentage of growth will be allocated to the rural settlements/agricultural area.

The Region's Land Needs Assessment will determine the amount of growth to be directed to rural settlements

At this stage, a need for consideration of an expansion to the Caistorville Hamlet has been identified based on a combination of forecasted growth to 2051 and a limited ability for other RSAs in the Region to expand due to prohibitions for such expansions in the Greenbelt Plan area.

The Executive overview of the Draft LNA provides the following:

The remaining rural households and employment are directed to the Rural area. The Provincial LNAM does not provide detail on calculating need for additional Rural Settlement Area lands and, therefore, are not a component of the draft Land Needs Assessment. Additional consultation is underway with West Lincoln and Wainfleet to ensure Rural Settlement Areas also have a sufficient supply of developable land to support growth to 2051.

In addition, the LNA technical memo prepared by Hemson Consulting also provides the following table:

Household Growth by Policy Area						
Niagara Region by Local Municipality, 2021-2051						
Municipality	Built Up Area	DGA	Rural	Total		
Fort Erie	3,680	3,640	40	7,360		
Grimsby	4,500	70	20	4,590		
Lincoln	3,680	900	20	4,600		
Niagara Falls	10,110	10,010	100	20,220		
Niagara-on the Lake	1,150	3,420	20	4,590		
Pelham	1,030	3,080	20	4,130		
Port Colborne	690	1,600	10	2,300		
St. Catharines	18,770	890	100	19,760		
Thorold	1,610	4,790	30	6,430		
Wainfleet	0	0	460	460		
Welland	5,240	3,450	40	8,730		
West Lincoln	1,130	7,550	40	8,720		
Niagara Region	51,590	39,400	900	91,890		

Figure 10 - Table 9 Excerpt from April 5, 2020 LNA Technical Memo by Hemson Consulting Ltd.

Based on this analysis, West Lincoln may experience growth of about 40 households in the Rural Area to the year 2051. This is further augmented by the following:

While the above shares of household growth apply to the total municipalities, the Growth Plan and the LNA also require an allocation to the policy areas. Those policy areas are the Built-Up Area, the Designated Greenfield Area and the Rural Area. Within each municipality, the Rural Area is allocated a minimal 0.5%. New rural residential development is not generally encouraged by the policies of the Growth Plan or the Region of Niagara. Though there are legacy approvals and lots of record where limited rural development will still occur. The exception is the Town of Wainfleet, which has no urban serviced residential communities. By definition, it is 100% rural development. During further work in the MCR, the rural shares can be adjusted, if necessary, to reflect a more precise expectation for rural unit growth. Any adjustment to rural allocation would simply add or deduct the units from the DGA to gain a better calculation of land need. Adjusting the rural share for LNA purposes, for example, would not affect any other matters contained in this memorandum respecting the population, housing mix or employment.

The proposed RNA boundary expansion will provide additional rural residential lots to meet forecasted demand, which may still be increased based on policy choices and the preferred growth options selected through the MCR. Regardless, as noted above, this level of development will not compete with the achievement of the required intensification or DGA targets as required by the Growth Plan.

- 3. Where the need for a settlement area boundary expansion has been justified in accordance with policy 2.2.8.2, the feasibility of the proposed expansion will be determined and the most appropriate location for the proposed expansion will be identified based on the comprehensive application of all of the policies in this Plan, including the following:
 - a. there is sufficient capacity in existing or planned infrastructure and public service facilities;

- b. the infrastructure and public service facilities needed would be financially viable over the full life cycle of these assets;
- the proposed expansion would be informed by applicable water and wastewater master plans or equivalent and stormwater master plans or equivalent, as appropriate;

Planning Comment: The proposed development does not require new or extended municipal water or sewer services. The concept plan provides for the construction of a new public road, the initial cost of which would be borne by the developer through the subdivision review and approval process under the Planning Act, with future maintenance covered from a combination of municipal tax and development charge revenues. Given the low number of units proposed, no new external road works (i.e. widening, traffic signal, etc.) are anticipated to be required. Lastly, as noted earlier, the provision of new rural residential dwellings and the associated population increase will provide additional support to sustain the nearby library and place of worship.

d. the proposed expansion, including the associated water, wastewater and stormwater servicing, would be planned and demonstrated to avoid, or if avoidance is not possible, minimize and mitigate any potential negative impacts on watershed conditions and the water resource system, including the quality and quantity of water;

Planning Comment: The proposed RSA expansion would be serviced by individual private water and wastewater services. At this time, technical work to characterize site conditions respecting such (i.e. hydrogeological investigation) have not been completed. However, the concept plan illustrates minimum lot areas of 0.4 ha, which is a generally accepted minimum standard to support private services without risks to public health and safety or negative environmental impacts. Further, the rural residential character results in minimum site coverage, such that stormwater infrastructure can be handled through typical rural measures (i.e. ditches and swales).

e. key hydrologic areas and the Natural Heritage System for the Growth Plan should be avoided where possible;

Planning Comment: A preliminary assessment of natural heritage features on the subject lands has identified the locations, boundaries and buffers (where required) for existing features, including wetlands to the north, west and south and several drainage features traversing the lands. The proposed RSA expansion area provides a boundary based on the required 30 m buffer from the identified wetlands, while incorporating, preserving and enhancing two drainage features connecting off-site, in both the east-west and north south direction, as illustrated in the concept development plan. Other existing minor drainage features are proposed to be relocated such that the functions of these features can be replicated through lot-level drainage swales.

- f. prime agricultural areas should be avoided where possible. To support the Agricultural System, alternative locations across the upper-or single-tier municipality will be evaluated, prioritized and determined based on avoiding, minimizing and mitigating the impact on the Agricultural System and in accordance with the following:
 - i. expansion into specialty crop areas is prohibited;
 - ii. reasonable alternatives that avoid prime agricultural areas are evaluated; and
 - iii. where prime agricultural areas cannot be avoided, lower priority agricultural lands are used;

Planning Comment: In the context of the Caistorville Hamlet, based on online soils mapping provided by OMAFRA (**Figure 8**) the existing boundary is surrounded by Class 3 and 4 soils, where the Class 4 soils appear to be within defined hazard areas not suitable for development. Both the Region and Township Official Plans designate these lands as Good General Agriculture, which meet the criteria for Prime Agricultural Lands in accordance with the Provincial criteria and applicable definitions of the Growth Plan, as follows:

Prime Agricultural Lands

Specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection (PPS, 2020).

Given the subject lands consist of Class 3 soils, that the Caistorville Hamlet is surrounded by undevelopable Class 4 and otherwise Class 3 soils, and that Class 3 soils are to be given the lowest priority for protection, the proposed RSA expansion conforms to these policies. Further, as noted above, the Region has identified that most existing RSAs across the Region are within the Greenbelt Plan and are thus not eligible for expansion.

g. the *settlement area* to be expanded is in compliance with the *minimum distance* separation formulae;

Planning Comment: A complete assessment using MDS guidelines has not been completed for this initial submission for RSA expansion request. However, online sources have been consulted to determine approximate distances from the proposed RSA expansion lands to nearby agricultural structures. Using Google Earth and Streetview imagery as this basis, there are no agricultural facilities immediately to the north, east, south or west.

The nearest identified barn to the east is located at 9438 South Chippawa Rd, and this structure measures approximately 445 m from the easterly boundary of the subject lands. Based on photo analysis, it does not appear that this structure is being used for livestock, but would have to be verified by on ground inspection.

The nearest identified facility that appears to be housing livestock (cows) is identified at 9427 South Chippawa Rd, and this structure measures approximately 620 m from the easterly boundary of the subject lands. Using air photo analysis, it appears there are multiple dwellings located within the intervening distance, closer to this existing facility.

The nearest identified barn to the west is located at 9714 York Rd, and this structure measures approximately 550 m to the westerly boundary of the subject lands. Based on photo analysis, it does not appear that this structure is being used for livestock but would have to be verified by on ground inspection. Nonetheless, there are numerous existing dwellings located in the intervening distance, closer to the existing facility.

It is anticipated that MDS calculations will be further considered by the Region through the MCR process.

 any adverse impacts on the agri-food network, including agricultural operations, from expanding settlement areas would be avoided, or if avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment;

Planning Comment: Based on the above, no negative impacts are expected to existing agricultural operations as a result of the proposed RSA boundary expansion. Given the relatively small scale of the proposed expansion and that the subject lands consist of lower priority soil classification for protection, an Agricultural Impact Assessment is not warranted at this time. During the review of the RSA expansion request, it is anticipated that the Region will consider MDS calculations.

the policies of Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS are applied;

Planning Comment: It is our understanding that the subject lands currently contain a useable gas well. It is anticipated that this well would be decommissioned prior to any future development occurring. It appears that lands to the north and west of the subject lands are identified in the current ROP as part of the Welland Gas Field, as shown on Schedule D3 – Potential Resource Areas: Peat and Petroleum, but that the subject lands are not within this area.

With respect to agricultural resources, the preceding paragraphs have demonstrated that the subject lands consist of the lowest priority Prime Agricultural Lands, and in the context of Caistorville, the existing boundary is surrounded either by apparently undevelopable Class 4 lands or other Class 3 lands. In the context of the Township and the Region, the size and scale of the proposed RSA expansion is extremely minor and would have virtually no impact on agricultural resources.

In addition, an initial assessment of natural heritage features on the subject lands identified wetlands and drainage features for preservation. The proposed RSA expansion area maintains required 30 m buffers to identified wetlands while also incorporating several existing drainage features with a recommended 15 m buffer to ensure these features are preserved and enhanced. Other minor drainage features are proposed to be relocated and their functions replicated in future lot-level drainage areas (i.e. swales).

The subject lands do not contain any natural hazard areas.

j. the proposed expansion would meet any applicable requirements of the Greenbelt, Oak Ridges Moraine Conservation, Niagara Escarpment, and Lake Simcoe Protection Plans and any applicable source protection plan; and

Planning Comment: The subject lands are not covered by any other plans noted above.

5.4 Current Region of Niagara Official Plan

The subject lands are currently designated as Good General Agriculture in the Region of Niagara OP ("RNOP"). This designation does not permit lot creation for residential uses. The lands are immediately adjacent to the existing boundary of the Caistorville Hamlet, in which residential development and lot creation is permitted. The purpose of the proposed RSA expansion is to bring a portion of the subject lands into the Hamlet boundary.

