

DATE: June 9, 2025

REPORT NO: PD-22-2025

SUBJECT: **Recommendation Report – Elite Smithville Developments Inc. Zoning By-law Amendment (File No. 1601-009-24) and Draft Plan of Subdivision (File No. 2000-94-24)**

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OVERVIEW:

- Weston Consulting (Agent) on behalf of Elite Smithville Developments Inc. (Owner) submitted applications for Draft Plan of Subdivision and Zoning By-law Amendment for a 4 hectare (±10 acre) property located west of South Grimsby Road 5 and the Marz Homes Thrive Subdivision, north of the roundabout on Regional Road 20 and south of the CPKC rail line.
- The subject property is located half within the urban boundary and half within the expanded urban boundary, and bisected by a watercourse and karst feature.
- This development proposes to utilize municipal services (water and sewer) through the Marz Homes Thrive Subdivision development. The stormwater management proposes retention of storm runoff on the property and outlet to the Regional ditch on Regional Road 20.
- Originally, the proposal was to accommodate 217 residential units (mixture of townhouses and apartment dwellings), future public street connecting to the roundabout at Regional Road 20, environmental block, trail, parkland, and future development block.
- The statutory Public Meeting was held on April 14, 2025 and the Information Report, [PD-14-2025](#) provided the details and technical studies completed for the proposed development.
- Comments received at the Public Meeting precipitated refinements to the proposal bringing the total number of units to 201, with 41 townhouse dwellings and two 6-storey with 5-storey step down on each end apartment buildings with 160 units.
- Revisions included modification to the stormwater management design, improved pedestrian connectivity to open spaces and trail connection, clarity on new restoration areas, and increase in parking rate for the apartment units.
- Administration upon review of the applications against the Provincial and Local policies as well as consideration of the Committee, commenting agencies, and the public comments and feedback are satisfied that matters are adequately addressed and recommend approval of the applications.

RECOMMENDATION:

1. That, Recommendation Report PD-22-2025, titled “Recommendation Report – Elite Smithville Developments Inc. Zoning By-law Amendment (File No. 1601-009-24) and Draft Plan of Subdivision (File No. 2000-94-24) dated June 9, 2025 be received; and,
2. That, Section 34(12) of the Planning Act apply and that no further public meeting is required; and,
3. That, application for Zoning By-law Amendment File No. 1601-009-24 to change the Development zone to Medium & High Density Residential, Open Space, Environmental Protection and Development with site-specific provisions contained in Schedule A, be approved in accordance with the attached amending Zoning By-law and Schedule, and that Council authorize the Mayor and Clerk to sign the necessary by-law; and,
4. That, application for Draft Plan of Subdivision (File No. 2000-94-24), be approved, in accordance with the provisions of the Planning Act, R.S.O., 1990, Chapter P.13, and regulations thereunder, subject to draft plan approval conditions contained in Schedule B of report PD-22-2025; and,
5. That, the Applicant is advised the Township’s draft approval of this Plan of Subdivision will lapse three years from the date of approval unless Township Council grants an extension of the approval period prior to the lapsing date. If an extension is requested, an updated review will occur and revisions to the conditions of draft plan approval may be necessary at that time.

ALIGNMENT TO STRATEGIC PLAN:

Theme # 1and #2

- **Build** a safe, connected, caring and active community
- **Champion** strategic, responsible growth

BACKGROUND:

The subject property (eastern half) was added to the Smithville urban boundary in 2015 as part of the land swap Official Plan Amendment (OPA 45) process that added residential and employment land to the urban boundary of Smithville and removed excess land from a number of rural hamlets. This half of the property falls within the Northwest Quadrant Secondary Plan. Refer to Figure 1 for the location of the subject property.

The purpose of this Plan is to integrate new development with the existing urban neighbourhoods and adjacent rural lands while respecting and protecting the surrounding environmental features and agricultural uses. The lands area identified as designated greenfield area and to be developed primarily as a complete community with residential uses; integrated parks and open space system, and serve local commercial uses. Furthermore, function as a prominent gateway into the urban area of Smithville with the potential to accommodate a minimum of 570 new residential units by 2031.

