

DATE: March 8, 2021

REPORT NO: PD-20-2021

SUBJECT: Technical Report – Greek Association & Marz Homes (Smithville West) Inc. – Official Plan and Zoning Bylaw Amendment – 6659 Regional Road 20 – File NO. 1701-001-21 (OPA) 1601-004-21 (ZBA)

CONTACT: Brian Treble, Director of Planning & Building
Gerrit Boerema, Planner II

OVERVIEW:

- An application for an Official Plan Amendment, Zoning Bylaw Amendment and Consent has been made by the Greek Association (AGIOS) and Marz Homes (Smithville West) Inc. for a portion of property located at 6659 Regional Road 20.
- These three applications were submitted to sever 0.56 hectares of land from 6659 Regional Road 20 (Greek Association) and merge it to the Marz Homes (Smithville West) Inc. property, which is currently undergoing a zoning bylaw amendment and draft plan of subdivision approval (The public meeting for that application was held on January 9th 2021).
- The proposed severed lands (Part 1 on the severance sketch found in Attachment 1) are currently designated and zoned Institutional in the Northwest Quadrant Secondary Plan and the Township Zoning Bylaw.
- At the time of the Secondary Plan public participation, the Greek Association met on several occasions with the Township requesting that the subject property remain institutional. As a result the Township had the property remain institutionally designated and zoned.
- As the proposal is to have approximately 15 residential lots on this severed property, fronting onto a proposed internal street (See Attachment 3 for the Marz Home Draft Plan of Subdivision – not yet approved), an Official Plan Amendment and Zoning Bylaw Amendment is required to change the designation and zoning from Institutional to Residential.
- The Consent application is progressing concurrently with the Official Plan and Zoning Bylaw amendments with the consent scheduled to appear before the Committee of Adjustment on March 31st 2021.
- The Public Meeting held on March 8th also serves to provide notice and an opportunity for public comments on the proposed changes (inclusion of the 0.56 hectares) to the draft plan of subdivision for Marz Homes (Smithville West) Inc.

RECOMMENDATION:

1. That, report PD-20-21, regarding “Technical Report – Greek Association & Marz Homes (Smithville West) Inc. Official Plan and Zoning Bylaw Amendment – 6659 Regional Road 20 – File No. 1701-001-21 OPA and 1601-004-21 (ZBA) dated March 8th 2021, Be RECEIVED; and,
2. That, Staff, following receipt of public and agency input, prepare a recommendation report and present at a future Planning/Building/ Environmental Committee Meeting.

ALIGNMENT TO STRATEGIC PLAN:

Theme #3

- Strategic, Responsible Growth

BACKGROUND:

In 2017 the Council of the Township of West Lincoln approved the Northwest Quadrant Secondary Plan for the lands added to the Smithville Urban Boundary as part of the SWAP process which saw surplus developable lands removed from West Lincoln’s unserviced hamlets and added to the Smithville Urban Boundary to more efficiently accommodate anticipated growth.

These lands include the Dunloe Draft Plan of Subdivision (Draft Plan Approved in 2020), the P.Budd Developments and Marz Homes (Smithville West) Inc. properties (Draft Plan of Subdivisions currently under review). The SWAP process also included in the nearly 2 hectares Greek Association (AGIOS) property, 6659 Regional Road 20. In consultation with the owners at the time of the Secondary Plan, the property was designated Institutional in the Northwest Quadrant Secondary Plan (NWQSP). Any changes in land use would require an Official Plan Amendment as stated by Policy 5.6.3 of the NWQSP.

The Greek Association (AGIOS) and Marz have now submitted applications to sever 0.56 hectares off of the back of 6659 Regional Road 20 and merge it with the abutting Marz property currently undergoing Draft Plan of Subdivision approval. The applications submitted include a boundary adjustment application (to go before the Committee of Adjustment on March 31st 2021), an Official Plan Amendment and a Zoning Bylaw Amendment which proposes to change the designation and zoning on a portion of the property being sold from Institutional to Residential.

If approved, this could add an additional 15 residential lots for the intended purposes of single detached dwellings. The lot configuration would be determined as part of the draft plan approval process.