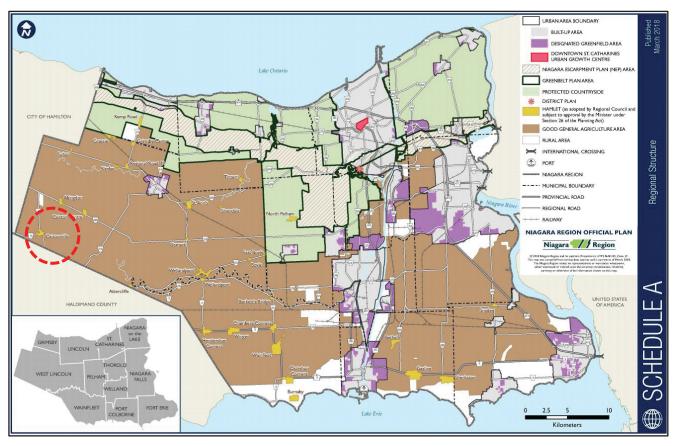


Figure 11 - Subject Lands and Caistorville Hamlet, Excerpt of Schedule A - Regional Structure

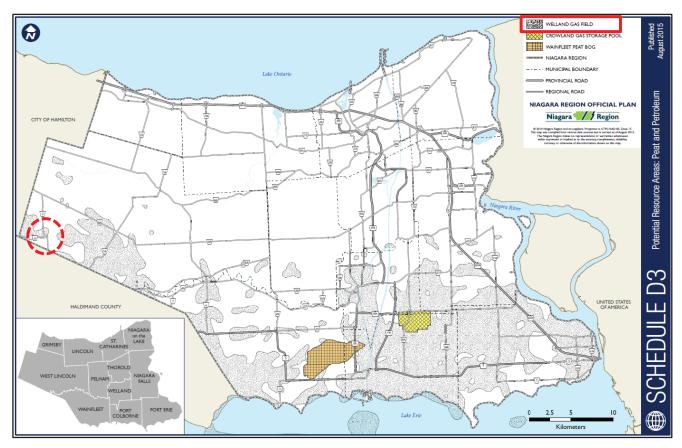


Figure 12 - Caistorville Hamlet and Subject Lands, Excerpt from Schedule D3 - Potential Resource Areas: Peat and Petroleum

5.5 Region of Niagara Municipal Comprehensive Review - SABR

The Region is considering boundary expansions within the ongoing MCR through various components including the LNA, which establishes the quantum of land need, and the SABR process, which will consider urban and rural Settlement Area expansions as part of a coordinated preferred growth approach. With respect to potential RSA expansions within the SABR process, staff have prepared Draft Criteria applicable to consideration of RSA expansion requests, outlined in Appendix 18.3 of Staff Report PDS-17-2021 – Niagara Official Plan Consolidated Policy Report. An assessment of the proposed Caistorville RSA expansion for conformity to these criteria follows.

 Contribution to the rural character: rural settlements are generally lower density communities designed to support the surrounding agricultural and serve the historical development that has occurred in the community. Expansions for new development shall maintain and enhance the distinctive character, enhance the quality of life through appropriate design of commercial and public space areas, and promote greater economic vitality.

Planning Comment: The character of the existing Caistorville Hamlet is primarily rural residential, with the supporting library branch and place of worship included. **Figure 13** below provides a digital map of lotting pattern with air photo underlay. This image shows the diversity in lot shapes and sizes in the Hamlet and identifies the central location of the library and place of worship. Based on digital measurement, lot areas range from 0.10 ha to around 0.65 ha, as shown in **Figure 14.** Further, the existing Hamlet area is irregular in shape, arranged around

existing public roads and bound by hazard and natural heritage features to the north. In this context, the proposed RSA expansion would extend the Hamlet area to the south as shown in **Figure 6**. This area is proposed to be also bound by natural heritage features and public roads, while the concept development plan shows the lot sizes and shapes achieved based on minimum lot area of 0.4 ha, arranged around a new public road. The gross density (i.e. including road and natural heritage feature blocks) equates to approximately 1.73 units per hectare (UPH), which is consistent with typical rural residential development. Further, the existing Hamlet consists partly of rural residential dwellings arranged around Broman Court, and the proposed RSA expansion and concept development plan would extend this character of relatively newer dwellings to the south, away from the more established Hamlet center. **Figures 15-18** provide Google Streetview images illustrating the character of Broman Court, with which the proposed RSA expansion would be very similar.

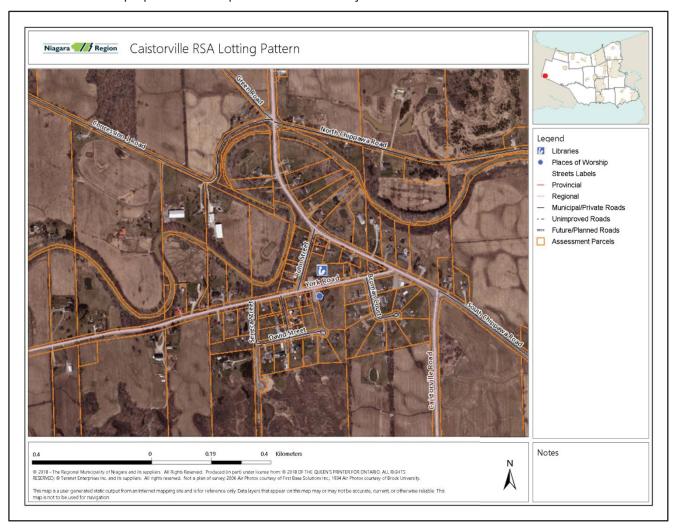


Figure 13 - Online Air Photo and Parcel Mapping from Region of Niagara Navigator, Caistorville Hamlet Lotting Pattern

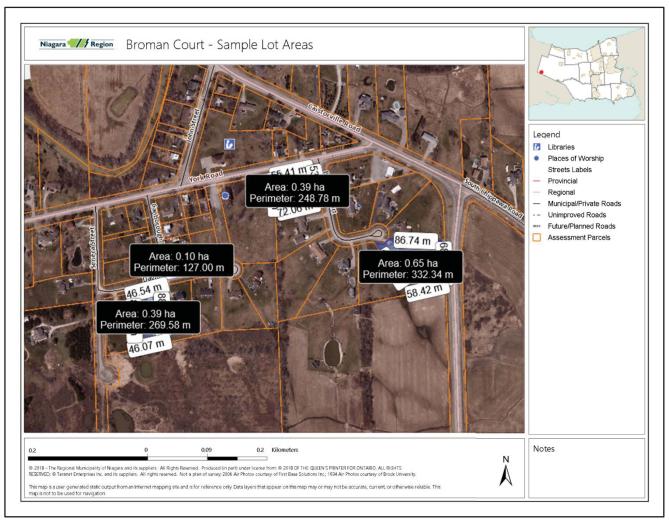


Figure 14 - Approximate Lot Areas for Existing Rural Residential Lots in Caistorville Hamlet



Figure 15 - Google Streetview Image of Broman Court



Figure 16 - Google Streetview Image of Broman Court



Figure 17 - Google Streetview Image of Broman Court

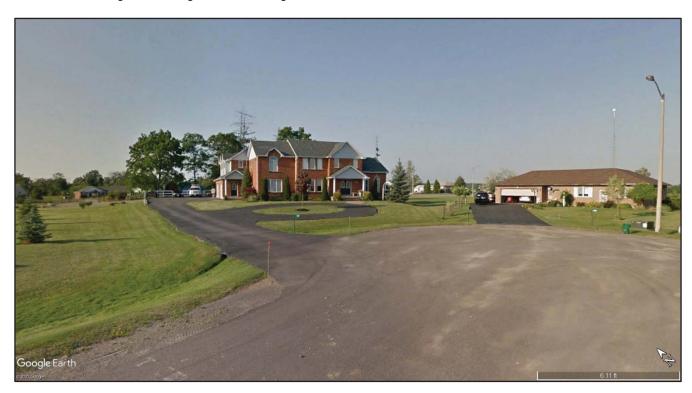


Figure 18 - Google Streetview Image of Broman Court

2. Purpose of rural settlements to support the agricultural community: the rural settlement should have sufficient capacity to accommodate supporting farm-related uses and commercial uses to support the nearby agricultural and rural communities.

Planning Comment: The existing Caistorville Hamlet consists mainly of rural residential uses. The Caistorville Branch of the West Lincoln Public Library is centrally located along with Caistorville United Church. The proposed RSA expansion would extend and complement the existing character, adding new residents to support the existing services. It is noted that the lands at 738 John St are zoned C3 – Service Commercial.

3. Hydrogeological considerations: whether the expansion is rounding out an undersized lot or where the expansion is proposed for new lot creation, the size of the expansion should result in the ability for viable lots that will ensure adequate water supply and suitable for private waste disposal systems, subject to applicable requirements.

Planning Comment: A hydrogeological investigation has not been conducted at this stage. It is anticipated that such an investigation would occur later, such as prior to application for subdivision approval. However, the concept development plan shows a potential for 13 rural residential lots based on a minimum lot size of 0.4 ha, generally consistent with rural residential standards for accommodating private services. The current Township Zoning By-law requires a 0.4 ha minimum lot area for the RUR – Rural Residential zone.

4. **Impacts to the Natural Environment System:** the proposed expansion does not result in negative impact on the natural environment system.

Planning Comment: As part of the initial review of the subject lands, a natural heritage constraints assessment was completed. This confirmed the locations and required 30 m buffers from existing wetlands, and these buffers were used in part to shape the size and extent of the proposed expansion area. Further, the assessment also examined existing drainage features, and identified several to be retained and enhanced with a 15 m buffer, and these features have been incorporated into the proposed expansion area and concept development plan. Additional drainage features were assessed, and it was determined that such features could be re-located such that the function is replicated in future lot-level drainage. No negative impacts to existing features will result from the proposed expansion and concept development plan.

5. Impacts to the surrounding agricultural area: expansions should be located so as to minimize and mitigate to the extent feasible the impacts on nearby agricultural operations. This review will include expansion size, adjacent soil class, access, residual access and nearest constraint. This criteria will consider impacts to agricultural infrastructure and livestock facilities. Minimum Distance Separation (MDS) constraints will be considered through this criteria.