The western half of the property was added to the urban boundary expansion in 2022, part of the new urban boundary of Smithville Official Plan Amendment (OPA 62) and the Smithville Master Community Plan. Refer to Figure 2 for the location of the subject

property.

Figure 1: Northwest Quadrant Secondary Plan (OPA 45) and Subject Property

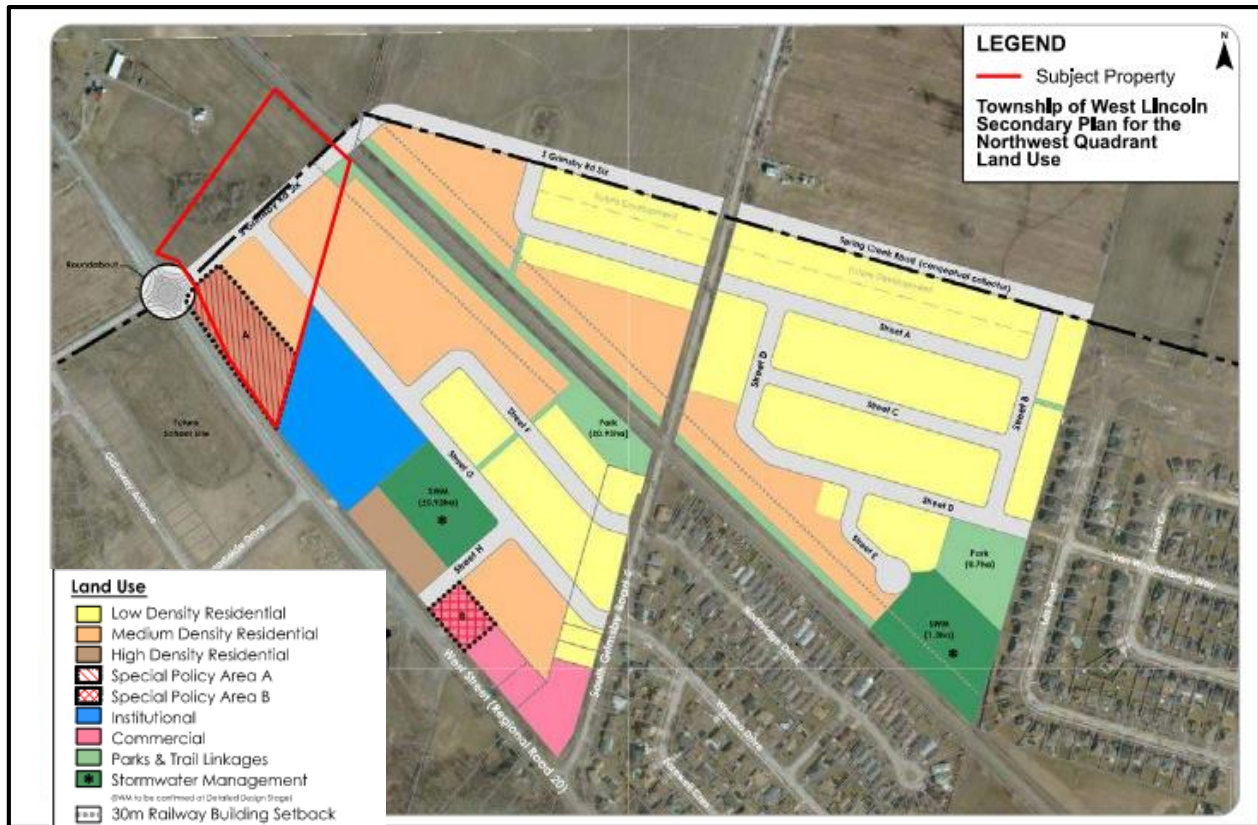
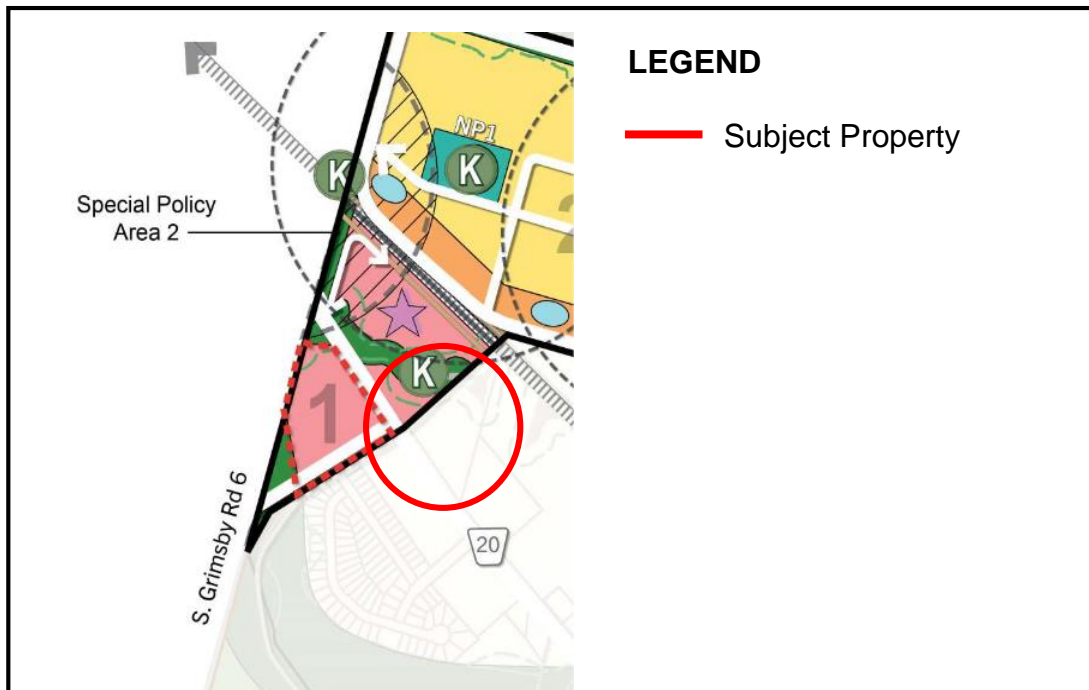


