



## Planning Justification Report

### **Official Plan Amendment and Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Condominium**

132 College Street, West Lincoln

Date: March 2024

For: 2853972 Ontario Ltd.

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## 1.0 Introduction

NPG Planning Solutions Inc. (NPG) are planning consultants to 2853972 Ontario Ltd., the “Owner” of approximately 1.97 hectares of land in the Township of West Lincoln, legally described as Lots 29 to 31 on Plan M90 (Subject Lands). NPG has been retained to provide professional planning advice on Applications for Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA), Draft Plan of Subdivision (DPS) and Draft Plan of Phased Condominium (DPC) in the form of a Planning Justification Report (PJR).

The Applications are required to facilitate a residential development consisting of three blocks of on-street townhouses with a total of 13 units fronting on Morgan Avenue and 9 stacked townhouse blocks consisting of a total of 144 units. The 13 street townhouse units fronting on Morgan will be severed from the Subject Lands via the proposed Plan of Subdivision and these units will function independently of the retained portion of the Subject Lands. The Draft Plan of Subdivision contains one Block, which will be divided by removal of part lot control in the future, for the individual units.

The retained portion of the Subject Lands form the Draft Plan of Phased Condominium application. The Phased Condominium is planned to be registered in five phases. Access to the stacked townhouse portion of the development will be provided via a private road connecting to College Street. A total of 219 surface parking spaces are proposed, resulting in a parking ratio of 1.52 spaces per unit.

Application for Official Plan Amendment and Zoning By-law Amendment are proposed to facilitate the proposed development. The Official Plan Amendment is required to permit an increased density within the Medium Density Designation. A Zoning By-law Amendment is required to rezone the Subject Lands from RM2 (Morgan), RM3-195, RM3, and Environmental Conservation (EC) to a Site-Specific RM3-## Zone.

Section 5.1 of this PJR provides an analysis of the proposed development when assessed in relation to requirements under the *Planning Act*. Sections 5.2, and 5.3 this PJR address consistency and conformity with Provincial and Regional planning policies. Section 5.4 of this PJR discuss the proposal’s conformance with the Official Plan of the Township of West Lincoln (Township OP). Section 6.0 of this PJR describes in detail the proposed OPA and Section 7.0 describes in detail the proposed ZBA including any site-specific relief being sought.

In summary, the Applications comply with requirements of the *Planning Act*, are consistent with the Provincial Planning Statement (PPS), and are in conformity with the Niagara Official Plan (Niagara OP), and the Township OP. The Applications would facilitate the achievement of complete communities through the provision of a mix of land uses including a range of housing options, in proximity to local stores and parks.

## 2.0 Description of Subject Lands and Surrounding Area

As shown in **Figure 1-Aerial Context**, the Subject Lands are located within the Urban Area Boundary within proximity to the central core of the community Smithville. The

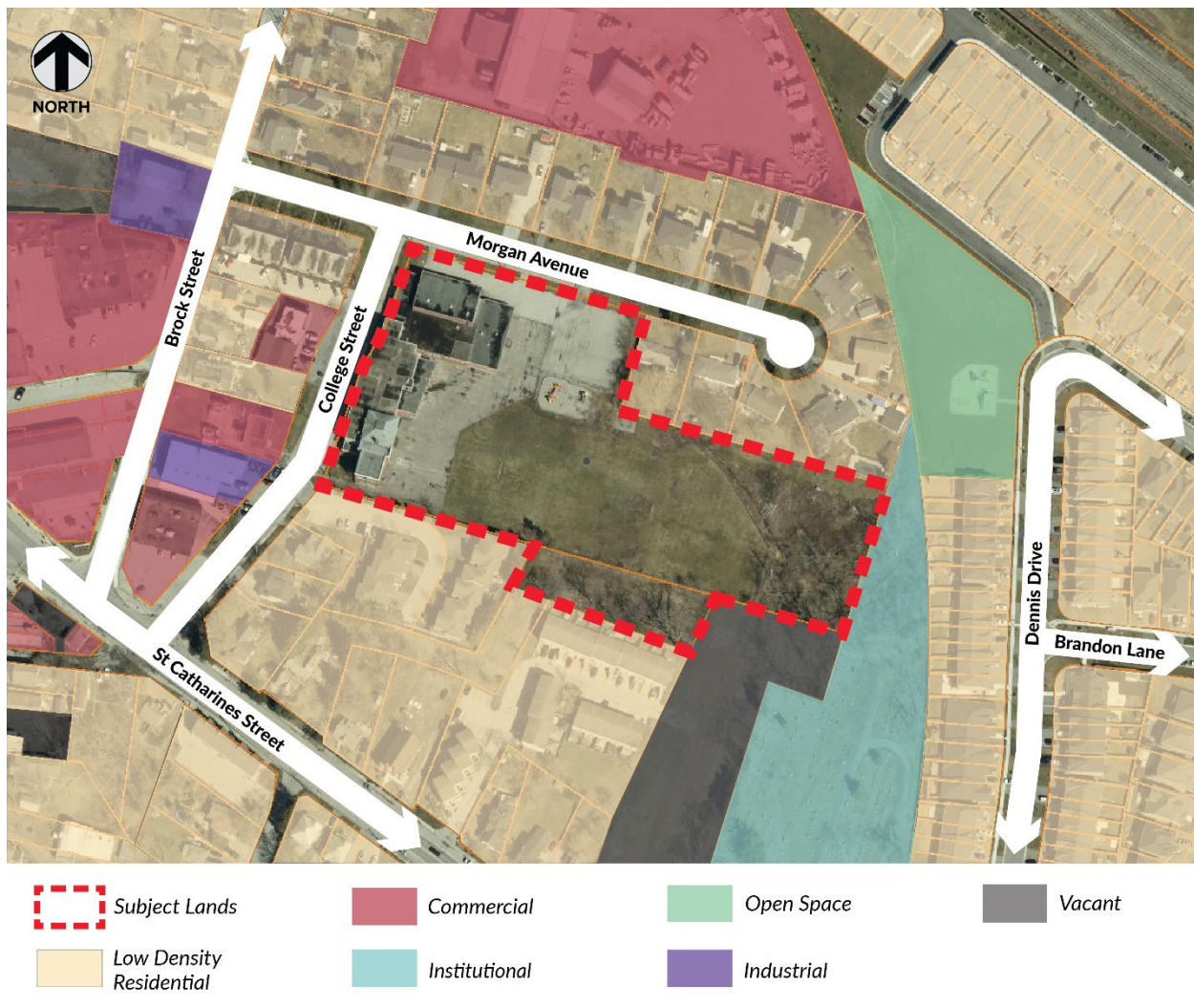
Subject Lands are located at the intersection of two roads with approximately 100 metres of frontage on Morgan Avenue and approximately 104 metres of frontage on College Street. Both College Street and Morgan Avenue are designated as local roads within Schedule F of the Township's OP.

The Subject Lands were formerly the site of the College Street Public School (also known as Smithville Public School). As of a site visit in January 2025 the former school building has been demolished and no longer exists on the Subject Lands. The Owner has advised that due to vandalism and theft over recent years the condition of the building degraded such that it became a safety hazards, resulting the in ultimate demolition of the vacant building. The Subject Lands are located within the Smithville Urban Boundary and feature a split land use designation within Schedule B-4 of the Township OP. The bulk of the property featuring frontage along College Street is designated as Residential Mixed Use and Natural Heritage System to the rear, with a Site Specific Provision (Section 6.11.6 of the OP). The remaining portion of the Subject Lands front along Morgan Avenue and are designated as Medium Density Residential.

The Subject Lands are surrounded by a mix of residential and commercial uses. North of the Subject Lands along Morgan Avenue are single detached dwellings, generally 1-2 storeys in height. The Subject Lands also abut four lots on the south side of Morgan Avenue, all featuring single detached dwellings. To the west, across College Street, are residential townhouses 2 storeys in height with frontage on the south side of Morgan Avenue and a commercial print shop named "Carruthers" with frontage on College Street. South of Carruthers is a Bell Canada service building. Immediately south of the Subject Lands are residential uses including several townhouses developments with private roads providing connections to College Street and St. Catharines Street. East of the Subject Lands is Union Cemetery.

The Subject Lands are located approximately 150 metres north of St. Catharines Street (Regional Road 20), the main east-west arterial road into Smithville connecting the community to Niagara to the east and Hamilton to the west. The Subject Lands are also located approximately 200 metres east of Station Street (Regional Road 14) which is the primary north-south arterial road. At the intersection of Regional Road 14 and Regional Road 20 (St. Catharines Street) is the Smithville downtown core characterized by a mix of commercial and residential uses, primarily in 1 and 2 storey buildings. Commercial uses within downtown Smithville include financial institutions (RBC Royal Bank, CIBC), pharmacy and personal services (Guardian Drug Mart, Smithville Dental Centre), dining options (Pizza Hut, Ola Amigos, Smithville Pizzeria), and retail stores (Dollarama, Kalinka Sports), all of which are located within a 4 minute walk of the Subject Lands.

The Subject Lands and proximate uses are shown on **Figure 1 – Aerial Context** below:



**Figure 1 – Aerial Context**

The Canadian Pacific Railway line is located approximately 250 metres northwest of the Subject Lands and the Smithville Industrial Park is located north of the Railway line.

**Figure 2 - Community Amenities Map**, highlights various community amenities and active transportation facilities within a 500-metre and 1-kilometre radius of the centre of the Subject Lands.