The public meeting and this report is also to address the required revision to the draft plan of subdivision submitted by Marz Homes (Smithville West) Inc. as if these applications receive approval, the draft plan of subdivision will have to be amended to include this area.

CURRENT SITUATION:

1. Provincial Policy Statement (PPS)

The Provincial Policy Statement (PPS) provides policy direction for all planning matters in the Province. All planning decisions in the Province shall be consistent with the policies in this plan. The subject lands are within the settlement area of Smithville. Settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted, and are subject to the Settlement Area Policies found in Section 1.1.2. The PPS states that Settlement Areas should encourage and promote intensification, redevelopment, and compact form, while voiding or mitigating risks to public health and safety.

It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

The subject property will be part of a greenfield development being the Marz Homes Draft Plan of Subdivision. These lands were added in 2015 through a SWAP process which identified the subject property and surrounding lands as the best candidates for urban expansion based on existing water, wastewater and transportation infrastructure and minimal impact to agriculture and other resources.

2. A Place to Grow – Provincial Growth Plan (P2G) (2019)

The A Place to Grow Plan is a growth plan for areas within the Greater Golden Horseshow including the Township of West Lincoln. The Plan was most recently revised in 2019 and provides municipalities with direction on how and where growth should be focused. The A Place to Grow Plan states that residential growth is to be focused within existing settlement areas such as Smithville. In alignment with the Provincial Policy Statement, the Plan encourages the more efficient use of land through infill and intensification.

Section 2.2.7 of the Plan covers Designated Greenfield Areas which are areas inside of settlement areas that have not previously been developed. Such as the subject property and the rest of the lands within the Northwest Quadrant. The policy states that development within greenfield areas should support complete communities, active transportation and integration of transit.

Complete communities are places that provide a full range of housing and transportation opportunities for people of all ages and abilities and offer the ability to have access to most of the necessities for daily living, including local shops, jobs and services.

The applications for boundary adjustment, official plan amendment and zoning bylaw amendment have been submitted with the goal of adding approximately 0.56 hectares of land to the Marz Homes (Smithville West) Inc. site and add these lands as part of the ongoing Draft Plan of Subdivision review process. The most current draft plan concept

provides a variety of housing types, parkland, trails and commercial space, supporting many of the aspects of a complete community.

3. Greenbelt Plan

Applications must conform to the Greenbelt Plan if they fall within the mapping provided with the Greenbelt Plan. Since the subject lands are outside the area designated in the Greenbelt Plan, the PPS and A Place to Grow Plan are the only Provincial Policy that applies in this situation.

4. Regional Policy Plan (RPP)

The Regional Policy Plan (RPP) provides general policies that are to be applied across the Niagara Region. The Regional Official Plan has designated the subject property as being Greenfield within the urban settlement area of Smithville.

The Regional Official Plan requires designated Greenfield areas to be planned and developed as compact and complete communities where, depending on the size of the site, can accommodate a range of land uses including residential, commercial, institutional, recreation and employment uses. The Regional Official Plan requires that greenfield development be orderly and contiguous with existing build up areas. As the subject severed land is proposed to be added to the larger Marz Homes property, it will become part of an ongoing draft plan of subdivision approval process which is proposing a mix of residential, parkland and commercial uses.

The Regional Official Plan also requires that greenfield development maintain a minimum density target of 50 people and jobs per hectare. This subject property is proposed to have 15 single detached lots on 0.56 hectares which equates to a density of approximately 80 people per hectare (3 people per single detached unit). However, this property would contribute to the overall density of the entire Marz Homes draft plan of subdivision proposal which in its latest concept is between 50 and 60 people and jobs per hectare.

The proposed applications would also contribute to a variety of housing options on the Marz Homes draft plan of subdivision. The latest draft plan concept includes singles, townhouses, back-to-back townhouses and apartment units.