Planning Comment: The proposed RSA expansion directly abuts the existing Caistorville Hamlet boundary and would be a southerly extension adjacent to existing rural residential development. For the purposes of this submission, MDS calculations have not been completed, but approximate distances to nearby agricultural facilities have been provided. In each case, it is noted that there are existing residential uses in closer proximity and/or in the intervening separation distances. Based on this level of review, no negative impacts to existing agricultural operations are expected.

6. **Site-specific context:** location considerations may be provided through supporting information or information provided through consultation with the local municipality.

Planning Comment: In the context of both the Region and the Township, the Caistorville Hamlet is located at the westerly edge of each municipal boundary. This is an important consideration as, while modest, the proposed RSA expansion will allow the Region and the Township to achieve spatially balanced growth amongst RSAs and provide housing choice to future residents who have a desire or need to locate in the Caistorville area.

Further, language in Appendix 18.1 states the following:

The Region is working with municipalities that will likely have a need for rural settlement area boundary expansions: Wainfleet and West Lincoln. These municipalities have rural settlement areas outside of the Greenbelt Plan area.

For West Lincoln, the majority of its growth will be directed to Smithville as its only urban area. A small portion of growth will be directed to its rural settlement areas.

In addition, language in Appendix 18.3 states the following:

In West Lincoln, the majority of forecasted growth will be directed to the urban area of Smithville. A small percentage of growth will be allocated to the rural settlements/agricultural area.

The Region's Land Needs Assessment will determine the amount of growth to be directed to rural settlements.

Planning Comment: The proposed RSA expansion will provide lands for up to 13 new rural residential dwellings, consistent with the above to direct a small portion of growth to RSAs in the Township, based in part on the LNA findings.

5.6 Town of West Lincoln Official Plan

The current Town of West Lincoln Official Plan ("TWLOP") is the local official plan applicable to the subject lands. In future, this plan must be updated to conform to the NROP within the legislated time frame. It is anticipated that the Town will undergo its own MCR and OP update process, which will result in a new or updated Plan that fully conforms to the NROP and applicable provincial policies. Any expansion of the Caistorville Hamlet in the NROP will be carried through to the TWLOP.

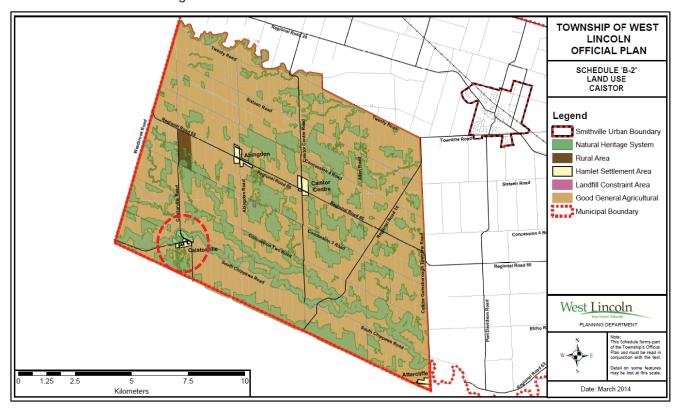


Figure 19 - Caistorville Hamlet and Subject Lands, Excerpt of Schedule B-2 - Land Use - Caistor

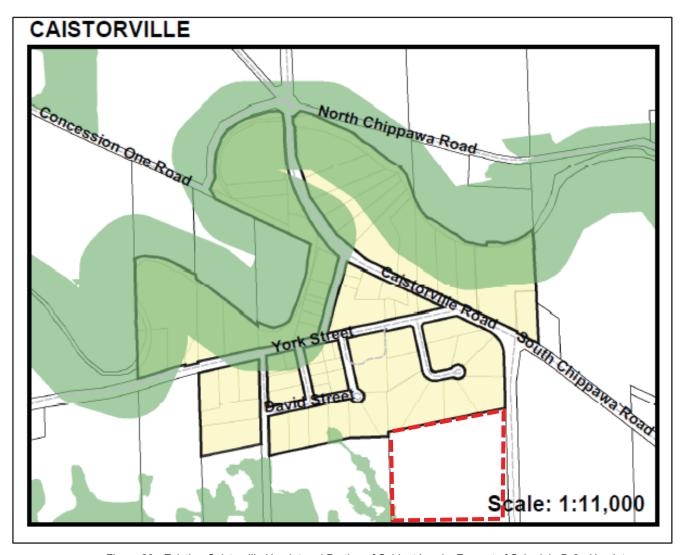


Figure 20 - Existing Caistorville Hamlet and Portion of Subject Lands, Excerpt of Schedule D-2 - Hamlet Boundaries

5.7 Town of West Lincoln Zoning By-law

The subject lands are Zoned A – Agricultural under Zoning By-law 2017-70 ("By-law"), shown in **Figure 21**. This Zone requires a minimum 40 ha lot area and permits one single detached dwelling per existing lot. It is anticipated that should the proposed RSA expansion be incorporated into both the NROP and the TWLOP, the By-law would subsequently be updated to conform, in accordance with the Planning Act and provincial policy. Within the current By-law Zones and permissions, the lands in the proposed RSA expansion area would be appropriately zoned as either RuR – Rural Residential or R1A – Low Density Residential – Type 1A, each of which permits one single detached dwelling on newly created lots. In the case of the RuR zone, the minimum lot area is 0.4 ha, while the R1A zone permits a minimum lot area of 800 m². Given the proposed lot sizes and need for on-site private services, the RuR zone would likely be most appropriate, but as shown in Figure 21, most of the existing residential lots in the Caistorville Hamlet are Zoned R1A.

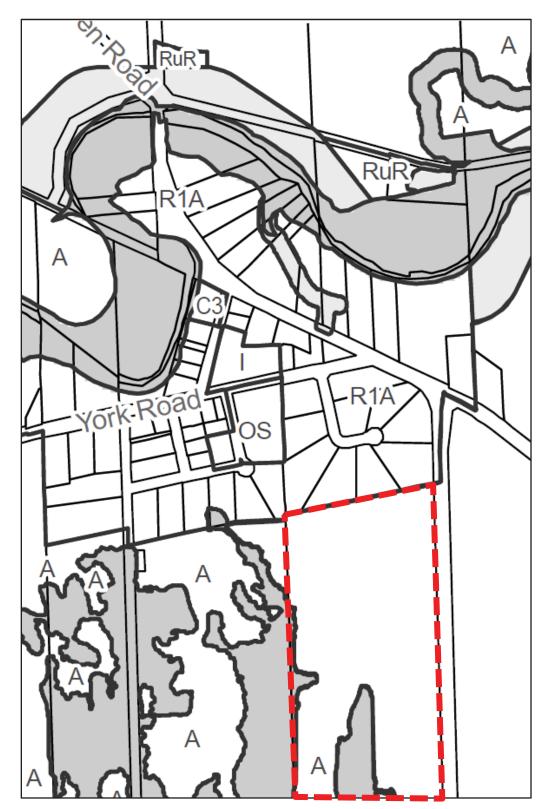


Figure 21 - Caistorville Hamlet and Portion of Subject Lands, Excerpt of Township Zoning By-law Schedule D-2

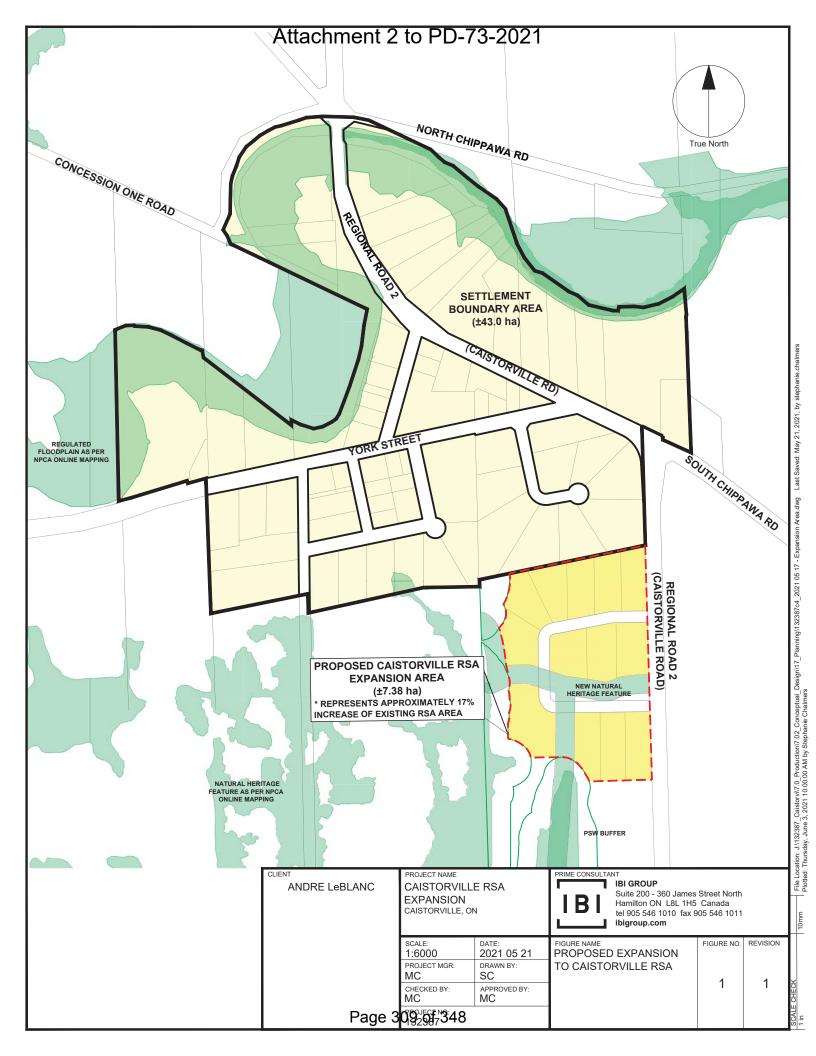
6 Conclusion and Recommendation

This Planning Justification Brief is submitted within the Region's MCR process, providing justification for a proposed RSA expansion on the subject lands from the southerly boundary of the existing Caistorville Hamlet area. The proposed expansion area is approximately 7.3 ha, the size and shape of which is based in part on identified wetland features and buffers on the subject lands, the incorporation of identified drainage features and buffers on and external to the subject lands, and the ability to provide a minor amount of new land for rural residential lots that are in keeping with the Hamlet character and can likely be serviced by individual on-site services. The concept development plan indicates that 13 new rural residential lots can be achieved, which would provide a modest but appropriate contribution to providing housing choice for low-density, ground-related rural residential dwellings at the westerly boundary of the Region and the Township. This small amount of new growth will support the ability to meet forecasted population growth and market demand for housing units to the year 2051, in a manner consistent with the principle of directing small amounts of growth to Rural Settlement Areas, allowing choice for low-density, ground-related housing in Rural Areas. It is recommended that the Region adopt the proposed expansion through the MCR, resulting in the delineation of the Hamlet area as proposed in this report in the appropriate Official Plan schedules with corresponding text policies to permit rural residential development of the scale and density proposed.