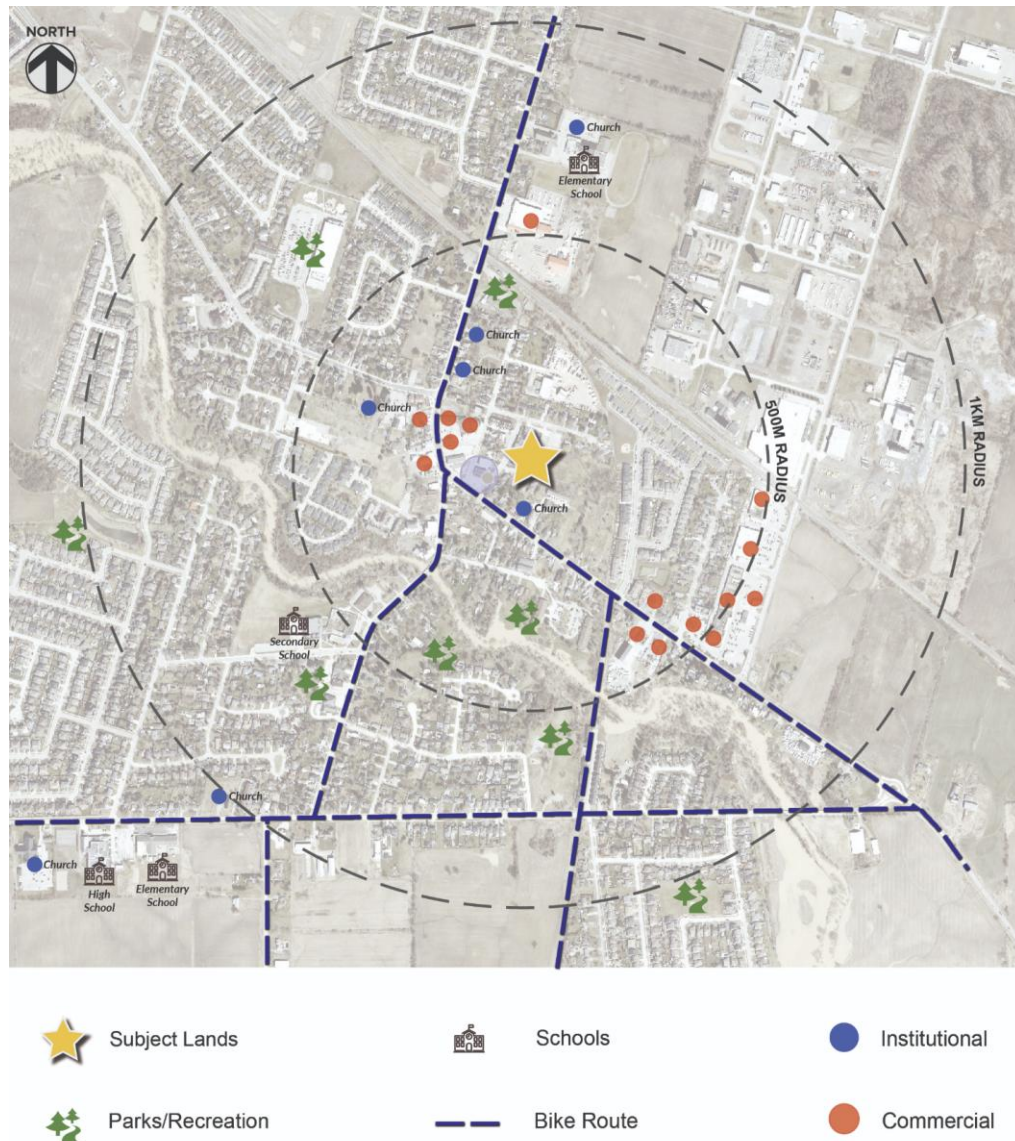
Parks are located within 1 kilometre of the Subject Lands, including Dennis Drive Park, Hank MacDonald Park, Rock Street Park, and Alma Acres Park.

Smithville Public School, being an elementary school, is located approximately 500 metres south of the Subject Lands on the northwest corner of Canborough Street and Colver Street. There are no public secondary schools located in proximity to the Subject Lands. Cairn Christian Elementary School and Smithville Christian High School provide private education options for elementary and secondary school aged children are both



located on Townline Road, approximately 1.25 kilometres southwest of the Subject Lands.

The Subject Lands are in proximity to the Region's Strategic Cycling Network along St. Catharines Street, with existing and planned bike lanes along St. Catharines Street. This infrastructure connects the Subject Lands to downtown Smithville for services.



**Figure 2 – Community Amenities Map**

In February 2020 MHBC released a future redevelopment and intensification strategy related to the Subject Lands. This strategy provided a demonstration plan which proposed a mix of uses for the site including 3 storey stacked townhouse units, 2 storey street townhouse units and a 4 storey mixed use building. This demonstration plan was used to inform the Township during OPA 54 which was intended to provide the best and most efficient use for the former College Street School site. OPA 54 was adopted by Township

Council on October 26, 2020 and redesignated the Subject Lands from Institutional to Residential/Mixed Use Area and the Special Policy 6.11.1.

A site visit occurred on January 31, 2025, to understand the Subject Lands and surrounding area. Photos from the site visit are shown on the following pages:



***Photo 1. View of the Subject Lands looking east from College Street***



***Photo 2. View of the Subject Lands looking east from College Street***



***Photo 3. View of the Subject Lands looking southeast from the intersection of College Street and Morgan Avenue***





***Photo 4. View of a townhouse development located at the southwestern corner of the College Street and Morgan Avenue intersection***



***Photo 5. View looking east along Morgan Avenue from the northeastern corner of the Subject Lands***





***Photo 6. View looking south from Morgan Avenue to 160 Morgan Avenue***



***Photo 7. View looking east from College Street towards the College Street Estates townhouse development***



**Photo 8. View looking north to a commercial plaza from the intersection of College Street and St. Catharines Street (Regional Road #20)**



**Photo 9. View looking north from Union Cemetery towards the wooded area abutting the Subject Lands**





***Photo 10. View looking west from Union Cemetery towards the Subject Lands***



***Photo 11. View looking south from Dennis Drive Park towards Union Cemetery lands. A future pedestrian link is possible to the Subject Lands via Union Cemetery.***





*Photo 12. View looking east towards Dennis Drive Park from Dennis Drive*

### 3.0 Proposed Development

The applicant is proposing an OPA, ZBA, Draft Plan of Subdivision, and Draft Plan of Phased Condominium to facilitate the proposed development of:

- 13 townhouse dwellings, provided in 3 buildings with frontage on Morgan Avenue
- 144 stacked townhouses, provided in 9 buildings, with access provided via private roads connecting to College Street.

The Draft Plan of Subdivision is required to facilitate the development of the townhouse dwellings on Morgan Avenue. The Draft Plan of Phased Condominium is required to facilitate the development of the stacked townhouse units on the remainder of the site, registered in five phases.

#### Street Townhouse Dwellings on Morgan Avenue

As mentioned, 13 townhouse dwelling units, provided in 3 buildings are proposed along the Morgan Avenue frontage with a lot area of 0.27 hectares (2,688.8 sqm) and density of 48.1 units per hectare. The townhouse dwelling units are proposed to feature a front yard setback of 6 metres and a rear yard setback of 8 metres. A minimum interior side yard of 2.0 metres is also proposed for the end units. Twelve units will feature widths of 6.73 metres and depth of 12.75 metres, providing for a building area of 85.8 square metres. One unit will feature a larger width, at 7.46 metres, provided for a building area of 75.1 square metres. The townhouse dwelling units will feature sufficient space for parking spots provided in tandem (one driveway and one garage).

A four metre sanitary easement is proposed between townhouse Blocks A and B to facilitate the servicing at the southern portion of the Subject Lands.

### Stacked Townhouses

A total of 144 stacked townhouse units are proposed, provided in 9 buildings. The stacked townhouse portion of the lands will feature a lot area of 1.69 hectares (16,850 sqm).

The stacked townhouse blocks are proposed to be 26 metres in width and 16 metres in depth for a total building footprint of 397.54 square metres. Each stacked townhouse block will feature a balcony 1.5 metres in depth across the rear of the block. Blocks 1 and 2 are proposed to be setback 3.0 metres from the College Street frontage, with Block 2 proposed to be setback 4.0 metres from the College Street frontage. Block 1 is also proposed to feature an interior side yard setback of 4.24 metres from the street townhouse dwellings to the north (portion to be subdivided). Similarly Block 2 and 3 are proposed to be feature interior side yards of 4.67 and 4.57 metres respectively from the 124 College Street property to the south. Blocks 7 and 8 are proposed to be setback 7.69 metres and 6.74 metres from the rear lot line respectfully. Blocks 7 and 8 are proposed to be adjacent to each other and will feature a 2-hour rated fire wall in accordance with Ontario Building Code requirements. Block 9 will feature an interior side yard setback of 3.07 metres to the lot line abutting 149 St. Catharines Street.

The stacked townhouse portion of the development is proposed to be phased via the following phases:

*Table 1. Proposed Phasing Plan*

Phase #	Total # of Units	Total # of Parking
1	32	48
2	64	96
3	96	145
4	112	170
5	144	219

The proposed phases as noted above has been developed with consideration for servicing requirements, parking requirements, waste collection, snow storage, etc. to ensure that all phases can be developed in an efficient, independent manner.

Sidewalks are provided throughout the proposed development, providing for connectivity to existing pedestrian infrastructure along College Street. A sidewalk connection is also proposed at the southeasternmost corner of the Subject Lands to connect with an existing path at Union Cemetery. This sidewalk connection could provide additional pedestrian connectivity to St. Catharines Street to the south and a potential extension of the path to connect with Dennis Drive Park to the north increasing active transportation connections and pathways for residents the proposed development.

Access to the stacked townhouse area will be provided via private roads 6.0 metres in width connecting to College Street. Parking will be provided by way of surface parking areas. Following complete buildout, a total of 219 parking spaces will be available, at a

ratio of 1.52 spaces per unit. The majority of the parking spaces will be provided in the centre of the property. Islands will be provided approximately every 10 parking spaces to provide landscaping space and a visual breakup of the parking area. A total of eight parallel parking spaces will be provided adjacent to Blocks 1 and 4.

A total amenity area of 3,193 square metres is provided across the proposed development, inclusive of private balconies and communal amenity area.

**Table 2. Proposed Unit Breakdown**

Dwelling Form	# of Units
Street townhouse dwelling	13
Stacked Townhouse	144
<b>TOTAL</b>	<b>157</b>

### 3.1 Density

The southern portion of the Subject Lands (stacked townhouse portion) features a Site-Specific Official Plan policy 6.11.1 which requires the southern portion to achieve a gross density of over 40 units per hectare for the Residential/Mixed Residential designation. To achieve this minimum overall density target, the proposed development provides the following densities:

**Table 3. Proposed Densities**

Proposed Number of Units	Land Area (ha)	Density Target (u/ha)	Planned Densities (u/ha)
144 (Stacked Townhouse dwellings)	1.69	40 (min)	85.2 uph
13 (Street Townhouse dwellings)	0.27	20-40	48.1

The northern portion of the Subject Lands (street townhouse portion) permits a density between 20 and 40 units per hectare. The proposed OPA increases the permitted density on this portion to 50 units per hectare.

## 4.0 Supporting Studies Review

A pre-consultation meeting was held to discuss the proposed development on January 18, 2024. The pre-consultation notes from the pre-consultation meeting identify several study requirements for complete applications. These studies have been completed and the following section provides a summary of these studies. The studies noted for a complete application are as follows:

- Planning Justification Report + Draft ZBA
- Conceptual Site Plan
- Survey Sketch
- Archaeological Assessment
- Cultural Heritage Impact Assessment
- Environmental Impact Study
- Geotechnical Report
- Noise and Vibration Report
- Municipal Servicing Study
- Stormwater Management Plan
- Transportation Impact Study/Parking Analysis
- Draft Plan of Condominium
- Draft Plan of Subdivision

#### 4.1 Archaeological Assessment

A Stage 1-2 Archaeological Assessment was conducted by ASI Archaeological Services to investigate the archaeological potential of the Subject Lands. Fieldwork took place on April 28 and May 2, 2022. It was determined approximately 42% of the Subject Lands was previously disturbed and was deemed to have no archaeological potential. Several test pits were dug on the remaining 58% of the Subject Lands. Ultimately no archaeological resources were encountered and no further archaeological assessment was required.

