

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**

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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 from 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 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 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 2031. 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 Lincoln's 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 and 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, if 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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