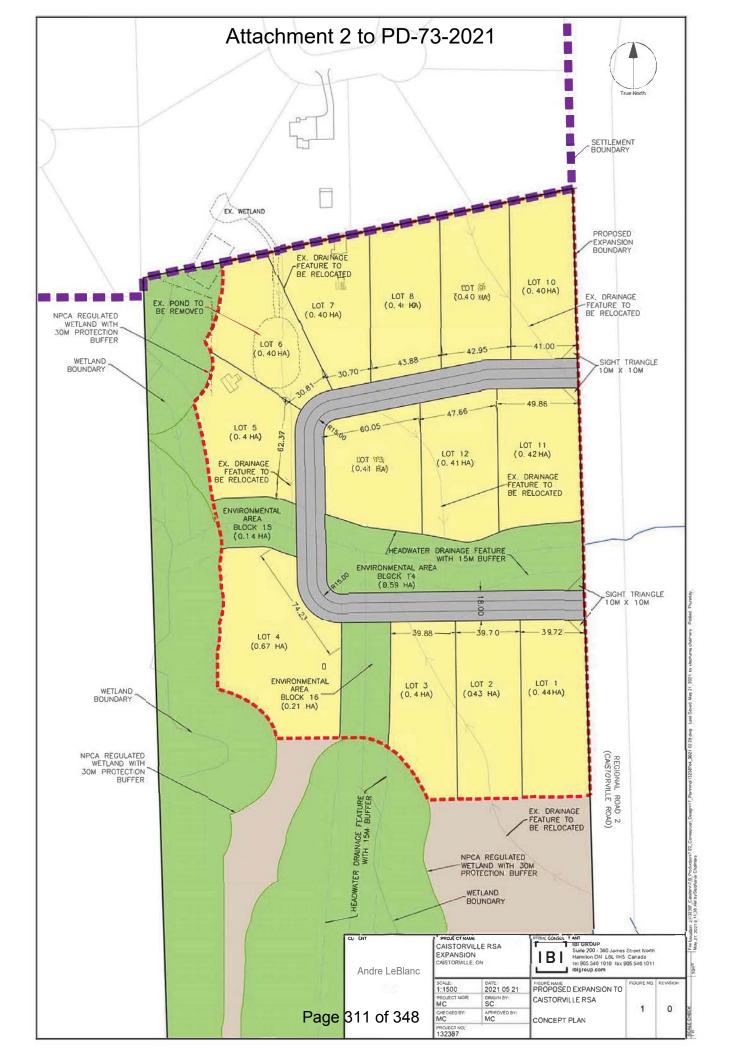
Mike Crough RPP MCIP

Associate Director - Practice Lead, Planning

Appendix A – Proposed RSA Expansion Map



Appendix B – Concept Development Plan



Attachment 2 to PD-73-2021

Township of West Lincoln

Attn: Gerrit Boerema

Oct 14, 2020

Gerrit,

With respect to the proposal by the Township of West Lincoln to the Niagara Region to consider a Hamlet boundary change to the area just north of Brian VanAndels lot in Silverdale, the following parties confirm that, if the Region does agree to the proposed Hamlet boundary change, they (the 3 parties indicated below) are interested in proceeding with plans to realize an infill building lot between the properties of VanAndel and Brinkert. This document in no way binds the parties to follow through with the building lot, this document only indicates that all three parties are in agreement in theory, and no party opposes the potential building lot at this time.

Brian VanAndel

Aaron Dykstra

Rob Brinkert

Attachment 2 to PD-73-2021



NT

1- 158
2-341
3-143
4-328

5- 152
6-358
7-143
8-341

PROPOSED

$$9-143$$
 $10-371$
 $11-143$
 $12-358$

VANANDEL

 $1-143$
 $12-358$



REPORT PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE

DATE: June 14, 2021

REPORT NO: PD-70-2021

SUBJECT: Recommendation Report -Site Alteration Application – Marz

Homes Inc. (Agent- Joe Chiarelli - Rosemont Homes and Cardi Construction) West of South Grimsby Road 5 and North of Regional Road 20, being Lot 9, Plan M98 File No. 3000-003-21

CONTACT: Brian Treble, Director of Planning & Building

OVERVIEW:

- Rosemont Homes is in the finishing stages of their development at the back of the existing Marz Development Olde Town/Smithville Station known as New Era.
- Marz Homes Inc has also had a plan of subdivision application on the subject receiving lands with the Township since 2020. Draft approval of the "Thrive" site has not been granted, but preliminary grading and engineering design confirms the need for a significant amount of fill.
- Rosemont Homes Inc now proposed to transport their excess soil to the new Marz Homes site as illustrated in attachment 1 to this report.
- Previous site alteration approval was granted in 2020 for Marz Homes Inc to transport soil from Olde Town/Smithville Station. Now Rosemont Homes Inc wishes to transport up to an additional 2000m³, approximately 200 truckloads.
- The lands are mainly designated urban residential (low and medium density) in the North West Quadrant Secondary Plan and are zoned 'D' (Developmental) in the Township of West Lincoln Zoning By-law.
- Township Planning Staff anticipate that a draft approval of the Marz Development should happen within the next couple of months. Public consultation occurred in late 2020.
- In the meantime, the importing of fill from one site to the other is to the benefit of both sites, seems like a reasonable request, and will reduce the need for soil to be imported from outside of West Lincoln.

RECOMMENDATION:

- That, Report PD-70-2021, regarding "Recommendation Report, Site Alteration Application –Marz Homes Inc (Agent - Joe Chiarelli - Rosemont Homes and Cardi Construction), West of South Grimsby Road 5 and North of Regional Road 20, being Lot 9, M98, File No. 3000-003-21", dated June 14th, 2021, be RECEIVED; and,
- 2. That, a site alteration permit in a form similar to that found at attachment 3 to this report be approved by Township Council, subject to conditions as noted in the permit; and,
- 3. That, the permit be authorized to be issued prior to ratification of Township Council given the timing of the Rosemont Homes development; and,
- 4. That, all efforts be taken to acknowledge and protect neighbouring residents, including, but not limited to: dust control, speed control, noise control, obeyance of the Highway Traffic Act, etc. Failure to do so will provide by-law staff with authority to revoke this permit at any time.

ALIGNMENT TO STRATEGIC PLAN:

Theme #6

• Efficient, Fiscally Responsible Operations

BACKGROUND:

The subject receiving property is designated low and medium density residential and commercial in the Northwest Quadrant Secondary Plan and is anticipated to be developed in the short to medium term as a residential community with singles, towns and condo town house type developments. In order to develop the land, elevation changes will be necessary so that gravity flow sewers will be able to adequately address sewer needs for the development. Further, some form of berm will be required along the CPR lands. The nature and design of the future berm (may be only required for spillage purposes) is currently subject to preliminary design only and has not been formally reviewed or approved by Township staff or Council, at this time.

CURRENT SITUATION:

Marz Homes Inc and Rosemont Homes are busy building on the former Dunnville Spurline lands known as Smithville Station/Olde Town and New Era. Now that Smithville Station is nearing build out, all of the stockpiled soil must be removed so that the final building sites can be constructed. In 2020, a significant volume of soil was removed by Marz Homes (Smithville Station) Inc. The soil to be removed now, is considered surplus to the Rosemont Homes New Era construction site and is also essential for the future development of the "Thrive" site. The soil is considered to be engineered fill.

Rather than having soil hauled away and then different soil hauled back to Smithville, this proposed solution to stockpile on the site of the proposed "Thrive" development

accommodates both development communities equally, and is a much more environmentally friendly solution.

In 2020, Marz Homes Inc was granted permission to move up to 2500m³ of soil and therefore applied for two different permits over the course of 2020.

Rosemont Homes Inc has already hauled 100 loads (1000m³) and has determined that up to another 2000m³ (200 truckloads) still needs to be moved. The first 1000m³ only required staff approval. The additional soil to be stock piled now requires Council approval.

The lands are designated urban residential and commercial and are intended to accommodate low and medium density residential development over the short and medium term. The future commercial development is situated in the corner of South Grimsby Road 5 and West Street/Regional Road 20. As a result, if a subdivision approval had already been granted, then the importation of soil would have been considered part of that approval process and would not have required a site alteration permit. Since planning approvals have not been granted, site alteration approval is required.

Although the land has been planted with crops for the last several years, Marz Homes Inc., their engineers, and planners have been working with the Township in order to obtain approval of their planning applications. It is anticipated that a staff report on draft plan of subdivision approval will be prepared soon for the consideration of Township Planning Committee and Council.

FINANCIAL IMPLICATIONS:

Not applicable to this report.

INTER-DEPARTMENTAL COMMENTS:

Notice of this Site Alteration application was circulated to affected agencies on May 25th, 2021. Agencies notified included, Township Building, Township Public Works, Township Fire Department, as well as NPCA, Region of Niagara, Town of Grimsby and City of Hamilton.

At the time of writing this report, no agency has responded to advise of any objections.

PUBLIC COMMENTS:

The public within 120 metres of the receiving property received a Notice of Site Alteration Application that was mailed on May 25th, 2021. To date, one phone call has been received from a neighbour seeking clarity on whether new fill was coming to the site, or if existing imported fill was being recognized.