#### 4.2 Cultural Heritage Impact Assessment

A Cultural Heritage Impact Assessment (CHIA) was prepared by Wood Environment & Infrastructure Solutions Canada Limited to investigate the Cultural Heritage value of College Street Public School lands. The CHIA determined that the Subject Lands have cultural heritage value or interest due to its historical or associative value. It was also noted that the heritage integrity of the original schoolhouse was severely compromised due to the multiple additions between 1921 and 1972. Due to this, the school building does not retain any physical, design, or contextual value.

The CHIA determined that the conservation of the heritage attributes of the Subject Lands can be achieved through a commemoration and salvage conservation approach. As such, the CHIA included recommendations related to the documentation and/or salvaging of materials for donations or to be incorporated as part of the future development and the potential inclusion and development of commemorative plaques or name placing strategies. Please see CHIA for more information.

#### 4.3 Environmental Impact Study

A technical memo has been prepared by GEI Consultants to investigate the natural heritage conditions of the Subject Lands. The memo provided the following:



- The canopy of the remnant woodland feature does not meet the 25 percent tree cover threshold to meet designation as an Other Woodland;
- Based on the current limits of live tree canopy exceeding 25% canopy cover, the woodland is now less than 0.1 ha in size and is below the size threshold to be identified as an Other Woodland on size alone;
- The remnant woodlot associated with the Subject Lands is an isolated treed community, surrounded by residential development and there are no other natural features present.

Ultimately, GEI determined that the remnant woodland which is located on the Subject Lands does not achieve the threshold required to be considered as Other Woodland and as such is not deemed to be part of the Natural Heritage System or subject to the Natural Heritage System policies.

#### 4.4 Geotechnical Report

A geotechnical report was conducted to determine the subsurface conditions at nine (9) borehole locations in relation to the installation of foundations and underground services required for the proposed development. The geotechnical report concluded:

- A silty clay fill material was found at a depth of 1.5 metres under the topsoil in Borehole 1.
- Bedrock was obtained at depths of about 6.1 metres below the existing ground surface in Boreholes 3, 5 and 9.
- The soils are capable of supporting the loads associated with residential townhouse structures.
- All basement foundation walls should be damp proofed and provided with a perimeter drainage tile system.
- Any imported fill to raise the subgrade elevation should have its moisture content within 3% of its optimum moisture content and meet the necessary environmental guidelines.

#### 4.5 Noise Feasibility Study

HGC Engineering conducted a noise feasibility study to analyze sound and noise impacts of the proposed development and surrounding lands. The noise study concluded that:

- The primary sources of noise are road traffic on St. Catharines Street to the south and rail traffic on the CP railway to the north.
- The predicted sound level in all the amenity spaces throughout the site will be less than 55 dBA.
- The sound level predictions indicate that the future road and rail traffic sound levels will exceed MECP guidelines at the proposed dwellings;
- Future rail traffic sound levels in the proposed development will exceed 55 dBA at night, due to rail noise. MECP guidelines recommend that the windows, walls and doors be designed so that the indoor sound levels comply with MECP noise criteria.

- Warning clauses are recommended to inform future residents of the road traffic noise impacts, address sound level excesses, and inform residents of the nearby commercial and retail uses.

#### 4.6 Functional Servicing and Stormwater Management Report

LandSmith Engineering & Consulting prepared a Functional Servicing and Stormwater Management Report (FSSWMR), dated November 4, 2024, to review the existing municipal services and ensure their suitability for the proposed 157 residential units consisting of 13 Street Townhouse dwelling units and 144 stacked townhouse units. The FSSWMR concluded that:

- Water service will be provided to the site by extending the existing 150mm watermain along College Street approximately 50m north to the proposed driveway entrance. Peak domestic demand is expected to be 20.15 L/s.
- The development is proposed to connect to the existing Morgan Avenue sanitary sewer. The units fronting Morgan Avenue will be connected to the existing 200mm sanitary sewer with a proposed 150mm pipe entering from the north side of the townhouses. The remainder of the site (Blocks 1-9) will connect to the Morgan Avenue sewer with a 150mm diameter pipe through a 4 metre sanitary easement between the townhouses. Four sanitary grinder pumping stations will pump sanitary flows for Blocks 6-9.
- The proposed development peak flows to the 200mm Morgan Avenue sanitary sewer will be 6.23 L/s, resulting in 23% full pipe capacity. Once these flows from the Morgan Avenue sewer connect to the 300mm Brock Street sanitary sewer and include flows from the entire upstream area, the peak flow is 30.45 L/s and results in 50% full pipe capacity. There is ample capacity in the existing sanitary sewers to accommodate the flows from the proposed development. The Sanitary Pumping Station features an operational capacity of 104 L/s and can accommodate the peak flows from the site.
- The development is proposed to connect to the existing 600mm diameter storm sewer at the northeast corner of the site. This storm sewer will have capacity for all the 5-year and 100-year storm events.
- A storage system is proposed in the southeastern corner of the site to provide 627 cubic metres of stormwater storage. An oil-grit-separation manhole and catchbasin shield devices are proposed to achieve a minimum of 70% total suspended solid removal.

#### 4.7 Transportation Impact Study/Parking Analysis

Paradigm Transportation Solutions prepared a Transportation Impact Brief (TIB) to analyze the transportation impacts of the proposed development on surrounding infrastructure. The TIB determined:

- All study area intersections are forecast to operate at acceptable service levels during the AM and PM peak hours, and no critical movements have been noted.

- Following build out of the proposed development, the approach delays at the existing study area intersections increase by three seconds or less during the AM and PM peak hours.
- Following build out of the proposed development, there is still spare capacity available, and the queue lengths are reasonable; improvements are not recommended for the intersection of St. Catharines Street and College Street.
- College Street and Morgan Avenue are not anticipated to experience any operational issues following build out of the proposed development.
- Based on the combination of ITE rates and parking requirements in other municipalities in the Niagara Region, the estimated parking demand is between 1.25 and 1.50 parking spaces per unit. With 1.52 spaces per unit proposed, the development exceeds the general demand estimated by the ITE and within the threshold based on a review of adjacent municipalities.

## 5.0 Planning Policies and Legislation

This PJR provides a thorough analysis of the proposed development and evaluates the appropriateness of advancing Applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Condominium in the context of the *Planning Act*, the Provincial Planning Statement (PPS), the Niagara Official Plan (Niagara OP) and the Township Official Plan (Township OP). The following provides an overview and thorough analysis of these documents in the context of the proposed development:

### 5.1 Planning Act, R.S.O. 1990, c. P.13

Section 2 of the *Planning Act* identifies matters of Provincial interest that Council shall have regard to in carrying out its responsibilities under the *Planning Act*. These are analyzed in **Table 3 - Matters of Provincial Interest**, below:

**Table 4: Matters of Provincial Interest**

Matter of Provincial Interest	Analysis
(a) the protection of ecological systems, including natural areas, features and functions	A technical memo was prepared by GEI Consultants which confirms there are no Natural Heritage Features located on the Subject Lands.
(b) the protection of the agricultural resources of the Province	The Subject Lands are within an Urban Area Boundary. Facilitating development at appropriate densities in the Urban Area Boundary reduces pressure to urbanize agricultural areas.

Matter of Provincial Interest	Analysis
(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest	<p>Stage 1 and Stage 2 Archaeological Assessments prepared by ASI Heritage. No archaeological resources were encountered and no further archaeological assessment was required.</p> <p>As discussed in Section 4.2 a CHIA was prepared which determined the heritage integrity of the original school house was compromised due to the multiple additions during the 1900s and due to this the school building did not retain any cultural value. Please see Section 4.2 for more information.</p>
(e) the supply, efficient use and conservation of energy and water	<p>The proposed compact design and efficient land use, as depicted in the Concept Plan and Draft Plan of Subdivision/Draft Plan of Condominium, is recognized as an energy-efficient approach to development.</p> <p>The compact built form proposed support energy efficiency as many units feature shared wall that limit heat loss or cooling costs. Further, with buildings and services located closer together, the per capita investment and maintenance costs of infrastructure can be reduced.</p>
(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems	<p>Stormwater management and servicing has been considered within the FSSWMR prepared by Landsmith Engineering dated. This study has regard for several policies, plans and studies prepared by the Provincial, Region and Township. The approach to site servicing is described in Section 4.6 of this PJR.</p>



Matter of Provincial Interest	Analysis
(h) the orderly development of safe and healthy communities	The Applications intend to achieve the orderly development of safe and healthy communities. The PPS 2024 includes policies regarding building strong healthy communities. As described in Section 5.2 of this PJR, the Applications are consistent with the PPS.
(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies	The Township of West Lincoln is a Joint Accessibility Advisory Committee (JAAC) representative. The JAAC comments on Planning Applications with consideration to identifying and removing barriers to people with disabilities, promoting equal opportunities to our citizens of all abilities. The Applications are anticipated to be circulated to the JAAC for review and comment. Future Site Plan Applications will need to comply with <i>O. Reg. 191/11: Integrated Accessibility Standards</i> under the <i>Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11</i> .
(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities	The proposed development is located in proximity to Hank MacDonald Park, Smithville Public School and the Smithville Central Business District. The proposal also provides potential for a connection to Union Cemetery and a potential future connection to Dennis Drive park.
(j) the adequate provision of a full range of housing, including affordable housing	The Applications would facilitate the provision of standard and stacked townhouse dwelling units, two housing forms which are generally uncommon to the Township and are more attainable than single detached dwellings.

Matter of Provincial Interest	Analysis
(k) the adequate provision of employment opportunities	The Subject Lands are located in proximity to the commercial core of Smithville and are approximately 2 kilometers from the Smithville industrial area to the northeast, offering convenient access to various employment opportunities.
(l) the protection of the financial and economic well-being of the Province and its municipalities	The efficient use of lands and compact built form allows for the efficient use of municipal water and sewage services and infrastructure, increasing cost efficiencies related to maintenance.
(o) the protection of public health and safety	The proposed development is not impacted by any flood hazards. A Noise Feasibility Study has been prepared by HGC Engineering. The noise impacts from the rail uses are minor and will not significantly impact the proposed development or future residents.
(p) the appropriate location of growth and development	The Subject Lands are located within the urban area, the preferred location for development.
(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians	<p>There are no fixed transit routes in Smithville. The Township of West Lincoln is serviced by on-demand transit. On-demand transit is a shared-ride public transit service without a fixed schedule or route. Should the Township choose to revert to traditional transit, it is anticipated that such transit would be focused on Regional Roads. The Applications focus densities in proximity to St. Catharines Street (Regional Road 20) and Station Street (Regional Road 14), creating demand at an appropriate location where future transit may be accommodated.</p> <p>The proposed mix densities facilitates pedestrian mobility.</p>

Matter of Provincial Interest	Analysis
(r) the promotion of built form that, (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;	As per the analysis included in the Urban Design Brief, this criterion is met. Please see Section 6.0 of this report for more information.
(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.	The compact built form and mix of land uses is anticipated to reduce automobile dependence, and consequently the necessity to consume fossil fuels.