Figure 2: Smithville Master Community Plan (OPA 62) and Subject Property



The eastern half of the subject property is designated as “High Density Residential and Special Policy Area - 2, Medium Density Residential, Parks and Trail Linkage” as per the Northwest Quadrant Secondary Plan and the western half is designated as “Commercial, Natural Heritage and Karst” as per the Smithville Master Community Plan.

The eastern half of the property is zoned Development ‘D’ while the western half of the property is zoned Agricultural ‘A’.

CURRENT SITUATION:

The Zoning By-law Amendment Application is intended to change the Development (D) zone to “Residential Medium Density Type 3” (RM3-xxx) to permit the 41 condominium townhouse units and “Residential High Density” (RH-xxx) for the two 6-storey with 5-storey step down apartment buildings containing 80 units in each building (160 apartment dwelling units), a combined total of 201 residential units. The balance of the land will be zoned as “Open Space” (OS) for the parkland, and “Environmental Protection” (EP) for the Karst and watercourse feature including the 30-metre buffer.

The portion of the subject property that lies within the Smithville Master Community Plan Area and zoned as Agricultural (A) will be zoned Development (D) to intensify the use in accordance with the growth management strategy and the Block Plan process at a later stage.

This development will be phased, starting with the proposed public street (Street B) to be developed in Phase 1 along with the required municipal infrastructure and dedication of the environmental block and block for the park.

Phase 2 will follow with the larger apartment block with the two 6-storey apartment buildings and 27 townhouse units.

Phase 3 will consist of the smaller townhouse block north of the new public road.

Phase 4 will be the future development blocks designed through a future Block Planning exercise. Refer to Figure 3 for the phasing strategy.

Section 34 of the Act allows applications for zoning by-law amendments to be considered. The application received provided the fees and supporting materials requested through the pre-consultation and satisfied the requirements.

Section 51 (24) of the Act prescribes that “in considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality. In this circumstance, the proposed subdivision is to serve in the public interest, not limited to the suitability of the land and its purpose to be subdivided, conforms to the official plan, adequacy of the road system, lot pattern and shape/dimension of the lot, conservation of natural resources, adequacy of utilities and municipal service and public uses.

The proposed draft plan of subdivision (Figure 4 below) has provided a public road (Street B) leading from Regional Road 20, an environmental protection block (Block 8), parkland (Block 5), with Block 1 and 2 dedicated for residential uses.

