

DATE: September 9, 2024

REPORT NO: PD-40-2024

SUBJECT: **Spring Creek Heights Secondary Plan, OPA 57 Approval File No. 1701-006-19**

CONTACT: Gerrit Boerema, Manager of Planning
Brian Treble, Director of Planning and Building

OVERVIEW:

- The Spring Creek Heights Secondary Plan was first initiated as OPA No. 6 in 2003 and was later amended in 2010 through OPA No. 26.
- On March 4, 2024 a Recommendation Report [PD-14-2024](#), to approve Official Plan Amendment (OPA) No. 57 – updates to the Spring Creek Heights Secondary Plan, was presented to Committee and Council recommending the approval and adoption of OPA No. 57 subject to Regional Staff comments and clearance.
- Through further consultation with Regional staff further revisions were recommended to the draft OPA as well as additional consultation with First Nations.
- The final revisions to OPA No. 57 have now been accepted by the Region and the additional consultation with First Nations has occurred. As such the Region has now exempted OPA No. 57 from the requirement for Regional Council approval.
- The main purpose of OPA No. 57 was to review and add more permitted uses, including warehousing, in the restricted employment area located between Station Street and Thompson Road, within the Smithville Employment Area.
- There are no changes proposed to the land use scheduled shown in Schedule 'A' of this report.

RECOMMENDATION:

1. That, Recommendation Report PD-40-2024, titled “Spring Creek Heights Secondary Plan, OPA 57 Approval, File No. 1701-006-19”, dated September 9, 2024, be received; and,
2. That, Official Plan Amendment No. 57 (File No. 1701-006-19) as found in Schedule A, and a corresponding implementation bylaw, as found in Schedule B be approved

- and passed; and
3. That staff be authorized to circulate the Notice of Decision on the approval of Official Plan Amendment No. 57 to the agencies and public to commence the 20-day appeal period as Regional Council approval is not required.

ALIGNMENT TO STRATEGIC PLAN:

BUILD a safe, connected, caring and active community.
CHAMPION strategic and responsible growth.

BACKGROUND:

Work on the Spring Creek Heights Secondary Plan started in 2003 to guide growth and development for a portion of the Smithville Employment Park located between Station Street (west), Thompson Road (east), the Canadian Pacific-Kansas City (CPKC) Railroad (south) and Spring Creek Road (north). The majority of these lands are within the employment area with a small portion near Station Street designated for current and future residential uses. The main purpose of the Spring Creek Heights Secondary Plan was to outline compatible commercial and employment land uses that could locate in the vacant lands between existing employment uses and existing residential uses on Station Street.

The Secondary Plan was updated through OPA No. 26 in 2010 to expand upon the list of permitted uses within the restricted employment designation. The purpose of this restricted employment zone was to limit permitted uses that are compatible with the nearby residential neighbourhood on Station Street. In 2019 Administration started an additional review of the Secondary Plan in an effort to attract development to this currently underutilized area within the urban boundary. MHBC Planning Consultants were retained to review the existing secondary plan and to propose updates based on new noise and vibration studies completed by HGC Engineering.

CURRENT SITUATION:

On March 4, 2024, Planning Report [PD-14-2024](#) was presented to Planning/Building/Environmental Committee which recommended approval and adoption of OPA No. 57 and a corresponding bylaw which was attached to the report. Committee approved the report and its recommendations, to pass a bylaw to approve OPA No. 57 and to circulate the appropriate agencies, however, in further discussions with the Region, additional consultation was required with First Nations groups as well as further modifications to the OPA to receive regional sign off and exemption from Regional Council approval.

OPA No. 57 has now been revised to address the Regional considerations and notification has been provided to the applicable First Nation communities. Regional staff now support the Official Plan Amendment and have provided West Lincoln Administration with an exemption letter from Regional Council.

Overall the Secondary Plan designations and policies remain similar to those created in 2010, however, an additional use of 'warehousing' has been added to the restrictive employment designation. The land use study completed by MHBC Planning and the noise and vibration study completed by HGC Engineering still support restricting land uses within the Spring Creek Heights Secondary Plan, as this is a transitional area between Class II and Class II industry and sensitive residential and institutional receptors. Administration is of the view that there is interest in using the lands for warehousing and that this land use can achieve compatibility with the adjacent residential homes, subject to further studies at the development approval stage.

Consultation for OPA No. 57 occurred in October of 2020 with a formal public meeting. Additional consultation was held with a number of the landowners within the Secondary Plan Area.

FINANCIAL IMPLICATIONS:

The Spring Creek Heights Secondary Plan update completed by MHBC Planning was funded through an approved budget. The additional work to modify the OPA based on Regional comments and to consult with First Nations was completed by staff and has no financial implications beyond the current planning operating budget.

INTER-DEPARTMENTAL COMMENTS:

The Spring Creek Heights Secondary Plan has access to a municipal water through connections to Spring Creek Road, London Road and Station Street. There are also potential connections for sanitary sewer through London Road and Station Street. There is no sanitary sewer along Spring Creek Road in the Secondary Plan area. The Smithville Master Servicing Plan had identified that these lands would benefit from a proposed gravity sewer line along Spring Creek, but due to the PCB bedrock contamination, this is no longer an option. The evaluation for an alternative sanitary servicing strategy is underway, however, there may still be options to provide sanitary servicing to the Spring Creek Heights Secondary Plan area through existing or upgraded infrastructure.

Upper Canada Consultants, which represent one of the landowners in the Secondary Plan Area has been working on a servicing strategy for future development of these lands. The land owners will need to demonstrate to the Township how these lands can be serviced as part of their development applications, as the servicing needs in this employment area will vary depending on the nature of their development.

The existing Spring Creek Heights Secondary Plan contains policy regarding the limitations of servicing for the secondary plan and the potential need for infrastructure upgrades depending on the nature of the development proposal.

CONCLUSION:

Administration recommends that Official Plan Amendment No. 57 as attached to this report as Schedule A be adopted by Township Council and be circulated for Notice for Decision, as Regional Approval is not required.

SCHEDULES:

Updated OPA No. 57
Draft By-law
Region of Niagara Exemption Letter

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