Subsection 24(1) of the *Planning Act* requires that by-laws passed by Council shall conform to official plans that are in effect. Section 34 of the *Planning Act* permits councils of local municipalities to pass and/or amend zoning by-laws for such purposes as may be set out in the by-law, and for regulating construction and land use within the municipality.

Section 51(16) of the *Planning Act* provides that an owner of land or the owner's agent duly authorized in writing may apply to the approval authority for approval of a plan of subdivision of the land or part of it. Section 51(24) of the *Planning Act*, as per Table 5 provides for certain criteria which plans of subdivision and plans of condominium shall have regard to:

**Table 5: Analysis of Considerations for Draft Plan of Subdivision and Draft Plan of Condominium**

Plan of Subdivision Considerations	Analysis
(24) 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 and to,	The Applications are anticipated to contribute to the development of 157 dwelling units in Smithville through compact built-form and facilitating range of housing types, necessary to support a diverse range of present and future residents. Many of the matters regarding accessibility for persons with disabilities will be considered as part of future building permits applications and site plan applications which are required to comply with the <i>Accessibility for Ontarians with Disabilities Act</i> .
a) the effect of development of the proposed subdivision on matters of	These matters have been addressed in Table 1: Matters of Provincial Interest, above.

Plan of Subdivision Considerations	Analysis
provincial interest as referred to in section 2	
b) whether the proposed subdivision is premature or in the public interest	The proposed development will provide for a housing form unique to the Township, providing alternative housing options for residents. It is noted that Ontario is currently experiencing a housing shortage and approval for the proposed development will provide 157 new dwelling units within the urban area.
c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any	Please see Sections 5.3 and 5.4 of this report for analysis against Regional and Municipal plans.
d) the suitability of the land for the purposes for which it is to be subdivided	The Subject Lands are located within an existing residential neighbourhood in proximity to a variety of commercial and service uses. The proposed subdivision is therefore suitable and appropriate for the Subject Lands.
d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing	Affordable housing units are not proposed.
e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them	The proposed development will provide for an internal private road with a connections to College Street, a publicly maintained road.
f) the dimensions and shapes of the proposed lots	Blocks and lots are appropriately sized to accommodate the range of uses proposed. Conceptual siting of buildings and structures is shown on the Concept Plan.
g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to	Easements are proposed on the Subject Lands. A 4.5 metre storm sewer is proposed through the Subject Lands, connecting from an existing municipal sewer via Morgan Avenue, to the southeast corner of the site. The new storm sewer is proposed to be within a Township



Plan of Subdivision Considerations	Analysis
be erected on it and the restrictions, if any, on adjoining land	easement. A 4 metre sanitary easement is also proposed between the western and central street townhouse blocks on Morgan Avenue, in favour of the condominium block.
h) conservation of natural resources and flood control	Based on the findings of the technical memo prepared by GEI the Subject Lands are free from natural heritage resources.
i) the adequacy of utilities and municipal services	The FSSWMR prepared by Landsmith Engineering confirms the adequacy of municipal services.
j) the adequacy of school sites	Smithville Public School, being an elementary school, is located approximately 1 kilometre south of the Subject Lands on the northwest corner of Canborough Street and Colver Street. There are no public secondary schools located in proximity to the Subject Lands. Smithville Christian School is also located 1 kilometre south of the Subject Lands and offers private elementary and secondary school educations. Since the Subject Lands are within the Urban Area Boundary of Smithville. The proposed development would contribute to future enrollment to ensure the sustainability of existing schools.
k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes	No land is to be conveyed or dedicated for public purposes.
l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed development would connect to available energy supply systems. The compact built-form is considered to be an energy efficient type of development.
m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located	Concept Plans are included as part of the Applications Draft Plan of Subdivision and Condominium. The Plan of Condominium lands will be subject to a Site Plan Agreement or Condominium Agreement.

Plan of Subdivision Considerations	Analysis
within a site plan control area designated	

## SUMMARY AND CONCLUSION

In summary, the proposed development and implementing applications have regard for matters of public interest and considerations for Plans of Subdivision and Condominium in the *Planning Act* for the reasons noted above.

Consistency and conformity with Provincial, Regional and Township policies are discussed in-depth in the subsequent sections of this report. Subject to the analysis provided in the following sections of this report, the Application is considered to comply with the provisions of the *Planning Act*.

### 5.2 Provincial Planning Statement (2024)

The Provincial Planning Statement (2024), hereinafter referred to as PPS, is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both documents. The PPS came into effect October 20, 2024.

The Subject Lands are within a Settlement Area as per the policies of the PPS. In this regard, the following applies:

#### 5.2.1 Planning for People and Homes POLICY

*2.1.6 Planning authorities should support the achievement of complete communities by:*

*a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, longterm care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*

*b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*

*c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*

Complete Communities is defined as follows:

*Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, public service facilities, local stores and services. Complete communities are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.*

## ANALYSIS

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The Applications are consistent with the policies noted above as they facilitate residential development at an appropriate scale in proximity to a range of commercial and service uses. The proposal facilitates a full range of housing through the creation of a housing form generally uncommon to the Township with single detached dwelling comprising approximately 84% of existing dwellings in the Township.<sup>1</sup> Further, the Subject Lands are located in proximity to a range of transportation options, including Regional arterial roads and cycling infrastructure.

### 5.2.2 Housing

The PPS provides the following policies with respect to housing:

## POLICY

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*2.2.1 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

*b) permitting and facilitating:*

*1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities;*

*c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*

*d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

## ANALYSIS

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As mentioned, the Applications would increase the range of housing options by permitting Street Townhouse dwellings and stacked townhouse units at appropriate densities

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<sup>1</sup> [Profile table, Census Profile, 2021 Census of Population - West Lincoln, Township \(TP\) \[Census subdivision\], Ontario](#)

necessary to ensure the efficient use of the Subject Lands as well as infrastructure and public service facilities within the Smithville Core. The proposed development provides a density supportive of future transportation infrastructure along St. Catharines Street (Regional Road #20).

### 5.2.3 General Policies for Settlement Areas

The PPS provides the following with respect to settlement areas:

#### **POLICY**

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*2.3.1.1 Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*

*2.3.1.2 Land use patterns within settlement areas should be based on densities and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) optimize existing and planned infrastructure and public service facilities;*
- c) support active transportation;*
- d) are transit-supportive, as appropriate; and*
- e) are freight-supportive.*

*2.3.1.3 Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.*

#### **ANALYSIS**

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The Applications are consistent with the policies noted above and would facilitate growth and development in a settlement area. The Applications provide for appropriate land uses and development patterns that efficiently optimize land and resources, provide for an appropriate mix of densities and uses on the Subject Lands and support the achievement of complete communities. The proposal will also facilitate the creation of a wide variety of housing options, including higher-density residential types along in proximity to the Smithville core. This is anticipated to encourage more residents to make use of the existing active transportation infrastructure (bike lanes) along this Regional Road.

### 5.2.4 Public Spaces, Recreation, Parks, Trails and Open Space

Section 3.9 of the PPS provides as following with respect to Public Spaces, Recreation, Parks, Trails and Open Spaces:

## POLICY

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*3.9.1 Healthy, active, and inclusive communities should be promoted by:...*

*b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources...*

## ANALYSIS

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The Subject Lands are centrally located within the Smithville urban area. At the southeastern corner of the Subject Lands opportunity for a connection has been proposed to Union Cemetery, providing easy access to public open space. There is potential for the Township to facilitate a future connection via Union Cemetery to Dennis Drive Park to the north, allowing for future residents of the Subject Lands to have direct access to public parkland.

### 5.2.5 Natural Heritage

Section 4.1 of the PPS provides as follows regarding natural heritage:

## POLICY

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*4.1.1 Natural features and areas shall be protected for the long term.*

*4.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*

*4.1.5 Development and site alteration shall not be permitted in:*

*f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 4.1.4.b),*

*unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

## ANALYSIS

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A technical memo has been prepared by GEI Consultants to investigate the natural heritage conditions of the Subject Lands. GEI determined that the remnant woodland which is located on the Subject Lands does not achieve the threshold required to be considered as Significant Woodland or Other Woodland and as such is not deemed to be part of the Natural Heritage System or subject to the Natural Heritage System policies. Please see Section 4.3 of this report for more information.



### 5.2.6 Cultural Heritage and Archaeology

Section 4.6 of the PPS policies regarding cultural heritage and archaeology, with the following being applicable:

#### **POLICY**

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*4.6.2 Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.*

#### **ANALYSIS**

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A Stage 1-2 Archaeological Assessment was conducted by Archaeological Services Inc which determined the Subject Lands are free of any archaeological resources and no further assessment was required. A CHIA was prepared which determined the heritage integrity of the original school house was compromised due to the multiple additions during the 1900s and did not retain any cultural value.

Please see Section 4.1 and 4.2 of this report for more information.

#### **SUMMARY**

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Based on the foregoing analysis, the Applications are consistent with the policies of the PPS.

### 5.3 Niagara Official Plan (2022)

The Niagara Official Plan (Niagara OP) is Regional Municipality of Niagara's long-term, strategic policy planning framework for managing growth coming to Niagara. The policies of this Plan will guide land use and development thereby influencing economic, environmental, and planning decisions until 2051 and beyond.

Table 6 below, identifies the designation contained within the Niagara OP Schedules pertaining to the Subject Lands:

*Table 6. Niagara OP Schedules and Designations of Subject Lands*

<b>Schedule</b>	<b>Subject Lands</b>
Schedule B – Regional Structure	Designated Built-up Area
Schedule G – Employment Areas	Urban Areas
Schedule J1 – Transportation Infrastructure	St. Catharines Street is a Regional Road (RR 20)
Schedule J2 – Strategic Cycling Network	St. Catharines Street is part of the Strategic Cycling Network
Schedule K – Areas of Archaeological Potential	Area of Archaeological Potential

Land use schedules are included in **Appendix B** to this PJR.

