

DATE: November 9, 2020

REPORT NO: PD-144-2020

SUBJECT: **Technical Report - DRAFT Official Plan Amendment for Spring Creek Heights Secondary Plan (DRAFT Amendment No. 57)**

CONTACT: Brian Treble, Director of Planning & Building
Madyson Etzl, Planner II

OVERVIEW:

- Planning staff, alongside MHBC Planning staff, held a Public Information Centre for Spring Creek Heights Secondary Plan where preliminary concepts for the site were discussed. The first Public Information Centre was held on November 28th 2019, from 6:00pm to 8:00pm.
- At this meeting, Staff from MHBC Planning made a presentation which outlined the objectives of the project. MHBC Planning was hired to oversee and provide an outline of the public meeting process, and an overview of next steps and preferred options for policy improvement on the lands.
- There was a second Public Open House held by Township staff on Thursday October 29th from 6:30-8pm through Zoom.
- This meeting covered an overview of the draft proposed OPA changes for Spring Creek Heights Secondary Plan and requested comments from the public.
- Planning staff has now received a revised final report from our consultants before preparing draft Official Plan Amendment Policies which have recently been presented at a Public Open House, and are being presented at a public meeting on November 9th 2020.
- The Draft OPA document has been provided as an attachment to this report.
- Staff will continue to collect comments from agencies and members of the public and will provide Planning Committee with a future recommendation report at a future Planning Building/Environment committee meeting.

RECOMMENDATION:

1. That, Report No. PD-144-2020, dated November 9th 2020 relating to the “DRAFT Official Plan Amendment for Spring Creek Heights Secondary Plan (DRAFT Amendment No. 57)” BE RECEIVED, and;

2. That, a recommendation report be submitted to a future Planning/Building/Environmental Committee meeting once a full staff and agency review has been completed

ALIGNMENT TO STRATEGIC PLAN:

Theme #3

- Strategic, Responsible Growth

BACKGROUND:

The purpose of this report is to provide background information and a recommendation to Council with respect to the DRAFT Secondary Plan policies for the Spring Creek heights area and the secondary plan amendment that has been presented. This report is provided for consideration by Committee at the public meeting and to commence the approval process for Township and Regional Council.

CURRENT SITUATION:

The consultant's report (attachment 1) recommends that the existing secondary plan policies remain unchanged except that the list of uses for the light employment designation be broadened. The draft OPA are designed to achieve this approach as recommended by the Township consultants.

Planning Review

Provincial Policy Statement (PPS)

All planning applications are to be consistent with the PPS. The draft policies are to be consistent with the PPS and they must consider the following:

Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development.

- 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"

The Spring Creek Heights Secondary Plan Area is identified on Schedule B-4 of the Township's Official Plan as being within the Smithville Urban Boundary. One of the key objectives of the Township's Official Plan is to encourage and facilitate redevelopment, infilling, and intensification within the Urban Settlement area of Smithville

Policy 1.1.3.2 states the following: "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;
- c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) Prepare for the impacts of a changing climate;
- e) Support active transportation;
- f) Are transit-supportive, where transit is planned, exists or may be developed; and
- g) Are freight-supportive.

Planning staff feel that the proposed development concepts and the draft policies are consistent with the PPS, such that we can start the formal consultation process.

Provincial Growth Plan

Policy 2.2.1.2 states the following regarding allocating forecasted growth:

- a) The vast majority of growth will be directed to settlement areas that:
 - i. have a delineated built boundary;
 - ii. have existing or planned municipal water and wastewater systems; and
 - iii. can support the achievement of complete communities
- c) within settlement areas, growth will be focused in:
 - i. delineated built-up areas;
 - ii. strategic growth areas;
 - iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
 - iv. areas with existing or planned public service facilities

Further, Policy 2.2.5.7 states that Municipalities will plan for all employment areas within settlement areas by:

- a) prohibiting residential uses and prohibiting or limiting other sensitive land uses that are not ancillary to the primary employment use;
- b) prohibiting major retail uses or establishing a size or scale threshold for any major retail uses that are permitted and prohibiting any major retail uses that would exceed that threshold; and
- c) providing an appropriate interface between employment areas and adjacent non-employment areas to maintain land use compatibility.

Policy 2.2.5.9 of the Growth Plan states: The conversion of land within employment areas to non-employment uses 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 land 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

Notwithstanding the above policy, Policy 2.2.5.10 states: 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 land through the establishment of development criteria; and
- c) not include any part of an employment area identified as a provincially significant employment zone.