CONCLUSION:

Staff recommend that a permit be issued for no more than an additional 2000m³ of fill for a total of 3000m³ (300 truckloads of fill total) from the Rosemont Homes Inc. New

Era site. This permit is in addition to the 2500m³ (250 truckloads) as previously approved in 2020 for Marz Homes Inc. from Smithville Station/Olde Town. The draft permit, as attached to this report, is recommended to be approved, such that Cardi Construction Inc and Rosemont Homes Inc (and Marz Homes Inc.) can benefit from an approval to keep the engineered fill in Smithville for future use and to minimize the hauling of fill in and out of the Township.

Respect for the roads and the neighbours must be maintained or the permit may be revoked by by-law staff at any point. Given the timelines, it is recommended that authority to haul fill be granted prior to the approval and ratification of Township Council.

ATTACHMENTS:

- 1. Aerial Photography of Property (Lot 9, Plan M98)
- 2. Sketch of Proposed Stock Pile location
- 3. Draft Site Alteration Permit

Brian Treble Director of Planning & Building	Bev Hendry	
Ami Juste	BHerdy	
Prepared & Submitted by:	Approved by:	







TOWNSHIP OF WEST LINCOLN SITE ALTERATION PERMIT

Site Alteration Permit No.: 003-2021 Date: 2021/06/15

(YY/MM/DD)

Permit Fee: \$1000.00 Security: N/A

Address of Site: Lot 9, Plan M-98, Regional Road 20

Land owned by Marz Homes (Smithville West) Inc, c/o Anthony Chiarella

Name of Applicant: Rosemont Homes Inc.

(Cardi Construction Limited - Contractor)

Nature of Approval: <u>To permit the importation of no more than 2000m³ of excess fill from the</u>

construction site known as Smithville Station/Olde Town Gateway Estates and New Era to the above mentioned site. The imported fill shall be stockpiled on the subject lands in accordance with the sketch provided by Rosemont Homes Inc, until such time as engineering plans for the new

development have been approved.

The undersigned has applied for a Site Alteration Permit pursuant to the provisions of the Township of West Lincoln, By-law 2016-41, as amended.

The permit is valid until **June 15, 2022**.

Pursuant to the Site Alteration By-law, the undersigned hereby acknowledges that the sole responsibility for the completion of the work undertaken as part of this application including compliance with any conditions rests entirely with the Owner and/or Applicant.

The undersigned certifies to the Township that any and all Fill used in completing the Site Alteration contains no contaminants within the meaning of the Environmental Protection Act, R.S.O. 1990, c.E. 19. The undersigned hereby releases and agrees to indemnify and save harmless the Township, its employees, representatives, agents and contractors, from and against all claims, demands, damages, causes of action, costs, expenses and other liabilities of any nature, which may arise in the event that the Fill is determined to contain contaminants.

The undersigned also agrees that the to Owner.	otal costs of all works will be entirely the responsibility of the
Signature of Owner/Applicant	Township of West Lincoln Approval

Date of Approval (YY/MM/DD)

Conditions:

- Ground to be graded such that the land remains generally undisturbed and such that overland flow
 to all Municipal Drains and natural swales is not impeded. At direction of the Township of West
 Lincoln and the Niagara Peninsula Conservation Authority, this may be required to involve an
 expert in drainage to ensure that there is no impact to overland flow.
- 2. That all fill be stock piled in accordance with the site sketch provided and to the satisfaction of the Township of West Lincoln.
- 3. All other provisions of By-law 2016-41, (as amended) are applicable.
- 4. That all works are done in accordance to the Township of West Lincoln Municipal Engineering Standards and NPCA Regulations, if applicable.
- 5. That soil importation and levelling only occur between 7am and 7pm from Monday to Friday.

The personal information on this form is collected under the authority of Section 11 of the Municipal Act, as amended. The information is used for the purpose of processing this application and administering the By-law. Questions regarding the collection of this information should be directed to the Township Clerk at issaequestions.co.



REPORT PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE

DATE: June 14, 2021

REPORT NO: PD-76-2021

SUBJECT: Recommendation Report – Wes Blokker, B-Line Trenching –

Refund of Security Deposit

CONTACT: Brian Treble, Director of Planning & Building

OVERVIEW:

- On June 26th, 2017, By-law 2017-65 was approved to zone the property at 9629 Regional Road 20 to Agricultural with exception (A-584) that permitted an on farm diversified business as an accessory use to on site farming.
- The property was also subject to site plan control and the zoning provision also required that the Township hold a \$5000 security deposit to help ensure compliance of the use with the zoning regulations.
- As of July 29, 2021, the property will now be sold to a new owner.
- As a result, Mr. Blokker has now requested the release of his security deposit.
- Staff recommend that the security deposit be released on July 30th, 2021, so long as the closing happens on July 29th, 2021, as planned and B-Line Trenching is no longer operating from the lands, as confirmed and to the satisfaction of the Director of Planning & Building.

RECOMMENDATION:

- That, Report PD-76-2021, regarding "Recommendation Report Wes Blokker, B-Line Trenching – Refund of Security Deposit", dated June 14th, 2021, be RECEIVED; and,
- 2. That, staff be and are hereby authorized to release the \$5000 security deposit, on or after July 30, 2021, provided the property situated at 9629 Regional Road 20 is sold with B-Line Trenching no longer operating from the site, as confirmed and to the satisfaction of the Director of Planning & Building.

ALIGNMENT TO STRATEGIC PLAN:

Theme #6

• Efficient, Fiscally Responsible Operations

BACKGROUND:

On June 26th, 2017 the Council of the Township of West Lincoln approved a zoning bylaw amendment for 9629 Regional Road 20 owned by Wesley and Jaclyn Blokker. The zoning amendment permitted 1 acre of land to be used for a home industry subject to a number of conditions such as a limit on the number of employees and the requirement for a site plan.

The Site Plan application was received on April 24, 2019 and went to Committee and Council for authorization to enter into an agreement on May 13, 2019. The Bylaw authorized the Mayor and Clerk to enter into an agreement with Wesley Richard Blokker, Jacklyn Geraldine Blokker and the Bank of Nova Scotia.

A new authorizing By-law (By-law 2021-23) was presented to Committee on March 8th, 2021 and ratified by Council on March 22nd, 2021, for the Township to enter into a site plan agreement with Wesley Richard Blokker and Jacklyn Geraldine Blokker. A final signed site plan was then signed on March 23rd, 2021 and registered (NR571553) on March 31st, 2021.

CURRENT SITUATION:

On April 10, 2017, Township Planning staff recommendation report PD-019-17 went to Committee and subsequently was pulled by Council on April 24th, 2017. A memo was presented to Committee and Council in June of 2017, which recommended approval of a special agricultural zoning with exception (A2-584) to permit a home industry accessory to an existing agricultural use with not more than 7 employees (plus the owners) on one acre of the property. The property was also subject to site plan control/development agreement.

On April 24th, 2019, Wes Blokker applied for a site plan for the subject property. Final site plan approval was delayed for a number of factors, but was signed by the applicants on December 12th, 2019 for registration, however was again delayed due to complications with the mortgage interest.

A new authorizing By-law (By-law 2021-23) was presented to Committee on March 8th, 2021 and ratified by Council on March 22nd, 2021, for the Township to enter into a site plan agreement with Wesley Richard Blokker and Jacklyn Geraldine Blokker. A final signed site plan was then signed on March 23rd, 2021 and registered (NR571553) on March 31st, 2021.

Now, as of July 29, 2021, the property will be sold with the new purchase interest proposing to operate a slightly different home industry from the subject lands. As a result, the \$5000 security deposit will no longer be appropriate to continue to be held.

As a result, staff recommend that the \$5000 security deposit be released upon the sale of the lands and the removal of B-Line Trenching from the subject lands.

FINANCIAL IMPLICATIONS:

Not applicable to this report. The security deposit is currently being held in a specific deposit account for this property.

INTER-DEPARTMENTAL COMMENTS:

Not applicable to this report.

CONCLUSION:

Staff recommend that the \$5000 security deposit be released after July 29th, 2021 provided the sale of 9629 Regional Road 20 occurs and B-Line Trenching no longer operates from the subject lands, as confirmed and to the satisfaction of the Director of Planning & Building.

ATTACHMENTS:

1. Email from Wes Blokker

Brian Treble Director of Planning & Building	Bev Hendry CAO	
Americal de	BHerdy	
Prepared & Submitted by:	Approved by:	

Attachment No. 1 to PD-076-2021

-----Original Message-----From: Wesley Blokker

Sent: Thursday, May 27, 2021 11:26 AM
To: Brian Treble < btreble@westlincoln.ca>

Subject: 9629 Regional rd 20

Hi Brian

Hope you are doing well.

As you may know we sold our property. Could you please tell me when I would be able to pick up my deposit seeing as the zoning issue is no longer with me? Let me know. Thank you.

Wes Blokker

B-line Trenching inc.



REPORT PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE

DATE: June 14, 2021

REPORT NO: PD-77-2021

SUBJECT: Recommendation Report - RFP for Possible Hamlet Boundary

Adjustment in Fulton and Grassie for Consideration of a Rural

Employment Area

CONTACT: Brian Treble, Director of Planning & Building

OVERVIEW:

- Numerous discussions have occurred with Regional Planning staff about the potential for a rural employment park area in a hamlet in proximity to Hamilton to compliment the Smithville employment park for uses not requiring full services.
- A Capital account was created in the 2021 budget to commence study work in accordance with Provincial Policy.
- Regional staff and Township staff have been delayed, but have had numerous discussions in order to prepare a draft Terms of Reference which will be presented in a future Planning report in coordination with Phase II of this study.
- Staff are proposing to proceed with Phase I of the study at this time to identify how much land can be supported through Regional growth allocations and then determine where it should be and make recommendations to Township Committee and the Region by the end of the summer of 2021.
- Phase II can occur with a formal RFP once an area is approved for inclusion, and will include the preparation of a Secondary Plan.
- This project must move forward jointly with Regional staff. In order to make Phase I happen quickly, staff seek permission to retain MHBC Planning and commence Phase I immediately.