### 5.3.1 Managing Urban Growth

Section 2.2.1 of the Niagara OP provides policy direction regarding managing urban growth within the Region. The following policies apply:

#### **POLICY**

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*2.2.1.1 Development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:*

- a) the intensification targets in Table 2-2 and density targets outlined in this Plan;*
- b) a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;*
- c) a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs;*
- d) social equity, public health and safety, and the overall quality of life for people of all ages, abilities, and incomes by expanding convenient access to:...*
  - iv. the public realm, including open spaces, parks, trails, and other recreational facilities;*
- e) built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure to support the financial well-being of the Region and Local Area Municipalities;*
- f) opportunities for transit-supportive development pursuant to Policies 2.2.17, 2.2.2.18 and 2.2.2.19;*
- k) orderly development in accordance with the availability and provision of infrastructure and public service facilities; and*
- l) mitigation and adaptation to the impacts of climate change by:...*
  - iii. promoting built forms, land use patterns, and street configurations that improve community resilience and sustainability, reduce greenhouse gas emissions, and conserve biodiversity.*

#### **ANALYSIS**

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The Applications meet objectives of the Niagara OP. The Applications would facilitate compact built form, through the provision of a mix of residential land uses, including a range of housing types, with connections to parkland and commercial areas to support

such uses. The proposed building form represents a compact built form minimizing land consumption

This compact built form and mix of land uses conforms with the objective of mitigating the impacts of climate change by reducing automobile dependence and reducing costs of municipal water and wastewater infrastructure. New developments in proximity to the Regional Road optimizes investment in the current bike lane infrastructure and also contributes to the establishment of appropriate densities to support future transit services. Should the Township revert to traditional transit in the future, it is anticipated that transit routes would be focused on Regional Roads.

### 5.3.2 Strategic Intensification and Higher Densities

Section 2.2.2 of the Niagara OP includes policies regarding settlement area boundaries, built-up areas, strategic growth areas, and designated greenfield areas. As the Subject Lands are within the Built-up area, the following policies apply:

#### **POLICY**

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*2.2.2.1 Within urban areas, forecasted population growth will be accommodated primarily through intensification in built-up areas with particular focus on the following locations:*

*d. local growth centres and corridors, as identified by Local Area Municipalities.*

*2.2.2.5 A Regional minimum of 60 percent of all residential units occurring annually will be within built-up areas.*

*2.2.2.6 Local Area Municipalities shall establish intensification targets in their official plans that meet or exceed the targets identified in Table 2-2.*

*Table 2-2 Niagara Region Minimum Residential Intensification Targets by Local Area Municipality 2021-2051*

<i>Municipality</i>	<i>Units</i>	<i>Rate</i>
<i>West Lincoln</i>	<i>1,130</i>	<i>13%</i>

#### **ANALYSIS**

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The Applications would facilitate the intensification of a former school site within the Smithville Urban Area through the creation of 157 new residential units, helping the municipality achieve its intensification targets.

For these reasons, the Applications conform with the strategic intensification and higher densities policies of the Niagara OP.

### 5.3.3 Housing

Section 2.3.1 of the Niagara OP provides policy direction regarding housing within the Region. The following policies apply:

## POLICY

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*2.3.1.1 The development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life.*

*2.3.1.4 New residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:*

*a) facilitating compact built form...*

## ANALYSIS

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The Applications would facilitate a mix of housing types with a compact built form by providing street townhouse dwellings and stacked townhouse units in a Township where single-detached dwellings considerably prevail. The provision of a range of housing options within the Township supports livability for residents at all stages of life and income levels. As residents age, they may consider changing their living situation, having a variety of housing types allows residents to stay within the Township despite downsizing or upsizing. The proposed residential uses would be within a walkable distance to range of uses commercial, employment and park uses. This walkable design would mitigate the impacts of climate change by encouraging active modes of transportation and reducing automobile dependence.

### 5.3.4 The Natural Environment System

The Subject Lands are impacted by the Region's Natural Environment System consisting of Other Woodland. Section 3.1 of the NOP provides policies related to the Natural Environment System in Niagara. The following policies apply to the Applications:

## POLICY

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*3.1.9.5.2 Development and site alteration shall not be permitted in the following natural heritage features and areas unless it has been demonstrated through the preparation of an environmental impact study that there will be no negative impacts on the natural features or their ecological functions: a. other woodlands;*

## ANALYSIS

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A technical memo has been prepared by GEI Consultants to investigate the natural heritage conditions of the Subject Lands which determined that the remnant woodland located on the Subject Lands does not achieve the threshold required to be considered as Other Woodland and as such is not deemed to be subject to the Natural Environment System policies. Please see Section 4.3 of this report for more information.

### 5.3.5 Municipal Water and Wastewater Servicing within Urban Areas

Section 5.2.2 of the Niagara OP provides policies regarding municipal water and wastewater servicing within urban areas. The following apply:

#### **POLICY**

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*5.2.2.2 Municipal water and wastewater systems/services are the required form of servicing for development in urban areas.*

*5.2.2.4 Prior to approval of development, the municipality shall ensure that required water and wastewater services and servicing capacity is available to support the development.*

#### **ANALYSIS**

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The proposed development would take advantage of existing Township servicing infrastructure. A Functional Servicing Report was prepared by LandSmith Engineers which confirmed the existing infrastructure has capacity for the proposed development. Please see Section 4.6 of this report for more information.

### 5.3.6 Archaeology Policies

Section 6.4.2 of the NOP provides policies regarding Archaeology that apply with respect to the Application:

#### **POLICY**

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*6.4.2.1 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province.*

*6.4.2.5 Unexcavated archaeological sites and archaeological resources shall be protected against disturbance until all required archaeological assessments and requirements from the Province have been completed.*

*6.4.2.6 Where a site proposed for development is located within an area of archaeological potential, the Local Area Municipality shall circulate the application and a Stage 1 Archaeological Assessment by a licensed archaeologist, as well as a Stage 2 Assessment, where required, to the Region as part of a complete application. This policy applies when any part of a development application falls within an area of archaeological potential as identified on Schedule K and will be addressed as early as possible in the planning process. For lands located outside a settlement area boundary where site alteration or development will not affect the entire property, the archaeologist may consult with the Province on a property-by-property basis to determine if these areas can be exempt or the assessment can be scoped.*



*6.4.2.7 When an archaeological assessment is required, the assessment will follow the applicable guidelines and processes as dictated by the Province, such as the Standards and Guidelines for Consultant Archaeologists, and an acknowledgement letter from the Province verifying this shall be required prior to final to any final approvals.*

## **ANALYSIS**

A Stage 1-2 archaeological assessment has been conducted for the Subject Lands. It is concluded that the site retains no further cultural heritage value or interest and no further archaeological mitigation is required. Therefore, the Applications conform with the above policies of the Niagara OP.

## **SUMMARY**

Based on the foregoing analysis, the Applications conform with the policies of the Niagara OP.

### **5.4 Township of West Lincoln Official Plan (November 2019 Office Consolidation)**

The purpose of the Township OP is to provide detailed development and land use policies for the Township of West Lincoln and to direct and guide development where it will best contribute to the long-term social, economic and environmental stability of the Township. The Township OP includes a statement of goals, objectives and policies established to manage and direct physical (land use) change and the effects on the social, economic and natural environment of the municipality within a prescribed time frame.

Table 7 below identifies the designations contained within the Township OP Schedules pertaining to the Subject Lands:

**Table 7. Township Official Plan Schedules and Designations of Subject Lands**

<b>Schedule</b>	<b>Subject Lands</b>
Schedule A – Municipal Structure	Smithville Urban Boundary
Schedule B-3 – Land Use Smithville	Residential, Residential/Mixed Use, and Natural Heritage System with Site Specific Provision (Section 6.11.6)
Schedule B-5 – Urban Structure Smithville	Built Boundary
Schedule F – Infrastructure & Transportation	College Street and Morgan Ave are local roads

In addition to the Land Use Designations shown above, the Subject Lands are subject to a Site Specific Provision (Section 6.11.6) as a result of OPA 54. Township OP schedules are shown on **Appendix C** to this report.

#### 5.4.1 Goals of the Official Plan

Section 2.4 of the Township OP identifies goals that form the basis for the policies of the Plan, with the most relevant goals being as follows:

#### **POLICY**

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*(g) To accommodate the majority of residential growth of the Township in Smithville 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 population growth.*

*(h) To provide a policy framework that will promote the Smithville downtown area as the primary commercial and business area in the municipality.*

*(j) To encourage more diversified employment opportunities for residents of the Township through the promotion new and expanding industrial uses, commercial businesses and institutional uses.*

*(n) To ensure the provision of adequate parkland, trails, open space and other indoor and outdoor recreational facilities to meet the need of residents of the Township throughout the plan period of this Official Plan.*

*(r) To ensure that water supply, sewage services, emergency services, and transportation services are planned and developed in accordance with long term planning and growth management objectives.*

#### **ANALYSIS**

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The Applications work towards implementation of the above goals by permitting a range and mix of residential units and supporting the Smithville downtown core. These uses are proposed at an appropriate density that conforms with the intent of achieving the efficient use of land.

#### 5.4.2 Healthy Communities

Section 3.5 of the Township OP provides objectives and policies for healthy communities. These objectives are general and focus on ensuring that planning decisions protect the health and well-being of their residents. Of note are as follows:

#### **POLICY**

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*Objective 3.5.1 e) Improve road safety by reducing automobile dependency, while creating a safe environment for both pedestrians and cyclists;*

*Objective 3.5.1 i) Create complete neighbourhoods that include mixed densities and affordable housing options for people of all ages and socioeconomic status.*

*Objective 3.5.1 j) Provide public spaces, parks and greenspaces where residents can meet, connect and congregate for social interaction.*

*Policy 3.5.2 b) A compact urban form shall be developed that incorporates mixed land uses and promotes active transportation.*

*Policy 3.5.2 e) Development patterns shall maximize opportunities for active transportation;*

## **ANALYSIS**

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The Applications would facilitate the creation of complete neighbourhoods and compact urban form by facilitating a mix of housing options including stacked and street townhouse dwellings. The proposal focuses higher density residential development in proximity to the commercial core of Smithville allowing residents to walk or cycle for their daily needs. Further, the Subject Lands are in proximity to two regional roads with existing cycling infrastructure, further encouraging residents to use active transportation modes.