Figure 4: Elite Smithville Developments Inc. Draft Plan of Subdivision



Administration has confirmed that the proposed development has demonstrated that the anticipated number of residential units will provide a compact built-form that is utilizing an efficient land use and lot pattern, walkable community, boundary limit to protect valuable environmental features, and can complement the surrounding neighbourhood to support present and future residents.

Provincial Planning Statement, 2024

The Provincial Planning Statement, 2024 (PPS 2024) replaces the Provincial Policy Statement, 2020 and repeals A Place to Grow: Growth Plan for the Greater Golden Horseshoe. Land use planning decisions are required to be consistent with the PPS 2024 and to direct growth to settlement areas and encourage intensification where infrastructure is planned or available. An overview of consistency to the applicable PPS policies are provided below.

Chapter 2: Building Homes, Sustainable Strong and Competitive Communities:
Consistent with policy 2.2, the proposed development is providing a range of housing options and densities that promotes the efficient use of land and existing and planned municipal infrastructure.

The proposed development is assisting the Township to accommodate residential growth through lands designated and available for residential development. The applications for zoning by-law amendment and draft plan of subdivision will allow the Township to provide a supply of residential units in the urban settlement area where the focus is for growth and development, consistent with policy 2.3.1.

Consistent with policy 2.9.1, the proposed development is providing for low impact development and stormwater management systems that help with protecting the environment and contribute to changing climate.

Chapter 3: Infrastructure and Facilities:
Consistent with policy 3.5, the proposed development is located outside of the limits of sensitivity to active livestock and farming operations therefore avoiding odour, noise and other contaminants and minimizing risks to public health and safety.

Consistent with policy 3.6, the proposed grading can accommodate and maintain exiting drainage patterns and perimeter elevations without negative impacts to neighbouring properties.

Water servicing can be provided with the proposed network of municipal watermain with connections to existing watermain on West Street and future connections on the east side to Marz Homes Thrive Subdivision, including watermain looping through a private road with easements. Adequate fire protection can be provided within the required maximum day plus fire flow demand and the completed fire hydrant testing results.

Sanitary servicing can be provided with a proposed network of municipal sanitary sewers with the connection to a future 250mm diameter sanitary sewer along the east side of the property. Upon review of current demand, it appears there is capacity and sufficient sanitary servicing infrastructure, although further hydraulic modelling will be required to confirm.

Storm servicing can be provided with a proposed network of municipal storm sewers outletting onto the existing municipal sewer on West Street. Additional stormwater management measures can be provided including low impact development, landscape design, roof leaders and foundation drainage (sump pumps) slashing to grade for natural infiltration, and erosion and sediment control during construction.

Consistent with policy 3.9, the proposed development is dedicating a block for parkland and the apartment buildings have been equipped to provide private amenity space for each unit. The development is intending to provide a pedestrian trail connection and this will be further refined during the subsequent site plan approval process for the private townhouse condominium development.

Chapter 4: Wise Use and Management of Resources:

Consistent with policy 4.1, the proposed development will zone the watercourse and buffer area to the natural features to an environmental protection (EP) zone and prohibit any development or site alteration and this block will be dedicated to the Township for the long term protection and maintain the key ecological function.

Consistent with policy 4.6, a Stage 1 and 2 archaeological assessment was completed and cleared the need for future archaeological investigations on the majority of the lands, however, additional archaeological assessments will be conducted Spring 2025 due to timing windows of said work. Administration notes that the results of the archaeological assessment is required for final approval, therefore this can be included as a draft condition of approval.

Chapter 5: Protecting Public Health and Safety:

Consistent with policy 5.2, the proposed development has included the karst feature and the buffer to this natural hazard feature within the block dedicated for environmental protection.

Township of West Lincoln Official Plan and Niagara Region Official Plan

Bill 23 has changed Niagara Region's role in land use planning and as of March 31, 2025, the Niagara Official Plan (NOP) is no longer a Regional Plan and is an Official Plan of the twelve area municipalities in Niagara. Therefore, the Township has considered the applicable policies of the NOP alongside the Township's Official Plan (OP) for the assessment to support the achievement of complete communities and range and mix of housing units.