RECOMMENDATION:

1. That, Report PD-77-2021, regarding "Recommendation Report, RFP for Hamlet Boundary Adjustment in Fulton and Grassie for Consideration of a Rural Employment Area", dated June 14th, 2021, be RECEIVED; and,

2. That, staff be granted authority to proceed with Phase I only, by retaining Dan Currie of MHBC Planning to assist with the Phase I work immediately and prior to ratification of Township Council.

ALIGNMENT TO STRATEGIC PLAN:

Theme #2 and #3

- Support for Business and Employment Opportunities for Residents
- Strategic, Responsible Growth

BACKGROUND:

For some time now, staff and Council have had discussions about the opportunity to create a rural employment park within the Township of West Lincoln. Many of the non-agricultural uses found on agricultural properties in West Lincoln are migrating out of the City of Hamilton. As such, the Hamlet of Fulton located at the intersection of Regional Road 20 and South Grimsby Road 18; and the Hamlet of Grassie may be logical hamlets to consider for the placement of a rural employment park.

As a result, in the 2021 budget, Council considered and approved the following capital project "985 – Fulton Hamlet Rural Employment Zone – Boundary Adjustment" with \$125,000. Phase I will cost a small portion of this value with the remainder possibly being required for the Phase II Secondary Plan work when lands are included and that planning work is needed.

CURRENT SITUATION:

In order to move forward with a review of possible employment expansion options for the Hamlet areas of Fulton and Grassie, specifically for rural employment park opportunities, the Terms of Reference must be drafted to address Provincial and Regional policy requirements with the first step being to determine how much land and where to account for market demand. Further, over the course of 2020 and 2021, Township staff have been working with Regional Policy Staff to determine that the following criteria are components of an employment park.

The Term of Reference need to address the following matters:

- market demand
- contribution to the rural character
- purpose of the hamlet to support the agricultural community
- size and viability of the lands being added (unless for technical adjustment to be added to an existing lot)
- vacant land supply of the hamlets
- impacts to the NHS and other environmental constraints
- impacts to the surrounding agricultural community including MDS constraints
- other site context or location considerations
- Criteria for WL would also need to consider a linkage to the ability to accommodate growth including rural employment growth within the Smithville expansion area

All of this work is required in order to support a hamlet adjustment if appropriate for either Fulton or Grassie within Phase I, with this initial assessment needing to be completed prior to the finalization of the Region's MCR/OP 5 year Review at the end of the summer of 2021. Phase II, Secondary Planning will start later following a determination of whether any lands and in what areas the lands have been included for an employment park.

Further, in parallel with this Phase I assessment, in Fulton and/or Grassie, there are two areas marked as Provincially Significant Wetland (PSW) in Fulton. Discussions with Regional staff have added a layer of study to evaluate the wetland boundary. The Niagara Peninsula Conservation Authority (NPCA) and the Ministry of Natural Resources and Forestry (MNRF) will need to be involved in an evaluation of the boundaries of the wetlands should it be appropriate to consider inclusion of these lands. Both areas appear to have changed over time and are no longer properly mapped. Having said that, a simplified environmental mapping review may be required as part of Phase I and will be built into the Terms of Reference.

FINANCIAL IMPLICATIONS:

A capital budget component was included in the 2021 budget and provided for \$125,000 to complete this work. Phase I work will only be a small portion of this total value.

INTER-DEPARTMENTAL COMMENTS:

The draft Terms of Reference has been discussed jointly with Regional and Township Planning staff in order to ensure a complete analysis to address Provincial and Regional requirements and will be presented in coordination with Phase II of this study.

CONCLUSION:

That Staff be authorized to commission Dan Currie of MHBC Planning to commence only Phase I at this time and that authority be granted to commence Phase I immediately and prior to ratification of Township Council, given the Regional end of summer 2021 deadline.

Prepared & Submitted by:	Approved by:	
Ani Tuke	BHerdy	
Brian Treble Director of Planning & Building	Bev Hendry CAO	



REPORT PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE

DATE: June 14, 2021

REPORT NO: PD-75-2021

SUBJECT: Recommendation Report - Final Renewable Energy System

Policies for Approval to Incorporate into the Township of West Lincoln Official Plan – File No. 1701-005-19 and Amendment to the Township of West Lincoln Zoning By-law – File No. 1601-

007-21

CONTACT: Brian Treble, Director of Planning & Building

OVERVIEW:

- Previous staff reports PD-081-19 and PD-06-2021 were written and presented to the Township of West Lincoln Planning, Building, Environmental Committee (the Committee) recommending that we commence the process of creating renewable energy official plan policies. An Open House was held on December 22nd, 2020 and a Public Meeting was held on January 11th, 2021.
- On October 13th, 2020, Recommendation Report PD-139-2020 was written to obtain authority to commence the formal public consultation process by holding an Open House and formal public meeting.
- In late 2019, at least two meetings occurred with several representatives of local wind action groups who are concerned about the existing and future impacts of the existing wind turbines on West Lincoln and its residents.
- Policy from the early 2000s was originally identified by Planning Staff as an acceptable basis from which to draft new policy now that authority has been transferred back to the Township.
- Upon review and reflection, that policy approach was out of date, and not going to work based on what we now know; and as a result, a new policy was drafted. Further work occurred subsequent to the Open House and Public Meeting.
- A virtual open house was held on December 22nd, 2020 and was attended by 6 members of the public who had an interest in green/renewable energy policy.
 A public meeting was held on January 11th, 2021, at which 5 members of the public were in attendance.
- This policy work is generally in line with the Township's recently approved "Plan to Mitigate Environmental Impacts" report (November, 2020).
- Good discussions occurred at the open house and public meeting and as a
 result, following the public meeting, Township Planning staff further consulted
 with agencies on the revised attached policy prior to the preparation of this
 recommendation report. The draft policy has been further circulated to the
 interested members of the community for further input, as well.

RECOMMENDATION:

- That, Report PD-75-2021, regarding "Recommendation Report Final Renewable Energy System Policies for Approval to Incorporate into the Township of West Lincoln Official Plan – File No. 1701-005-19 and Amendment to the Township of West Lincoln Zoning By-law – File No. 1601-007-21", dated June 14th, 2021, be RECEIVED; and,
- 2. That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
- 3. That, Official Plan Amendment No. 56 (File No. 1701-005-19) be approved and that a corresponding authorizing bylaw be APPROVED and passed to authorize the Mayor and Clerk to sign all Official Plan Amendment approval documents; and,
- 4. That staff be authorized to circulate the Notice of Decision on the approval of Official Plan Amendment No. 56 to the agencies and public to commence the 20 day appeal period as Regional Council approval is not required; and,
- 5. That, Zoning By-law Amendment 1601-007-21 and a corresponding bylaw be APPROVED and passed; and,
- 6. That, Staff be authorized to circulate the Notice of Decision for the Zoning By-law Amendment with the corresponding 20-day appeal period, with full force and effect occurring once Official Plan Amendment No 56 has been approved without appeal.

ALIGNMENT TO STRATEGIC PLAN:

Theme #6

- Efficient, Fiscally Responsible Operations
- Plan to Mitigate Environmental Impacts (November 2020)

BACKGROUND:

The Green Energy and Green Economy Act was first approved in 2009 by the Provincial Government and placed all approval and authority for all Green Energy applications at the Provincial level. Local land use planning policies were over ridden by that act. The current Provincial government has now repealed most of the previous legislation resulting in the need for local renewable energy land use planning policy again.

CURRENT SITUATION:

In addition to the comments made in staff reports, PD-081-19, PD-139-2020, and PD-006-21 it became clear that a lot more is now known about wind and solar power facilities than existed prior to 2010. As a result, PD-139-2020 introduced a draft new policy set for discussion at a virtual Open House and Public Meeting.

This policy was written to require that substantial justification be provided along with an official plan amendment where power is being generated to provide broader community/public benefit.

If a renewable energy system is being installed for the benefit of one house or one property (and less than 10 KW) then no amendment to the Official Plan is required and only regulations of the Zoning By-law would apply.

At least two consultations occurred in 2019 with representatives of Mothers Against Wind Turbines (MAWT) and the West Lincoln Glanbrook Wind Action Group (WLGWAG) in order to assist with a broader staff understanding and public perspective.

The science is growing exponentially every day on what works and does not work in the field of renewable energy. There are also very many conflicting professional opinions on the topic which makes policy preparation a challenge. For the safety and protection of the public, the proposed draft policy allows development but only after substantial consultation and professional input.

The average electricity consumption of an American family of four is in the neighbourhood of 50 KWh per day, or 1500KWh per month. Similar figures apply for Canadian consumption of power on average, and per year it has been suggested as:

- Canada 12,836KWh per year
- USA 10,654 KWh per year
- Europe 4,667 KWh per year
- Japan 5,945KWh

Information collected from various sources advises that 10KW is enough power to run a house: "Can a 10KW solar system power a house? Yes, a 10KW solar panel system will cover the average American household's energy usage of about 10,649KWh of electricity per year...10KW solar systems do produce enough electricity that you could go off-grid." Ten kilowatt solar systems are among the most popular energy system sizes in the country, producing enough electricity to power a house with slightly above average electricity consumption.

FINANCIAL IMPLICATIONS:

Not applicable to this report. Staff has moved forward with policy consulted and writing and costs are being covered by the planning operating budget.

INTER-DEPARTMENTAL COMMENTS:

At the date of this report, public input has now been received as a result of the Open House that was held on December 22nd, 2020 and the Public Meeting that was held on January 11, 2021. A summary of key points received at the open house and public meeting is as follows:

- Discussion about importance of proper setbacks for human health and the health of the environment.
- Other energy sources, nuclear and accumulators, for example.
- Importance of protecting agricultural lands and not allowing acres of solar panels or loss of agricultural productivity and the need to balance against food security.
- Significant impact of tree loss. Trees are important to help with carbon offsetting and environmental health.

- Importance of protecting human health
- Need ongoing monitoring policies.
- Importance of vibration impacts, safety code 6 etc.
- Importance of providing justification for the 10 KW policy.
- Should interim control be placed on the Township until a policy is approved?

Planning staff and members of Council received an email correspondence on January 1st, 2021, regarding further investigation into potential health impacts caused by wind turbines. This email was attached to the January 11, 2021 Technical Report (PD-006-21).