### **5.4.3 Growth Management Strategy**

Section 5.0 of the Township OP contains a Growth Management Strategy. The Growth Management strategy includes objectives and policies. The following objectives and policies apply:

## **POLICY**

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### **5.2 Growth Management Objectives:**

- b) To develop as a complete, balanced community with a diverse mix of land uses, where residents have the opportunity to live, work and play in their community.*
- c) To ensure an orderly and logical progression of urban development, and an efficient use of land, infrastructure and services.*
- g) To direct the majority of the population growth to the Smithville Urban Area and a limited amount to the Hamlet Settlement areas.*
- i) To encourage and facilitate redevelopment, infilling and intensification within the Urban Settlement area of Smithville. Infill is also supported within each of the Hamlet Settlement areas*
- j) To coordinate land use planning with infrastructure planning.*
- k) To accommodate development which protects, conserves and manages the health of the Natural Heritage Systems and other environmental features for current and future generations.*

### **5.6 Urban Settlement Area Structure**

- a) Smithville is the Urban Settlement Area in the Township of West Lincoln and is the focus for urban development on full municipal services. ...*

*b) The Built-up Area is delineated by the built boundary, which represents the limit of existing urban development, when the Places to Grow: Growth Plan for the Greater Golden Horseshoe came into effect in 2006. Other than the lands identified for intensification, the built-up area is intended to remain stable and any infill development within the built-up area shall be compatible with the surrounding land uses and shall take place at the density prescribed by the existing land use.*

*e) The Core Natural Heritage System is the framework for the protection, maintenance, restoration, integration, and where possible the enhancement of the natural systems, ecological health, and biodiversity of the community.*

*g) The objectives of the Urban Settlement Area Structure are to direct new growth and redevelopment to the appropriate areas of the Urban Area, and to guide the form and density of the growth to achieve a complete community that is vibrant, well-connected, and prosperous. Guiding growth is more than just densities and land use designations, the aesthetics of the development are important in creating a livable community. As such, the Township will prepare Urban Design Guidelines for the Downtown Core and may prepare more detailed Urban Design Guidelines for Infill Development and other forms of development within Smithville to supplement the policies of this Plan.*

## **ANALYSIS**

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The Applications conform to the growth management objectives by facilitating an infill development supporting a range of housing types which efficiently use land within the urban area. The Subject Lands are located within the Smithville Urban Area close to a mix of land uses allowing residents to live, work, and play within their community. As discussed in Section 4.6 of this report, the Applications facilitate the efficient use of municipal infrastructure and also support the use of existing active transportation infrastructure within the Township. A technical memo was also prepared which determined the Subject Lands do not meet the threshold of Other Woodland and are not subject to natural heritage policies.

The Applications facilitate exclusively low rise residential uses within an established residential area. The proposed street townhouse dwellings are located on Morgan Avenue, facilitating a gradual transition to the stacked townhouse units located on and accessed via College Street. The majority of the stacked townhouse units are located internally to the site and are oriented to feature amenity area adjacent to the existing rear yards on Morgan Avenue.

### **5.4.4 General Residential**

Section 6.1 includes general residential policies for the Urban Settlement Area. The following objectives and policies are relevant to the Applications:

## **OBJECTIVES**

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- a) To protect and enhance the character and image of the Urban Settlement Area;*
- b) To promote higher density residential development, and mixed use development/redevelopment in appropriate locations in Smithville;*
- c) To encourage and facilitate the production of a range of dwelling types and ownership forms, including housing that is more affordable to the existing and future residents of West Lincoln; and*
- d) To encourage high quality design that is environmentally sustainable and is compatible with the character and image of the adjacent buildings.*

## **ANALYSIS**

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The Applications would facilitate a range of dwelling types in conformity with the General Residential – Objectives of the Township OP while ensuring compatibility with existing residential lands. The Applications feature a high degree of urban design and will serve to enhance the residential character of the Urban Settlement Area.

### **5.4.5 Medium Density Residential (Smithville)**

Section 6.3 of the Township OP provides the following policies related to the Medium Density Residential Area designation:

## **POLICY**

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### **6.3.3 General Policies:**

- a) Medium Density Residential buildings shall not exceed a height of 3 storeys although a height of up to 4 storeys may be permitted based on policies in approved secondary plans.*
- b) All new Medium Density Residential development shall be subject to Site Plan Control, and shall be compatible with the character and image of the surrounding community.*
- c) New development within the Medium Density Residential designation shall achieve a gross density of 20 and 40 (inclusive) units per hectare. Infill development may be considered at lower height and density standards where compatibility and design features require lesser standards.*
- d) Applications to establish a new Medium Density Residential designation within a stable residential neighbourhood shall be evaluated against all criteria of this plan including urban design standards of the Township.*

## **ANALYSIS**

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The proposed street townhouse development, with a density of 48.1 units per hectare, can be supported despite exceeding the 40 unit per hectare requirement due to its compatibility with the existing neighbourhood. The townhouses are proposed at 2 storeys, aligning with the prevailing character of the area and maintaining an appropriate transition between lower and higher-density developments. This ensures that the increased density

does not result in excessive massing or overshadowing of adjacent properties. Further, townhouses are an existing built form along Morgan Avenue evident by the townhouse development located at the southwest corner of the College Street and Morgan Avenue intersection (see Photo 4 in Section 3). The proposed street townhouse development would facilitate a gateway and transition towards higher density land uses when approaching St. Catharines Street.

Overall, the increase in density is justified through the efficient use of land and infrastructure, supporting municipal objectives for intensification and optimizing available servicing capacity. The development contributes to a compact urban form that promotes walkability and access to local amenities, aligning with broader planning goals for sustainable growth.

#### 5.4.5 Residential/Mixed Use Area (Smithville)

Section 6.5 includes general policies for the Residential/Mixed Use area designation. As the portion of the lands intended for stacked townhouse dwelling feature this designation the following policies are relevant to the Applications:

### **POLICY**

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#### 6.5.3 General Policies:

- a) *Building heights shall not exceed 5 storeys, unless otherwise stated in a Secondary Plan.*
- b) *The permitted density shall reflect that of the Medium Density Residential Area designation.*
- c) *Applications to establish a new Residential/Mixed use Residential Area designation must be consistent with the policies of this plan.*
- d) *All development within the Residential/Mixed use Area designation shall be subject to Site Plan Control.*

### **ANALYSIS**

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The Applications facilitate the development of stacked townhouses at 3 storeys in height, in alignment with the requirements of the Residential/Mixed use designation of the Township OP. Following build-out, the stacked townhouse portion of the Subject Lands within the Residential Mixed Use designation will feature a gross density of approximately 86 units per hectare, in excess of the minimum 40 unit per hectare requirement of the Site Specific Provision for the lands.

#### 5.4.6 Development Standards for Residential Neighbourhoods

Section 6.6.3 of the Township OP includes design policies for all residential neighbourhoods in Smithville. The following standards apply to the proposal:

### **DEVELOPMENT STANDARDS AND ANALYSIS**

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Development Standard	Analysis
<p>a) New development shall be compatible with adjacent and neighbouring built form by ensuring that the siting and massing of new buildings does not result in undue adverse impacts on adjacent properties particularly in regard to adequate privacy conditions for residential buildings and their outdoor amenity areas.</p>	<p>The proposed standard and stacked townhouses have been strategically located to minimize land use compatibility issues with surrounding lower density residential uses. Specifically, Blocks 5 and 6 within the condominium site provide setbacks of 6.86 metres from the rear balcony to the rear lot line of the single detached dwellings fronting Morgan Avenue. Block 7 is oriented perpendicular to the northern lot line and provides an interior side yard setback of 5.56 metres to Lot 25 to the north.</p> <p>Along the southern property line of the condominium site, Blocks 2 and 3 abut parking areas and therefore no land use compatibility issues are anticipated. Block 8 which is oriented to the west abuts vacant land which has been approved for street townhouses, also oriented to the west. A 4.5 metre interior side yard setback has been provided between Block 8 and the southern property line providing a sufficient interior side yard setback between two compatible building forms.</p>
<p>b) To ensure that compatibility is achieved, the implementing Zoning By-law shall establish appropriate setback and yard requirements which recognize the character of the existing build-form.</p>	<p>The proposed street townhouses will feature a front yard setback of 6 metres, consistent with the character of the neighbourhood and existing zoning. The stacked townhouses blocks will feature reduced front yard setbacks along College Street which will be captured within the site-specific zoning. Please see Section 7.0 for more information regard proposed zoning.</p>
<p>c) For reasons of public safety, the main entrances to homes and multi residential buildings shall be clearly visible.</p>	<p>All buildings are oriented towards public or private roadways ensuring visibility. A photometric plan is anticipated to be required as a condition of approval which will ensure every unit remains visible at night.</p>
<p>d) Access from sidewalks and public open space areas to primary building</p>	<p>All building accesses connect directly to a sidewalk system (either public or private internally to the development).</p>

Development Standard	Analysis
entrances shall be convenient and direct, with minimum changes in grade.	
e) To minimize disruptions to traffic flow and to maximize safety and the attractiveness of Arterial Roads, individual direct vehicular access shall be minimized, and, in some cases prohibited.	Not applicable.
f) To enhance the quality and safety of the public streetscape, the construction of parking lots which occupy significant proportions of the at-grade frontage of public roads, shall not be permitted.	Parking areas are not located along the frontage.
g) Location of Buildings will reinforce the road, land and block pattern by using the following measures: <ul style="list-style-type: none"> <li>i. Along the public street, buildings will be aligned parallel to the road;</li> <li>ii. Siting and massing of buildings will provide a consistent relationship, continuity and enclosure to the public roads; and</li> <li>iii. Buildings located adjacent to, or at the edge of parks and open spaces and other natural features are encouraged to provide visual opportunities for the features.</li> </ul>	Stacked townhouse Block 1 and Block 2 are both setback 3 metres from the College Street frontage. Serving to frame the College Street streetscape. Block 1 is oriented towards the private roadway where Block 2 is oriented towards the College Street frontage. Block 2 is oriented perpendicular to College Street to facilitate a rear-to-rear interface with the townhouse units with frontage on Morgan Avenue.

#### 5.4.7 Compatibility Criteria for Infill Development/Redevelopment

Section 6.6.4 of the Township OP includes design policies for all residential neighbourhoods in Smithville. The following criteria apply to the proposal:

Compatibility Criteria	Analysis
a) It is a fundamental principle to avoid and/or mitigate any inappropriate interface between buildings and/or uses. The concept of compatible development is of paramount importance throughout Smithville. All development applications shall be reviewed with respect to their	The Subject Lands abut residential uses to the north and south, with open space use to the east. A low-intensity commercial use is located on the western side of College Street and abuts residential uses on all sides with no land use compatibility conflicts. As such, no compatibility issues are anticipated between the proposed development and the commercial use.



