

Susan Smyth

From: Taran Lennard <tlennard@npca.ca>
Sent: September 6, 2024 10:41 AM
To: Susan Smyth
Subject: RE: NPCA Review: Draft Plan Approval Extension - Dunloe Smithville West Subdivision (File: 2000-087-18)

Hi Susan,

The NPCA offers no objections to the approval of this extension request. A works permit was historically issued for a SWM Outfall into our regulated features, which formed an integral part of the SUB application.

Thank you for including us on this request.



Taran Lennard
Watershed Planner II

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

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For more information on Permits & Planning, please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

To send NPCA staff information regarding a potential violation of Ontario Regulation 155/06 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>

From: Susan Smyth <ssmyth@westlincoln.ca>
Sent: Monday, August 12, 2024 2:08 PM
Cc: Gerrit Boerema <gboerema@westlincoln.ca>; Brian Treble <btreble@westlincoln.ca>
Subject: Draft Plan Approval Extension - Dunloe Smithville West Subdivision (File: 2000-087-18)

Good Afternoon,

Please find attached the request for an extension of draft plan approval for Dunloe Smithville West Subdivision (Marz Homes Inc.) and the Township Planning Staff's request for agency comment.

We kindly ask that comments be provided by Thursday September 12, 2024. If no comments are received by this date then we are to assume there are no issues with the requested extension of draft plan approval.

If you should have any questions please let me know.

Thank you,

Growth Strategy and Economic Development

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7

905-980-6000 Toll-free:1-800-263-7215

Via Email Only

September 12, 2024

File Number: PLSD202401014

Susan Smyth - Senior Planner

Township of West Lincoln

318 Canborough Street

Smithville, ON L0R 2A0

Dear Ms. Smyth:

**Re: Regional and Provincial Comments
Draft Plan of Subdivision Extension
Township File Number: 2000-87-18
Applicant: Arcadis
Location: Southwest Corner of South Grimsby Road 5 and Spring Creek
Road
Township of West Lincoln**

Staff of the Regional Growth Strategy and Economic Development Department has reviewed the request for a two (2) year extension of Draft Plan of Subdivision approval for the property municipally known as Plan M98 Lot 7 (Southwest Corner of South Grimsby Road 5 and Spring Creek) in the Township of West Lincoln. Regional staff received this extension request from the Township on August 12, 2024.

The Draft Approved Plan of Subdivision consists of 29 single-detached dwellings (1.19 ha – Lots 1-29), 20 semi-detached dwellings (0.51 ha – Lots 30-39), 75 condominium townhouses (2.33 ha – Blocks 41, 45-47), a park (0.51 ha – Block 40), stormwater management system and dedicated trail (0.57 ha – Block 42), and a future development block (0.01 ha – Block 44). Staff note this is the second extension request whereby the Township previously granted a two-year extension.

In requesting an extension, the applicant noted concern with future growth and development in the northwest quadrant of lands approved by Official Plan No. 63 (OPA 63), and the new expanded urban limits of Smithville has generated opportunities and constraints on approaching stormwater infrastructure and outlet. The applicant, therefore, indicated they are unable to move forward with a clearance of draft plan conditions request. As such, the additional two years will allow for time to address stormwater management concerns.

Provincial and Regional Policies

Staff note that Niagara Official Plan Policy 7.5.3.6 states that Local Area Municipalities are encouraged to permit only one extension to a lapsing draft plan of subdivision for a period of up to two years unless the draft plan conforms to (a) the policies of this Plan; and (b) it can be demonstrated that concerted effort and progress has been made toward satisfying existing conditions of approval.

In this regard, staff note a detailed Engineering design had been submitted and reviewed, and the applicant is currently in the process of making revisions to clear existing conditions.

Archaeological Potential

The comments provided in the Regional comment letter (dated July 23, 2021) remain applicable.

Staff request that Condition 38 be amended to reflect the following updated archaeological warning clause wording:

That the Site Plan Agreement between the Owner and Township of West Lincoln contains the following warning clause:

*“If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the Niagara Regional Police Service and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C.
<https://www.niagararegion.ca/projects/archaeological-management-plan/default.aspx>”*

Conclusion

Staff of the Regional Growth Strategy and Economic Development Department are in support of the requested two (2) year draft plan extension request in accordance with the comments above subject to the existing draft plan conditions remaining in effect and the recommended revised archaeological warning clause wording.

Please send copies of the staff report and notice of the Township’s decision on these applications. If you have any questions related to the above comments, please contact me at connor.wilson@niagararegion.ca.

Kind regards,



Connor Wilson
Development Planner

cc: Pat Busnello, MCIP, RPP, Manager of Development Planning
Phillipe Biba, Development Approvals Technician
Adam Boudens, Senior Environmental Planner

Growth Strategy and Economic Development

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7

905-980-6000 Toll-free:1-800-263-7215

Via Email Only

September 12, 2024

File Number: PLSD202401014

Susan Smyth - Senior Planner

Township of West Lincoln

318 Canborough Street

Smithville, ON L0R 2A0

Dear Ms. Smyth:

Re: Regional and Provincial Comments**Draft Plan of Subdivision Extension – Thrive Subdivision****Township File Number: 2000-090-20****Applicant: Arcadis****Location: Northwest corner of South Grimsby Road 5 and Regional Road 20, South of CP Rail line****Township of West Lincoln**

Staff of the Regional Growth Strategy and Economic Development Department has reviewed the request for a two (2) year extension of Draft Plan of Subdivision Approval for the property municipally known as Plan M98 Lot 9 (Northwest Corner of South Grimsby Road 5 and Regional Road 20, south of CP Rail Line) in the Township of West Lincoln. Regional staff received this extension request on August 12, 2024.