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.

Regional Policy Plan (RPP)

The RPP outlines the Region of Niagara's policies for development within the Region. The subject land is within the Urban Area of Smithville as noted on the Region's Urban Areas map. The proposed amendment must conform to the RPP as shall development:

Section 4 of the Regional Official Plan details the growth management objectives for the Region. The following are some of the growth objectives outlined in this section:

- Objective 4.A.1.1 seeks to direct the majority of growth and development to Niagara's Urban Areas.
- Objective 4.A.1.6 seeks to building compact, mixed use, transit supportive, active transportation friendly communities in the Built-up Area and in Designated Greenfield Areas.
- Objective 4.A.1.9 seeks to ensure the availability of sufficient employment and residential land to accommodate long term growth in Niagara to the year 2031.

Policy 4.E.1.1 of the Regional Official Plan states:

Municipalities may permit the conversion of lands within employment areas to non- employment uses through a municipal comprehensive review where it is demonstrated that

- a) There is a need for the conversion;
- b) The municipality will meet the employment targets allocated to the

- municipality pursuant to this Plan;
- c) The conversion will not adversely affect the overall viability of the employment area and the achievement of the municipal intensification target, density targets and other policies of this Plan;
 - d) There is existing or planned infrastructure in place to accommodate the proposed use;
 - e) The lands are not required over the long term for employment purposes which they are designated; and,
 - f) Cross jurisdictional issues have been considered.

Based on the above, planning staff considers the proposed concepts and draft policies to conform to the Regional Policy Plan, such that we can start the formal consultation process.

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 various densities and different land uses on the subject lands. The objectives of the Township's Official Plan are to:

- Accommodate the majority of residential growth of the Township in West Lincoln, in well-planned, residential areas with sufficient housing types and tenures to meet population forecasts, and to promote the efficient use of land and services to meet the projected population forecast.
- To provide a proper policy framework that will promote the Smithville downtown area as the primary commercial and business area in West Lincoln.
- To encourage more employment opportunities for residents of West Lincoln through the promotion and expansion of industrial uses, commercial businesses and institutional uses.
- Growth shall be well planned and located in appropriate residential areas that share similar qualities and characteristics of other residential neighborhoods.
- Commercial uses that are typically found within the downtown area should be maintained in the Downtown and should not be permitted to be located in other areas of Smithville. This policy is intended to create a prime retail area and to support the downtown as being a hub of the Township.

Based on the above, planning staff considers the proposed concepts and draft policies to conform to the West Lincoln Official Plan, such that we can start the formal consultation process.

TOWNSHIP OF WEST LINCOLN ZONING BY-LAW

The current Township of West Lincoln Zoning By-law zoned this subject parcel of land as Development 'D'. Township staff are planning to keep this zoning on the subject lands, therefore there is no zoning by-law amendment application at this time.

FINANCIAL IMPLICATIONS

Costs for this work was part of a capital project approved for the 2019 budget.

INTER-DEPARTMENTAL, AGENCY AND PUBLIC COMMENTS

Township Planning, Public Works, the Niagara Region, and the Niagara Peninsula Conservation Authority have been involved throughout this work process and will now be further consulted for input into the draft official plan and policy changes. Some agency comments remain outstanding at this time.

A formal consultation process with input from the public and agencies is now underway through the Open House and Public meeting process. Agency comments including comments from the Region of Niagara will be presented prior to final approval.

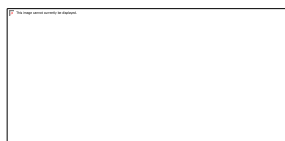
CONCLUSION

This report is written to inform the Committee of the fact that draft Official Plan Amendment has now been prepared for Spring Creek Heights Secondary Plan. The proposed policies are intended to be consistent with the PPS, conform to the P2G, conform to the RPP and conform to the applicable policies of the OP. Therefore Planning staff considers the draft policies to be appropriate to start the preparation of the planning approval process leading to a recommendation report for a future Planning/Building/Environmental Committee Meeting.

ATTACHMENTS:

1. DRAFT OPA Policies
2. MHBC Spring Creek Heights Report

Prepared & Submitted by:



Madyson Etzl, Planner II



Brian Treble, Director of Planning and Building

Approved by:



Bev Hendry, CAO