Compatibility Criteria	Analysis
compatibility with existing, planned, and/or approved developments.	
<p>b) New dwellings within Smithville shall provide a consistent relationship with existing adjacent housing forms and the arrangement of these existing houses on their lot. As such, new dwellings generally shall:</p> <ul style="list-style-type: none"> <li>i. Provide a building height which reflects the pattern of heights of adjacent housing;</li> <li>ii. Provide for a similar lot coverage to adjacent housing to ensure that the massing or volume of the new dwelling reflects the scale and appearance of adjacent housing;</li> <li>iii. Maintain the predominant or average front yard setback for adjacent housing to preserve the streetscape edge, and character;</li> <li>iv. Provide for similar side yard setbacks to preserve the spaciousness on the street;</li> <li>v. Provide a built form that reflects the variety of façade details and material of adjacent housing, such as porches, windows, cornices and other details. Exceptions may be granted by zoning by-law amendment for the purposes of sustainability features; and</li> <li>vi. Provide a limitation on the width of a garage so that the dwelling reflects the façade and character of adjacent housing.</li> </ul>	<p>Lands to the south of the Subject Lands feature compact townhouse dwellings on private roads. Along Morgan Avenue, detached dwellings on larger lots predominate.</p> <p>The proposed development largely implements the existing Official Plan and Zoning By-law direction, being for a stacked townhouse development with street townhouses along Morgan Avenue. The built form characteristics discussed in this policy have been established in the Township's Zoning By-law, and the proposed applications will not result in substantial changes to the relationship of the development with adjacent housing forms.</p>
<p>c) On larger infill properties where new streets are created, greater variation from the existing conditions may be considered, provided the development is designed to create a buffer between existing housing and the new dwellings.</p>	<p>The proposal has been designed to transition from a lower density form of housing along Morgan Avenue, adjacent to the existing detached dwellings, to a denser form internal to the site, adjacent to existing private road townhouse developments to the south.</p>
<p>d) New residential lots shall provide a consistent relationship with existing adjacent housing lots. As such</p>	<p>Lot creation will occur for the townhouse dwellings along Morgan Avenue. Lot widths for the Morgan Avenue townhouses</p>

Compatibility Criteria	Analysis
<p>applications for consent and plan of subdivision shall:</p> <ul style="list-style-type: none"> <li>i. Be compatible with the established character of lot sizes and frontages of adjacent housing lots for some infill development;</li> <li>ii. Incorporate a transition area, where possible, so that lots of similar size and character are located adjacent to existing lots for large infill development; and</li> <li>iii. Create a street pattern, which serves as an extension of the surrounding neighbourhood by providing an interconnected road network where possible.</li> </ul>	<p>conform to the existing zoning of the lands. Dwellings on the remainder of the site will be units in a standard condominium corporation, on a private road.</p>
<p>e) The Township may prepare architectural design guidelines for new and altered buildings to reflect the existing character and compact form of the area including guidance on setbacks, coverage, building massing, building materials and patterns of detailing.</p>	<p>Please refer to Section 6.0 of this report for analysis regarding architectural design.</p>
<p>f) Townhouses and other multiple unit dwellings, where proposed for infill purposes, shall be developed as follows:</p> <ul style="list-style-type: none"> <li>i. Development proceeds by way of an Official Plan Amendment to change the lands to a medium density residential designation and the policies of Section 6.3 are met;</li> <li>ii. The development conforms to the development criteria of Section 6.6.6; and</li> <li>iii. Incorporate a transition area where possible of single detached or semi detached lots as a proposed transition area.</li> </ul>	<p>The development criteria of Section 6.6.6 are analyzed in Section 5.4.8 of this report. The housing types proposed have already been established by way of OPA 54.</p>
<p>g) In circumstances where a proposed development supports the Township's intensification target but does not</p>	<p>As discussed above, the Applications achieve both the intensification and compatibility policies.</p>

Compatibility Criteria	Analysis
support the compatibility policies of the Plan, the compatibility policies shall prevail.	
h) Where applicable, applications for intensification development will be required to attend a pre-consultation meeting to determine the studies that will be required. The completion of one or more of the following studies: <ul style="list-style-type: none"> <li>i. Transportation impact study; Noise and/or vibration study;</li> <li>ii. Light and shadowing study;</li> <li>iii. Environmental impact study;</li> <li>iv. Record of site condition;</li> <li>v. Master design plan;</li> <li>vi. Stormwater management plan; and</li> <li>vii. Any other studies as required by this Plan.</li> </ul>	All studies required were noted during the pre-consultation meeting with the Township and have been included within this submission and are summarized in Section 4 of this report.

#### 5.4.8 Development Criteria for Townhouses

Section 6.6.6 of the Township OP includes development criteria for townhouses in Smithville. The following criteria apply to the proposal:

Criteria	Analysis
a) The elevation and design of the townhouses shall provide variation between units, and reinforces common characteristics that visually unite the block.	<p>The stacked townhouse units are proposed to feature an exterior façade featuring a combination of brick and aluminum composite panels contributing to a visually interesting exterior while maintaining architectural cohesion throughout the development.</p> <p>The brick exterior also serves as a traditional building material, reflective of the former school site and Smithville's history, while the aluminum composite introduces a modern aesthetic which complements the brick.</p> <p>The exterior of the street townhouse dwellings will consider similar exterior materials to the proposed stacked townhouse dwellings to achieve unity along the block face.</p>

Criteria	Analysis
b) Variety in the design of roofs is required to break up the massing of townhouse blocks.	<p>All stacked townhouses will feature heights of approximately 11.5 metres. Despite all blocks being identical in height, adequate separations between blocks are provided to ensure massing is appropriate and does not overwhelm the development. As mentioned, a majority of the stacked townhouse blocks are contained internally to the property and will not impact the streetscape.</p> <p>The street townhouse dwelling blocks feature a maximum of 5 units per block to ensure their massing does not overwhelm the Morgan Avenue streetscape.</p>
c) The massing and built form of townhouse units adjacent to single/semi detached dwellings shall be designed with architectural elements to promote visual integration.	The street townhouse units designs will be contemplated further at the detailed design stage. The unit sizes proposed are similar to the existing single detached dwellings along Morgan Avenue providing an effective transition to a higher density built form which already exists in the neighbourhood (see townhouse development on Morgan Avenue in Photo 4).
d) Garages shall be accessed from a rear lane. Where they are not, garages are encouraged to be paired to allow for more substantial front yard greenspace. Garages shall not protrude beyond the main front wall or porch of the dwelling unit.	Garages are only proposed for the street townhouse dwelling dwellings fronting on Morgan Avenue. The garages will not protrude beyond the main front wall or porch of the dwelling.
e) Side and rear elevations visible from public areas and public streets shall have upgraded façade treatments and significant architectural elements.	Stacked townhouse elevations have been described above. The built form of the street townhouse units will be contemplated further at the detailed design stage.
f) Corner unit designs are encouraged to provide significant corner features such as wrap-around porches, wall articulation, turret or bay windows.	The built form of the street townhouse units will be contemplated further at the detailed design stage.

#### 5.4.9 Heritage Conservation Policies

Section 8.3.1 of the Township OP includes policies related to the conservation of heritage resources within the Township. During pre-consultation the former College Street Public School site has been noted as being culturally relevant to the Township, despite not being listed or designated under the *Ontario Heritage Act*. As such, the following policies apply:

#### POLICY

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*8.3.2 In reviewing proposals for the addition to, demolition or removal of designated buildings and structures or the alteration of existing buildings, the Township will be guided by the following general principles:*

- a) heritage buildings, associated landscape features and archaeological sites including their surroundings should be protected from any adverse effects of change;*
- b) original building fabric and architectural features such as doors, windows, mouldings, verge boards, walling materials and roofs should be retained and repaired rather than replaced wherever possible;*
- c) new additions and features should generally be no higher than the existing building and wherever possible be placed to the rear of the building or set back substantially from the principle façade.*

#### ANALYSIS

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A CHIA was conducted of the Subject Lands which determined that the property has cultural heritage value under *Ontario Regulation 9/06*. Despite this, the integrity of the schoolhouse was compromised through multiple additions which occurred in 1921 and 1972, and as such, does not retain physical or contextual value. The CHIA has provided recommendations related to the salvaging of materials to be donated.

#### 5.4.10 Archaeological Conservation

Section 8.3.5 of the Township OP provides policies related to archaeological conservation. The following policies apply in regard to archaeological conservation in the Township

#### POLICY

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- a) Council recognizes that there may be archaeological remnants of pre-contact and early historic habitation within the Township and will consider the interests of Aboriginal communities in conserving archaeological resources. Council will therefore require an archaeological survey of lands proposed for development that exhibit archaeological potential as well as the preservation or rescue excavation of significant archaeological resources that are found and which might be affected in any future development, in co-operation with the Ministry of Citizenship, Culture and Recreation.*



*d) Development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or by preservation in situ. Where significant archaeological resources must be preserved in situ (long-term in-ground protection of the archaeological resource); only development and site alteration which maintain the heritage integrity of the site may be permitted.*

## **ANALYSIS**

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A Stage 1-2 Archaeological Assessment was conducted by ASI Archaeological Services to investigate the archaeological potential of the Subject Lands. No archaeological resources were encountered and as such no further assessment is required.

### **5.4.11 Parks**

Section 9.3 of the Township OP details policies with respect to Parks. The following policies apply:

## **OBJECTIVES**

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*c) To establish a system of linkages which provides access to the open space and recreational areas of the community.*

## **POLICY**

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*d) When reviewing an application to amend the Official Plan or Zoning By-law or when commenting on plans of subdivision, Council will consider the need for park developments in accordance with this section.*

*e) The dedication of land or the acceptance of cash-in-lieu of land dedicated for park purposes or other public recreation purposes required in the case of development or redevelopment shall be in accordance with the following requirements:*

*ii. For all other purposes:*

*1. The conveyance of 5% of the land being developed or redeveloped, pursuant to Sections 42(1) and 51.1 of the Planning Act, as amended, or any successor thereto...*

## **ANALYSIS**

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No public parkland is proposed within the Applications. A sidewalk is proposed which could provide connectivity from the Subject Lands to Union Cemetery to the east. This potential connection is proposed south of Block 8 and is proposed to terminate at the east property line of the Subject Lands, adjacent to Union Cemetery, providing the Township an opportunity to connect through the cemetery to Dennis Drive Park. This connection is consistent with the Demonstration Plan completed by the Township's consultant leading to OPA 54.

Each stacked townhouse unit is proposed to feature a private balcony with open spaces around the units to provide additional amenity area for residents. Rear yards for the street townhouses fronting Morgan Avenue provide private amenity space for each unit.

As no public parkland is proposed within the concept plan it is anticipated 5% cash-in-lieu will be required in accordance with Township and *Planning Act* policies.