5. Township of West Lincoln Official Plan (OP)

The subject property was added to the urban settlement area of Smithville in 2015 through an Ontario Municipal Board (OMB) decision which removed excess developable lands from the rural hamlets in West Lincoln and added the additional lands to Smithville. Following the SWAP process, the Township completed a secondary plan for the Northwest Quadrant to ensure orderly and cohesive development.

The Northwest Quadrant Secondary Plan, which can be found within the Township's Official Plan under Section 6 and in Schedule E-4, has the subject property (6659 Regional Road 20) designated as Institutional. The Institutional designation permits community/institutional uses, however, Section 5.6 of the Secondary Plan states that if

these institutional uses are ever to cease, it is the intent that the lands be used for residential purposes. Section 5.6 requires that if there are any proposed changes in uses, an amendment to the Official Plan is required.
Corporation (MPAC) data.

6. Township of West Lincoln Zoning By-Law (ZBL)

The subject property is currently zoned Institutional 'I' in the Township zoning bylaw 2017-70, as amended. The Institutional 'I' zone permits a variety of uses including schools, day-cares, funeral homes, hospitals, among other uses.

The boundary adjustment application proposes to sever 0,56 hectares from 6659 Regional Road 20 and merge it to the Marz Homes (Smithville West) Inc. property for residential purposes. The applicants therefore have submitted a zoning bylaw amendment application to rezone the severed parcel to a residential low density R3 zone.

The Residential Low Density 'R3' zone is the most compact low density zone permitting the smallest lot frontages, lot areas, and setbacks. The 'R3' zone permits single detached and semi-detached dwellings as well as some secondary uses including a home occupation and accessory apartments.

The 'R3' zone requires a minimum lot size of 300 square meters for single detached lots and a lot frontage of 10 meters for interior lots and 12.5 meters for corner lots. The proposed lots shown in the Planning Justification Report meet the minimum requirement for lot area and lot frontage.

It is important to note that if these applications are approved and the severance is granted, the final configuration of the residential lots within Part 1, being the severed lot, would be determined through the ongoing draft plan of subdivision approval process submitted by Marz Homes (Smithville West) Inc.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this application.

INTER-DEPARTMENTAL COMMENT AND PUBLIC COMMENTS

At the time of writing this report, the Township has not received any comments from members of the public. A notice was mailed out to all those within 120 metres of both the Greek Association property, 6659 RR 20 and the Marz Homes (Smithville West) Inc. property. A notice was also posted on the property as well as on the Township's website.

Canadian Pacific Railway also submitted comments with regards to the proposed application. They typically do not support development adjacent to their rail lines, however, where approved CP Rail has provided design requirements to protect new developments.

Comments were also received by the Region of Niagara, the Niagara Peninsula Conservation Authority and the Township Public Works Department.

At the time of writing this report there have been no comments submitted by members of the public.

Copies of agency comments received to date can be found in attachment 4.

CONCLUSION

An application for consent, Official Plan Amendment and zoning by-law Amendment has been made by the Greek Association and Marz Homes (Smithville West) Inc. for 6659 Regional Road 20. The applicants are proposing to sever 0,56 hectares of land from 6659 Regional Road 20 to be added to the Marz Homes (Smithville West) Inc. property currently under draft plan of subdivision review. The Official Plan and Zoning Bylaw amendments are to designate and zone the subject land to permit residential development as part of the Marz Homes (Smithville West) Inc. draft plan of subdivision.

Once all public and agency comments are received and the application is fully reviewed against the applicable Provincial, Regional and Local planning policy, planning staff will prepare and present a recommendation report at a future Planning/Building/Environmental Committee Meeting.

ATTACHMENTS

1. Severance Sketch
2. Marz Draft Plan of Subdivision (not yet approved)
3. Public and Agency Comments
4. Draft Official Plan Amendment submitted by applicant
5. Draft Zoning Bylaw Amendment submitted by applicant
6. Planning Justification Report

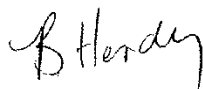
Prepared by:



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A handwritten signature in blue ink, reading "Gerrit Boerema".

Gerrit Boerema
Planner II

A handwritten signature in black ink, reading "B. Hendry".

Beverly Hendry
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