Planning staff have now further consulted with agencies including Wind Concerns Ontario and local community representatives again and are now prepared to recommend approval of the following Official Plan Amendment. Changes that have been made since the Public Meeting include:

- 1. Clarification of the studies required in advance of considering an application to be complete.
- 2. Further documentation on implementation requirements including monitoring and decommissioning.
- 3. Further explanation of the threshold of 10KW has been written into the policy.

The Regional staff letter of May 10th, 2021 generally supports the Township's policy approach and has advised that Regional Council approval is not required and that the policy now meets the Regional exemption criteria.

CONCLUSION:

Staff present this recommendation report to conclude the renewable energy policy and regulation review. All of the work and public input has helped with a broader understanding and discussion that was needed for a new policy set for West Lincoln to address any future renewable energy system/projects and expansion of existing renewable energy projects. The Township West Lincoln, in accordance with Provincial Policy, must support a healthier environment which includes support for green technology while also protecting the health and wellbeing of our residents. This work is therefore also consistent with the Township of West Lincoln's own commitment through a "Plan to Mitigate Environmental Impacts" (November 2020).

A final recommendation report has now been prepared to recommend approval of an Official Plan Amendment and a Zoning By-law Amendment that implement final Official Plan and Zoning Amendments that support new renewable energy system development with proper studies and regulations included. This amendment is exempt from Regional Niagara Council approval and the appeal period commences following Township Council approval of the Official Plan Amendment and zoning by-law amendment.

ATTACHMENTS:

- 1. Draft By-law and Draft Policy Official Plan Amendment No. 56
- 2. Regional Letter Dated May 10, 2021
- 3. Draft Amending Zoning By-law
- 4. Email from WCO Warren Howard dated June 7th, 2021

Prepared & Submitted by:	Approved by:

Brian Treble

Director of Planning & Building

Bev Hendry

CAO

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW 2021-XX

BEING A BY-LAW TO ADOPT AMENDMENT NO. 56 (RENEWABLE ENERGY SYSTEM POLICIES) TO THE OFFICIAL PLAN FOR THE TOWNSHIP OF WEST LINCOLN

The Council of the Corporation of the Township of West Lincoln in accordance with the provisions of the Planning Act, R.S.O. 1990, hereby enacts as follows:

- 1. THAT, Amendment No. 56 (Renewable Energy System Policies) to the Official Plan for the Township of West Lincoln, attached hereto, is hereby adopted and implemented as detailed in Schedule 'A'.
- 2. THAT, staff be and are hereby directed to circulate a Notice of Decision in accordance with the Planning Act, 1990, as amended based on a Regional Municipality of Niagara exemption.
- 3. AND THAT, this By-law shall become effective from and after the date of passing thereof.

28 th DAY OF JUNE, 2021.
DAVE BYLSMA, MAYOR
JOANNE SCIME CLERK

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS

AMENDMENT NUMBER 56

TO THE

OFFICIAL PLAN

OF THE

TOWNSHIP OF WEST LINCOLN



AMENDMENT NUMBER 56

TO THE

OFFICIAL PLAN

OF THE

TOWNSHIP OF WEST LINCOLN

AS AMENDED

PART 1 – THE PREAMBLE

1.1 <u>TITLE</u>

This Amendment when adopted by Council shall be known as Amendment Number 56 to the Official Plan of the Township of West Lincoln.

1.2 **COMPONENTS**

This Amendment consists of the explanatory text and the attached Schedule 'A'. The preamble does not constitute part of the actual amendment, but is included as background information.

1.3 PURPOSE

The purpose of this Amendment is to establish a policy that applies to all new and expansion of existing renewable energy systems that generate more power than 10 KW and are determined to be generating more power than that which is required to service the property on which it is situated.

1.4 BASIS OF THE AMENDMENT

The Township of West Lincoln is proposing to amend the Official Plan by the addition of Section 13.4 – Renewable Energy Systems, which applies to all new and the expansion of any existing renewable energy systems within the Township of West Lincoln.

PART 2 – THE AMENDMENT

2.1 PREAMBLE

All of this part of the document entitled PART 2 – THE AMENDMENT, consisting of the following text changes constitutes Amendment No. 56 to the Official Plan of the Township of West Lincoln.

2.2 DETAILS OF THE AMENDMENT

2.2.1 The text of the Township of West Lincoln Official Plan is hereby amended by deleting Section 13.4 from the consolidated Township of West Lincoln Official Plan and replacing the policy with the following:

Section 13.4 – Renewable Energy Systems

a) Introduction

 The 2020 Provincial Policy statement includes policy 1.6.11. which reads as follows:

1.6.11 Energy Supply

1.6.11.1 Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and renewable energy systems and alternative energy systems, to accommodate current and projected needs.

b) Policy

As a result, the policy of this section applies to all new systems and the expansion of existing renewable energy facility systems that generate more power than needed to service the property on which it is situated and which produce greater than 10KW. 10KW is generally considered to be more than adequate to service a home.

Should energy be generated for the broader community public interest, then such a renewable energy system option shall only be permitted where the following criteria are adequately addressed and evaluated through a site specific amendment to this Official Plan which applies these policies on a site by site basis. A complete list of study criteria shall be fully identified through a mandatory pre-consultation meeting, and are expected to address the following issues:

 Agricultural impact assessment based on predetermined Terms of Reference.

- Environmental impact assessment based on predetermined Terms of Reference.
- Demonstration of need for additional energy generation in West Lincoln and this region of Ontario.
- Appropriate minimum setbacks shall be established to each sensitive receptor based on professional recommendations and based on an analysis of a noise (audible and inaudible)/environmental/health impacts and community impacts.
- Impact of shadow flicker, will be professionally addressed.
- Impact of ice throw, where applicable, shall be professionally addressed.
- Archeological assessment will be completed to the satisfaction of the Region of Niagara.
- Impact on the landscape/cultural and community impacts will be evaluated.
- Such other studies as identified through pre-consultation.

All studies shall be based on pre-approved Terms of Reference and submitted with an application for amendment for such application to be considered as complete. Further, all reports shall be peer reviewed by the Township of West Lincoln at the expense of the applicant.

c) Implementation

On the basis of supportive and peer reviewed professional reports that address the above policies, an Official Plan Amendment shall be considered by Township Council.

Should support for development be obtained, implementation of the development shall be regulated by site plan control which agreement shall ensure the following:

- Proper siting and location of the infrastructure.
- Establishment of an annual monitoring program.
- Collection of adequate security for establishment/construction, ongoing monitoring and completion/project dismantling at the end of the project's useful life.

The required site plan agreement must be signed before actual construction begins and shall be in full force and effect until such time that the project is dismantled and the lands have been returned to their previous use.

2.3 LOCATION MAP

Amendment No. 56 is a policy plan amendment which affects all agricultural designated lands with the Township of West Lincoln.

2.4 <u>IMPLEMENTATION</u>

This amendment will be required to be adopted by Township Council and forwarded to Regional Council for approval. This amendment will be implemented through notification of the Regional Clerk's department of decision to approve. If no appeals are received within the appeal period, the amendment will be in full force and effect.

Alternatively, if no Regional Council approval is deemed to be required, local Council approval will trigger the 20 day appeal period.

AMENDMENT NUMBER 56

TO THE

OFFICIAL PLAN

OF THE

TOWNSHIP OF WEST LINCOLN

AS AMENDED

Official Plan Amendment Number 56 was adopted by the Council of the Corporation of the Township of West Lincoln by By-law No. 2021-XX in accordance with the provisions of Section 17 (22) of The Planning Act, R.S.O. 1990, amendments made thereto on the XX day of XX, 2021

Joanne Scime, Clerk	Mayor Dave Bylsma

I, Joanne Scime, the Clerk of the Corporation of the Township of West Lincoln, hereby certify that the requirements for the giving of Notice, and the holding of at least one Public Meeting as set out in Section 17(22) of the Planning Act, R.S.O. 1990 have been complied with for Official Plan Amendment Number 56.

Joanne Scime, Clerk



Planning and Development Services

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7 905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

May 10, 2021

File No.: D.10.12.OPA-20-0041

Brian Treble, MCIP, RPP
Director of Planning and Building
Township of West Lincoln
318 Canborough Street
Smithville, ON L0R 2A0

Dear Mr. Treble:

Re: Regional and Provincial Comments

Township Initiated Official Plan Amendment

Township File No.: 1701-005-19

Proposed Renewable Energy Policies

Township of West Lincoln

Regional Planning and Development Services staff has reviewed the information circulated for the above-noted application, including the Township's Recommendation Reports dated October 13, 2020 (PS-139-2020) and May 10, 2021 (PD-06-2021). The proposed Official Plan Amendment applies to all lands within the Township of West Lincoln and requires justification, and a privately-initiated Official Plan Amendment, where power is being generated to provide broader community/public benefit. Regional staff previously provided comments on this Official Plan Amendment on January 8, 2021; since that date, the Township held a Public Meeting and completed additional consultation, which resulted in an update to the proposed Amendment. The comments contained in this letter reflect the updated Official Plan Amendment, as proposed in the May 10, 2021 Recommendation Report.

Proposed Official Plan Amendment

The subject Official Plan Amendment proposes that if a renewable energy system is being installed for the benefit of one house or property and generates less than 10KW, then no amendment to the Official Plan is required and only regulations of the Zoning By-law would apply. If a renewable energy system is being installed for the benefit of more than one house or property and generates greater than 10KW, then an Official Plan Amendment would be required. The proposed Amendment notes that study requirements to support the renewable energy source will be identified through a

Page 1 of 4

D.10.12.OPA-20-0041 May 10, 2021

mandatory pre-consultation meeting; however, at a minimum an agricultural impact study is required based on predetermined Terms of Reference. Regional staff assume that the Township has created, or is in the process of creating, a Terms of Reference for agricultural impact studies. According to the Notice of Public Meeting (dated December 10, 2020), the current Township Zoning provisions will need to be updated to implement the proposed policy change.

Provincial Policies

The Provincial *Green Energy Repeal Act, 2018* (Bill 34) has repealed the *Green Energy Act, 2009* in its entirety, and certain renewable energy provisions have been re-enacted under the *Electricity Act, 1998*. The *Planning Act, 1990* and *Environmental Protection Act, 1990* (EPA) have been amended to increase the power of municipalities to reject renewable energy projects, and provide authority to the Lieutenant Governor in Council to make regulations prohibiting issuance or renewal of renewable energy approvals, respectively.