The Draft Approved Plan of Subdivision consists of 227 residential units, with 7 future units (according to the Secondary Plan Concept, prepared by IBI Group, no date). Draft Plan approval was granted by the Township on December 16, 2019 for a period of three (3) years, and subsequently extended until December 16, 2024..

In requesting an extension, the applicant has noted the internal detailed Engineering and Landscape Design review has been completed. Additionally, Regional and external utility agencies are currently reviewing outstanding design matters and anticipates the conditions are unlikely to be satisfied before the lapsing date. The additional two years will allow for the addressment of the stormwater management concerns.

Provincial and Regional Policies

Policy 7.5.3.6 of the Niagara Official Plan, states that Local Area Municipalities are encouraged to permit only one extension to a lapsing draft plan of subdivision for a period of up to two years unless the draft plan conforms to (a) the policies of this Plan; and, (b) it can be demonstrated that concerted effort and progress has been made toward satisfying existing conditions of approval.

Staff understands from the Township's circulation letter that the applicant has been working towards final clearance of conditions and has received final Engineering and Landscape design review and approval by staff. In addition, to the Draft Subdivision Agreement has been released. Regional staff has also been actively reviewing submissions for clearance. As such, Regional staff is satisfied that an extension of draft approval is appropriate.

Archaeological Potential

The comments provided in the Regional comment letter (dated July 23, 2021) remain applicable.

Staff request that Condition 2 be updated to reflect the following updated archaeological warning clause wording in accordance with the Regional Archaeological Management Plan:

That the Subdivision Agreement between the Owner and Township of West Lincoln contains the following warning clause:

"If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the Niagara Regional Police Service and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C.

<https://www.niagararegion.ca/projects/archaeological-management-plan/default.aspx>"

Conclusion

Staff of the Regional Growth Strategy and Economic Development Department are in support of the requested two (2) year draft plan extension t in accordance with the comments above subject to the existing draft plan conditions remaining in effect and the recommended revised archaeological warning clause wording.

Please send copies of the staff report and notice of the Township's decision on these applications. If you have any questions related to the above comments, please contact me at connor.wilson@niagararegion.ca.

Kind regards,



Connor Wilson
Planner, Development

cc: Pat Busnello, MCIP, RPP, Manager of Development Planning
Phillipe Biba, Development Approvals Technician
Adam Boudens, Senior Environmental Planner

Memo

To: Susan Smyth, Senior Planner
From: Jennifer Bernard, Coordinator of Engineering Services
Date: October 8, 2024
Re: Extension of Draft Plan Approval – Smithville West – Dunloe Subdivision and Thrive Subdivision

Public Works staff have reviewed Recommendation Report – Extension of Draft Plan Approval for Smithville West – Dunloe Subdivision (File No. 2000-87-18) and Thrive Subdivision (File No. 2000-90-20)(Marz Homes Inc. – Owner)(Jared Marcus, Arcadis – Agent).

Water and wastewater analysis completed as part of the Master Community Plan confirmed based on the Functional Servicing Reports for the Dunloe and Thrive Subdivisions that these developments will require:

- the Regional 400mm trunk watermain;
- upgrades to the Streamside Pumping Station; and
- upsizing of the existing sanitary sewer on West St and Wade Rd.

It is understood that Marz Homes is currently working with the Niagara Region on the design and construction of the 400mm watermain and Streamside Pumping Station upgrades through Front Ending Agreements.

The Township’s sanitary sewer on West St and Wade Rd will be upsized with the Niagara Region’s RR20 Road Reconstruction project, expected to proceed to construction in 2025.

Staff have reviewed the Conditions of Approval and note that Dunloe conditions 21 through 23 and Thrive condition 21 were drafted prior to the completion of the Township’s Master Community Plan. The construction of Spring Creek Road and the upgrade of South Grimsby Road 5 have been included in the 2024 Draft DC Background Study.

Public Works recommends revising Dunloe condition 21 to read: *That the subdivision agreement contain a clause requiring the owner to enter into a front ending agreement (subject to the approval of the Township’s Development Charge By-law) or other agreement with the Township for the design, construction and urbanization of Spring Creek Road from South Grimsby Road 5 west to the CPKC Rail corridor, and South Grimsby Road 5 from Spring Creek Road south to Regional Road 20, to the satisfaction of the Township, and that the appropriate road encroachment permits be applied for an approved.*

Extension of Draft Plan Approval – Smithville West – Dunloe Subdivision and Thrive Subdivision

Dunloe conditions 22 and 23 and Thrive condition 21 can be removed as they are replaced by the above.

Conditions should be added to Dunloe and Thrive that a road widening is required on South Grimsby Road 5 and the Spring Creek Road allowance for half the deficient width of a Township Collector road.

Staff have no concerns with the proposal for an extension of draft plan approval due to the delays in servicing these developments.