The proposed development contributes to accommodating current and future market-based housing needs at all stages of life. The introduction of the condominium apartment building can cater to the different needs of the community and offer a new housing option that efficiently utilizes the land, particularly the integrated road network with the taller buildings creating a dynamic and welcoming entry point into Smithville. The apartment units and townhouses integrated with single dwellings in the surrounding area provides an attractive transition between neighbourhoods.

Considering the proposed development is designated greenfield area, Section 5.4 provides policies where the development is intended to create more compact, mixed-use communities with a range of housing types. The Township in conformance with the Provincial growth target requires a minimum gross density target of 50 people and jobs per hectare across all designated greenfield areas. The proposed development contemplates a diverse intensified residential built-form that efficiently utilizes the lands and contributes towards the growth targets. The subject property is 4 hectares, although 1.793 hectares of land is dedicated to the residential uses. With 201 units being proposed, the density yield is 112 units/ha which exceeds the minimum 50 units/ha threshold and provides an opportunity for the Township to reach closer to the growth target for residential intensification in the settlement area.

The design policies for residential neighbourhoods as outlined in Section 6.6, provides the framework to focus on ensuring compatibility with neighbouring buildings, establishing appropriate setback and yard requirements, and maintaining visibility and accessibility of main entrances for safety. The proposed development has recognized the importance of maintaining privacy of adjoining lands. The layout of the townhouse lots and apartment buildings are conveniently accessed from a new public road (Street B) and private road network connecting to the subdivision located east (Marz Homes Thrive Subdivision).

Section 9 provides policies for parks and opportunities for interaction and recreation within neighbourhoods. The park proposed in this development intends to connect to the approved park in the Marz Homes Thrive Subdivision to the east, of which satisfies this policy.

Section 10 provides the policies for the protection of the natural heritage and hydrological features and avoiding any negative impacts to the function and feature. According to the Environmental Impact Study (EIS), the watercourse, karst, woodlot and associated buffers are to be zoned as Environmental Protection (EP) as well as combined into a block dedicated to the Township to ensure the long term protection of these features from future development.

Section 14 provides policies geared to the adequate infrastructure and transportation systems for community efficiency. As noted, the proposed development can connect to the available water and sanitary services as well as planned new services through Marz Homes Thrive Subdivision to the east. Additionally, proposed stormwater management strategies for low impact development with enhanced landscaping will help to achieve

the optimization of existing and planned services.

The proposed development has demonstrated that it can harmonize with the surrounding built-form and contribute towards the residential intensification and density targets. The provision of new housing units in a variety of sizes and types will promote the achievement of the Province's housing and affordability goals, by providing different housing units to accommodate the demand in the community.

Township Zoning By-law 2017-79

The following are the requested site specific provisions to the by-law to facilitate the proposed development.

Parking for Apartment Dwellings (Part 3.12.4 and 3.12.6 – Table 4 and Table 6)

Parking Spaces

Subsequent to the Public Meeting, particularly the concerns around the deficient parking ratio for the apartment building, the Applicant has changed the total number of apartment dwelling units (reduction of 16 units bringing the unit count from 172 units to 160 units). This resulted in the parking ratio originally proposed from 1.42 spaces per unit to 1.54 spaces per unit whereas the zoning requires 1.75 spaces per unit.

Administration realize that the parking ratio is set less than the required minimum per apartment dwelling unit however, the proposed parking ratio is comparable to neighbouring municipalities for high density residential uses. The parking arrangement is offering opportunities for at grade and underground parking spaces dedicated for the residents as well as for visitor parking and will help to minimize the tendencies to park on the public roads.

Bicycle Parking Spaces

Furthermore, the bicycle ratio is being reduced from 1 per unit to 0.30 per unit, which can provide 48 dedicated bicycle spaces. Administration has no concerns with the reduced bicycle ratio for the proposed apartment dwelling since current trends in apartment style buildings have individuals bring the bikes to their units for storage purposes instead of an indoor/outdoor facility. However, further details and options will be explored during the subsequent site plan approval phase.

Residential Zone (Part 6 – Table 13 and Table 14)

Medium Density Residential

RM3-xxx

Permitted Uses:

As per the parent zone.