Ontario Regulation 122/19 (Renewable Energy Approvals Under Part V.0.1 of the EPA) established new requirements for approvals of new energy generation facilities, or changes to existing facilities. Any renewable energy approval (REA) for a new renewable energy generation facility must include written confirmation that the proposed facility will not violate any zoning by-laws from any local municipality in which the project is situated. O. Reg. 122/19 also prohibits the issuance of new REAs unless the project proponent submits documentation demonstrating that there is demand for the electricity that is proposed to be generated at the renewable energy generation facility. It is noted that the Province has established a transitional policy set (O. Reg. 121/19: Transitional Matter – Renewable Energy Generation Facilities) that exempts certain facilities from municipal siting approval provided the facility aligns with the requirements in O. Reg. 121/19, including receiving approval prior to June 1, 2019.

REAs are issued by the Ministry of the Environment, Conservation and Parks (MECP), and municipalities are considered commenting agencies to confirm alignment or conformity with applicable policies.

Planning Act, 1990

The *Planning Act* provides that the supply, efficient use and conservation of energy is a matter of provincial interest.

Provincial Policy Statement

The Provincial Policy Statement (PPS) generally supports the development of energy supply, including electricity generation facilities and transmission and distribution systems, district energy, and renewable energy systems and alternative energy systems, to accommodate current and projected needs. Renewable energy systems are defined as those which generate electricity, heat and/or cooling from a renewable

energy source (a source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces).

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan)

The Growth Plan encourages municipalities to develop and implement official plans and other strategies in support of energy conservation for existing buildings and planned developments, including municipally owned facilities. This is to be addressed through the identification of opportunities for conservation, energy efficiency and demand management, land use patterns and design standards that support energy efficiency and demand management techniques to use energy wisely as well as reduce consumption.

Regional Policies

Regional Official Plan

The Regional Official Plan (ROP) encourages local municipalities to establish official plan policies and other measures supporting development that addresses the principles of environmental sustainability, including reducing energy demands, designing development to optimize passive solar energy gain, and providing for on-site renewable energy generation. The current ROP policies regarding energy (Section 8.E) reference the provisions of the *Green Energy Act, 2009* for implementation; given that this Act is no longer in force and effect, applicable energy policies will be reviewed and revised for implementation through the new Niagara Official Plan.

Draft Amendment Policy Review

Based on a review of the draft Official Plan provisions and the above information, Regional staff is supportive of the Township creating policies for renewable energy. The formation of these policies aligns with Provincial and Regional planning policies as well as provisions included in the *Electricity Act*, 1998.

The following comments are offered for consideration by Township staff:

- 1. The Township may wish to provide justification regarding the use of 10 KW as a trigger for a Local Official Plan Amendment.
- The Township may wish to create monitoring policies, or a separate procedure, regarding energy generation from renewable energy sources to maintain the thresholds advised in the proposed policy set.
- 3. Applicable policies should be added to the Township's Zoning By-law to ensure consistency with the *Electricity Act, 1998* and Provincial and Regional policies.
 - It is strongly recommended that the Township provide a draft of the Zoning By-law Amendment provisions associated with this Official Plan Amendment, in accordance with O. Reg. 122/19. This approach can assist

in understanding how the OPA will be triggered through the Zoning provisions, and will align with the requirements of O. Reg. 122/19.

4. The Township may wish to include broader language in Policy (b), to note that studies outside of an agricultural impact assessment could be required.

Conclusion

Regional Planning and Development Services staff is supportive of the Township establishing provision in their Official Plan to address renewable energy facilities. The Region appreciates the opportunity to review the draft amendment and recommends that Township staff consider the above comments to inform any anticipated revisions to the draft Official Plan Amendment prior to adoption, and influence the future Zoning provisions as applicable. Regional staff also welcome opportunities to discuss the amendment further, as necessary.

Regional staff are satisfied that the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Regional Official Plan.

Given that renewable energy approvals lie with the Ministry of Environment, Conservation and Parks, the currently proposed Official Plan Amendment is exempt from Regional Council approval, in accordance with policies 14.E.6 and 14.E.7 of the ROP and the Memorandum of Understanding.

Should you have any questions or wish to discuss these comments, please contact the undersigned at aimee.alderman@niagararegion.ca, or Lola Emberson, MCIP, RPP, Senior Development Planner, at lola.emberson@niagararegion.ca.

Please send a copy of the staff report and notice of the Township's decision on this application.

Best regards,

Aimee Alderman, MCIP, RPP

Development Planner

cc: Mr. E. Acs, MCIP, RPP, Manager, Community Planning, Niagara Region Mr. R. Alguire, C.Tech., Development Approvals Technician, Niagara Region

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN BY-LAW NO. 2021-XX

A BY-LAW TO AMEND ZONING BY-LAW NO. 2017- 70, AS AMENDED, OF THE TOWNSHIP OF WEST LINCOLN

WHEREAS THE TOWNSHIP OF WEST LINCOLN COUNCIL IS EMPOWERED TO ENACT THIS BY-LAW BY VIRTUE OF THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, 1990;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:

- 1. That, this by-law amends the general provisions Section of By-law 2017-70 and therefore has the potential to apply to all lands in the Township of West Lincoln.
- 2. THAT, Section 3.15 of the Zoning By-law 2017-70, as amended, is hereby deleted and replaced by the following:

"3.15 RENEWABLE ENERGY SYSTEMS

The following regulations apply to renewable energy systems that are subject to this By-law:

- a) Except where specifically permitted otherwise in this By-law, a maximum of one (1) renewable energy system, not exceeding 10KW is permitted on a lot. Any renewable energy systems greater than 10KW on a lot shall require an Official Plan Amendment in accordance with Renewable Energy Policies (Official Plan Amendment No. 56).
- b) Any part of an accessory *renewable energy system* of less than 10KW that services a permitted *dwelling* shall comply with the following:
 - i. The requirements of the applicable zone for the main building on the lot, if located within or attached to the dwelling;
 - ii. The requirements of Section 3.1 applicable to accessory buildings or structures, if not located within or attached to the dwelling.
- c) Notwithstanding Clause (b) of this Section, a wind energy device that is accessory to a permitted dwelling may exceed the maximum height required for the main building on the lot by up to 3 metres measured to the top of the highest point of the device.
- d) Any part of an accessory *renewable energy system* of less than 10KW that services a permitted *agricultural use* or any other permitted non-*residential use* in a non-residential *zone* shall comply with the following:
 - i. The requirements of the applicable zone for the main building on the lot, if located within or attached to a permitted main building or structure; and
 - ii. The requirements of Section 3.1 applicable to accessory buildings or structures, if not located within or attached to a permitted main building or structure.
 - iii. Any *renewable energy system* greater than 10KW on a lot shall require an Official Plan Amendment in accordance with Renewable Energy Policies (Official Plan Amendment No. 56).
- e) Notwithstanding Clauses (d) of this Section, an accessory wind energy device that services a permitted agricultural use or any other permitted non-residential use in a non-residential zone and that is freestanding or attached to a permitted main building or structure shall comply with the following requirements:
 - i. Maximum *height* of 30 metres measured from the *average finished grade* to the top of the highest point of the wind energy device;
 - ii. Minimum setbacks equal to the *height* of the wind energy device to all *lot lines*, measured from the base of the wind energy device to the *lot line*; and,
 - iii. Minimum setbacks equal to the *height* of the wind energy device to all *dwellings*, measured from the base of the wind energy device to the nearest wall of the *dwelling*."

Attachment No. 3 to PD-075-2021

PAGE 2

- 3. THAT all other provisions of By-law 2017-70 continue to apply.
- 4. AND THAT this By-law shall become effective from and after the date of passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 28th DAY OF JUNE, 2021.

MAYOR DAVE BYLSMA	
JOANNE SCIME, CLERK	

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2021-XX

Location:

This By-law has the potential to apply to all lands within the Township of West Lincoln as an amendment to the General Provisions of By-law 2017-70.

Purpose & Effect:

To provide the Township of West Lincoln with clear policies for Renewable Energy Systems and to implement Official Plan Amendment No. 56.

Public Consultation:

The Public Meeting was held on January 11th, 2021. The Township received 5 verbal and 1 written comments from residents of West Lincoln regarding this application. All written and oral comments were considered in the making of the decision by Council.

File: 1601-007-21

Applicants: Township of West Lincoln

Attachment No. 4 to PD-075-2021

From: Warren Howard

Date: June 7, 2021 at 12:58:28 PM EDT **To:** Brian Treble btreble@westlincoln.ca

Subject: Re: Renewable Energy Systems report and attachments

Reply-To: Warren Howard

I do not see a problem with the under 10 kw option. I am a little concerned that there is no guidance for larger turbines. Requiring an official plan amendment does not provide real guidance. At least that is what I saw in a quick scan of the documents.

As I understand the process, someone wanting to propose a new project goes to the zoning bylaws to see if it is prohibited. In West Lincoln, this would be read as they are allowed but there is a special approval process.

I would suggest some limits be included in the by-law - i.e. large wind turbines are not a compatible land use for prime agricultural land. Any turbines need to comply with specific setbacks from residential areas. If it is in your zoning by-law, then the setbacks cannot be challenged in court under earlier PC changes to legislation.

For example, Dutton-Dunwich put a 2 km setback in their Official Plan and I think that this has been approved by Elgin County.

Did you see the ERO posting 19-3471 which eliminated priorities for Renewable Energy Requirements in 3 pieces of legislation as they are no long needed given that Ontario already has a clean energy supply. WCO of course wrote a letter supporting these changes but also mentioned that they were not reflected in the direction being provided by the PPS - it also needed to be changed.

This is no longer an academic discussion. The Regional Municipality of Ottawa is in the process of developing their climate action plan for the 2050. They plan to move everything to electricity and since they do not believe that the Ontario grid is green enough for them, they are planning to build a network of wind turbines and solar panels to support their increased demand projections. These plans are not just limited to the rural areas of the municipality but also include neighbouring rural municipalities. It is a bizarre plan but that is where large cities are heading and the Ottawa plan is counting on federal infrastructure money to make it happen.

Warren