Notwithstanding the permitted uses in Residential Zones Table 13 of Section 6.2, lands shown as RM3-xxx on Schedule 'A' attached hereto shall permit single detached dwellings subject to the regulations of Section 6.3 and Table 14 for the Residential Low Density – Type 3 'R3' zone.

Regulations:

As per the parent zone, except:

- (a) Minimum Lot Area (per dwelling unit) for a townhouse shall be 135 m²
- (b) Minimum lot frontage for a townhouse dwelling shall be 22 metres
- (c) Minimum front yard setback for a townhouse dwelling shall be 1.7 metres
- (d) Minimum exterior side yard for a townhouse dwelling shall be 1.3 metres
- (e) Minimum rear yard adjoining any zone shall be 3 metres

RH-xxx

Permitted Uses:

As per the parent zone.

Regulations:

As per the parent zone, except:

- (a) Minimum Lot Area (per dwelling unit) for an apartment dwelling shall be 40 m²
- (b) Minimum front yard setback shall be 3.5 metres
- (c) Minimum interior side yard shall be 7.5 metres
- (d) Minimum exterior side yard shall be 9 metres
- (e) Maximum building height shall be 25 metres for the 6-storey portion and required to have the step down to 5-storeys
- (f) Minimum landscape open space shall be 10%

The requested site specific provisions for this residential zones will provide for some flexibility in the housing types and styles that can include the apartments, townhouses as well as permit for single detached dwellings. This offers a mix of housing choices for all stages of life and affordability. Considering this development is planning for a future condominium tenure and on private lands, the reductions are internal to this development and with no existing development nearby there are no known negative impacts.

Administration note the orientation of the townhouse lots and apartment buildings can be refined during the subsequent site plan approval phase. The provisions being sought offer the most efficient use of the land in the context of the irregular rectangle to account for the public and private road system, area dedicated for stormwater management, area for environmental protection, and the parking for the apartment buildings.

FINANCIAL IMPLICATIONS:

While this application does not have any financial implications, if approved and once construction commences, all new dwelling units would be required to pay Development Charges. At this time there are no planned affordable or attainable dwelling units which

would be exempt from development charges.

INTER-DEPARTMENTAL COMMENTS:

No further comments or concerns were raised by the Building Department or the Fire Services Department since the Public Meeting held on April 14, 2025.

Operations Department

Confirm the requirement for noise attenuation mitigation measures including noise wall and warning clauses as per the Preliminary Noise and Vibration Study dated September 2024 and explain the difference in the recommendation of the May 2025 report. Details for the noise mitigation can be confirmed during the subsequent site plan approval phase.

Niagara Region

Offers no objections subject to the restoration area be zoned appropriately to address the previous environmental requirements and the restoration plan/landscape plan is to increase the use of non-cultivar plant species throughout the site. Review of the restoration plan is required and approval of the subdivision is subject to the conditions of draft plan approval found in Schedule C of this report.

Niagara Peninsula Conservation Authority (NPCA)

Offers no objection to the buffer to the karst feature and the environmental protection zone. Furthermore, the stormwater quantity controls being proposed are being satisfied and no objections but will require work permits.

NPCA requires additional information on the flood line limits and offered conditions of draft plan of approval found in Schedule C of this report.

CONCLUSION:

Applications for Zoning By-law Amendment and Draft Plan of Subdivision approval were submitted by Weston Consulting on behalf of Elite Smithville Developments Inc. The applications are to facilitate a residential development, which would create 201 units consisting of 41 townhouse units and 160 apartment dwelling units. The development is subject to two future draft plan of condominium applications and site plan approval will be required at a future date to finalize the design of the two condominium blocks.

The proposed development contributes to accommodating current and future market-based housing needs at all stages of life and cater to the different needs of the community with housing options that efficiently utilizes the land and creating a dynamic and welcoming entry point into Smithville.

Administration upon review of the applications against the Provincial and Local policies

as well as consideration of the Committee, commenting agencies, and the public comments and feedback are satisfied that matters are adequately addressed and recommend approval of the applications.

ATTACHMENTS:

Schedule A – Draft Plan of Subdivision

Schedule B – Draft Amending By-law and Schedule

Schedule C – Draft Conditions of Approval

Schedule D – Agency Comments

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