#### 5.4.12 Natural Environment Policies

The Subject Lands are designated as Natural Heritage System within Schedule B-4 of the Township OP, as such the policies of Section 10.7.2 apply:

#### **POLICY**

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- a. *The Core Natural Heritage System consists of:*
  - i. *Core Natural Areas, classified as either Environmental Protection Areas or Environmental Conservation Areas;*
  - ii. *Potential Natural Heritage Corridors connecting the Core Natural Areas;*
  - iii. *The Greenbelt Natural Heritage and Water Resources Systems; and*
  - iv. *Fish Habitat.*
- b. *Development and site alteration within the Core Natural Heritage System, where potentially permitted by policies elsewhere in this Plan, shall be subject to the Healthy Landscape Policies of Section 10.2 as well as the Core Natural Heritage System Policies.*
- d. *Environmental Conservation Areas include significant woodlands; significant wildlife habitat; significant habitat of species of concern; regionally significant Life Science ANSIs; other evaluated wetlands; significant valleylands; savannahs and tallgrass prairies; and alvars; and publicly owned conservation lands.*
- I. *Development and site alteration may be permitted without an amendment to this Plan:*
  - i. *In Environmental Conservation Areas; and*
  - ii. *On adjacent lands to Environmental Protection and Environmental Conservation Areas as set out in Table 10-1 except for those lands within vegetation protection zones associated with Environmental Protection Areas in the Greenbelt Natural Heritage System.*

*If it has been demonstrated that, over the long term, there will be no significant negative impact on the Core Natural Heritage System or adjacent lands and the proposed development or site alteration is not prohibited by other Policies in this Plan. The proponent shall be required to prepare an Environmental Impact Study (EIS) in accordance with Section 10.8 of the Plan.*

*Where it is demonstrated that all, or a portion of, an Environmental Conservation Area does not meet the criteria for designation under this Plan and thus the site of a proposed development or site alteration no longer is located within the*

*Environmental Conservation Area or on adjacent lands then the restrictions on development and site alteration set out in this Policy do not apply.*

## **ANALYSIS**

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As discussed previously throughout this report, a technical memo has been prepared by GEI Consultants to investigate the natural heritage conditions of the Subject Lands. GEI determined that the remnant woodland which is located on the Subject Lands does not achieve the threshold required to be considered as Significant Woodland or Other Woodland and as such is not deemed to be part of the Natural Heritage System or subject to the Natural Heritage System policies. As the Subject Lands do not feature any environmental features which would be contained within an Environmental Conservation Area, the Subject Lands are free of any environmental constraints and the proposed development may be permitted without amendment to the plan.

### **5.4.13 Infrastructure Policies**

Section 14.2 through Section 14.4 of the Township OP contains policies with respect to water, wastewater and stormwater management. The following apply:

## **POLICY**

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*14.2.1 a) All new development in the urban settlement area of Smithville shall be required to be connected to the municipal water system as a condition of approval.*

*14.2.1 c) The Township in consultation with Niagara Region shall ensure that there is sufficient reserve water system capacity within the municipal water service to accommodate new development in Smithville.*

*14.3.1 a) All new development within the urban settlement area of Smithville shall be required to be connected to the municipal sewage system in accordance with the requirements of the Township as a condition of approval.*

*14.3.1 b) Council shall ensure that there is an acceptable means of disposal of private sewage in the remainder of the Township prior to permitting new development.*

*14.3.1 d) Development should be phased in line with available sanitary and water treatment capacity.*

*14.4.1 a) A stormwater management plan and a sediment and erosion control plan prepared and signed by a qualified engineer may be required with a development application depending on:*

- i. The scale and nature of the proposal; and*
- ii. Site-specific environmental conditions.*

## ANALYSIS

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A FSSWMR has been submitted with the Applications demonstrating sufficient servicing capacity for the proposed development. As such, the proposed development conforms to the servicing policies of the Township OP.

### 5.4.13 Rail Policies

Section 14.6 of the Township OP contains policies with respect to rail infrastructure in the Township. The following apply:

## POLICY

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- a) All setbacks from the rail line shall be in accordance with the following:
  - a. All proposed development within 500 metres of an active railway right of-way may be required to undertake noise studies to the satisfaction of the Township and the Region in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that are identified.

## ANALYSIS

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The Subject Lands are located approximately 235 metres from an active railway, therefore a Noise Feasibility Study was undertaken to analyse the potential impacts of the railway on proposed development. The Noise Feasibility Study determined that there will be noise impacts as a result of the railway which can be mitigated through exterior design measures. Please see Section 4.5 of this report for more information.

### 5.4.14 Site Specific Provisions/OPA 54

Section 6.11.6 of the Township OP provides site specific provisions related to parcels around the Township. The Subject Lands are subject to the following site specific provision:

## POLICY

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*132 College Street & 131 St. Catharines Street*

- i) *That the gross density of the Residential/Mixed Use designation shall be greater than 40 units per hectare. (OPA #54)*

## ANALYSIS

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The Subject Lands currently feature a Site Specific Provisions noted above. The stacked townhouse portion of the lands subject to the Site Specific Provision features a gross residential density of 86 units per hectare, satisfying the requirements of this policy.

## 6.0 Urban Design Guidelines

The following section will provide an analysis of the Township's Urban Design policies and guidelines. Section 6.6 under the Township OP provides Design Policies for

Residential Neighbourhoods (Smithville) and have been analyzed within Sections 5.4.6 – 5.4.7 of this report. The following section will analyze the proposed development against the Township of West Lincoln: Smithville Urban Design Manual (SUDM) and the College Street Redevelopment Design Guidelines prepared by MHBC.

## 6.1 Smithville Urban Design Manual

The SUDM (2016) provides an urban design vision and guidance for the downtown of Smithville, addressing attractive and high-quality buildings, open spaces and streetscapes. This section summarizes the relevant design guidelines of the SUDM that guide the design of the proposed development. The Subject Lands are identified as being within the Neighbourhood precinct within the SUDM. This precinct seeks to emphasize safe and pedestrian friendly built form, streetscapes and urban open spaces.

### 6.1.1 Residential Built Form Design Guidelines

Section 6.1 of the SUDM provides built form guidelines which apply to residential development within Smithville. Specifically, Section 6.1.3 provides guidelines related to multi-unit low-rise development including townhouses and stacked townhouses. The following apply:

#### GUIDELINES & ANALYSIS

Guideline	Analysis
<b>Built Form and Street Relationship</b>	
1. Front façades should be aligned parallel with the street. The habitable portion of the units (not the garage) should be located close to or at the minimum front yard setback.	All front façades will be oriented to either College Street, Morgan Avenue, or the private roadways. The street townhouse dwellings on Morgan Avenue will feature front yard setbacks of 6 metres whereas stacked townhouse Block 1 will be setback 3 metres from College Street. The remainder of the stacked townhouse blocks will feature walkouts directly onto a private sidewalk network (1.22 metres from the 1.5 metre sidewalk)
2. Publicly visible elevations must include appropriate massing, façade articulation, roof variation, and ample fenestration.	The proposed stacked townhouse units will feature several façade materials including a mix of brick and aluminium composite panels in addition to a number of windows and balconies with various sizes facilitating a visually satisfying development with diversity ensuring the stacked townhouse units do not overwhelm the development.
3. To promote passive surveillance opportunities (also known as ‘eyes on the street’) for safety and	All front façades will be oriented to either College Street, Morgan Avenue, or the private roadways and all stacked



Guideline	Analysis
security, create views between the interior of buildings and exterior public spaces through the location of windows.	townhouse blocks will feature front and rear balconies reinforcing passive surveillance.
6. Corner unit designs are encouraged to provide significant corner features such as wrap-around porches, wall articulation, turrets or bay windows.	A street townhouse dwelling is proposed at the corner of College Street and Morgan Avenue, fronting on Morgan Avenue. Corner unit design features will be determined at the detailed design stage.
8. For townhouses, the maximum width of a single townhouse block should not exceed 8 units. Appropriate separation between townhouse blocks should be provided.	The maximum width of a street townhouse block proposed is 5 units.
<b>Compatibility with Adjacent Built Form</b>	
9. Multiunit low-rise buildings should be compatible in design and massing with adjacent buildings.	<p>The proposed residential development has been designed with consideration of all surrounding land uses. The development concept proposes a mix of standard and stacked townhouse units, a higher density built form compatible with existing residential uses.</p> <p>Street townhouse dwelling units are proposed along Morgan Avenue to facilitate a transition in built form and density from the existing single detached dwellings.</p> <p>Stacked townhouse Blocks 5 and 6 feature setbacks of 6.86 metres between the rear balcony and northern property line. The proposed balconies feature a width of 1.5 metres resulting in a setback of 8.36 metres from the exterior wall of the stacked townhouse to the property line. The single detached dwellings on Morgan Avenue (160 Morgan and 166 Morgan) feature rear yard setbacks of approximately 20 metres, providing for approximately 28 metres of separation between the existing dwellings and proposed stacked townhouses, mitigating massing, privacy and land use</p>

Guideline	Analysis
	<p>compatibility issues between the dwellings. Further, the 6.86 metre setback provides sufficient space for landscape plantings to further mitigate any compatibility issues.</p> <p>Stacked townhouse Block 7 is oriented facing west with an interior side yard setback of 5.56 metres towards the property line shared with 172 Morgan Avenue. Due to the building being oriented perpendicular to the lot line, land use compatibility is achieved by reducing instances of overlook into the rear yard of 172 Morgan Avenue with no balconies proposed along the northern wall of Block 7. The setback of 5.56 metres also provides sufficient space for landscaping features to further mitigate compatibility concerns.</p> <p>Along the southern property line the proposed development abuts street townhouse dwelling units with no land use compatibility concerns anticipated. Block 9 is oriented with the rear of the building facing the rear of the townhouse dwellings immediately south. Further, Block 8 is oriented facing west, replicating the approved orientation of the townhouse block located immediately south. Commercial uses are located to the west on the opposite side of College Street and therefore no land use compatibility issue are anticipated.</p>
<b>Main Entrances</b>	
12. Main entrances to each unit should be oriented toward and clearly visible from the street.	All front façades will be oriented to either College Street, Morgan Avenue, or the private roadways.
14. Weather protection at main entrances should be provided through the use of covered porches, porticos, awnings, or recesses.	All stacked townhouse blocks will feature covered balconies providing weather protection for the primary entrances.

Guideline	Analysis
16. On corner lots, the main entrance of the corner unit should be located on the exterior side elevation, with corner windows and wrap-around porch to emphasize the corner location.	A street townhouse dwelling is proposed at the corner of College Street and Morgan Avenue, fronting on Morgan Avenue. Corner features will be determined at the detailed design stage.
<b>Garages and Driveways</b>	
18. Garages in the front yard should be either located behind or flush with the main front façade of the dwelling or project a maximum of 1.5 metres beyond the main facade.	Garages are proposed for the street townhouse dwelling units and proposed to be flush with the main front façade of the dwelling.

## 6.2 College Street Redevelopment Design Guidelines

In February 2020 MHBC released a future redevelopment and intensification strategy related to the Subject Lands. This strategy provided a demonstration plan for future development in addition to design guidelines and principles. The following section will provide analysis of the proposed development against the design principles and guidelines included within the MHBC strategy.

### DESIGN PRINCIPLES

The following table provides an analysis of the design principles contained within the College Street Redevelopment Strategy:

Design Principle	Analysis
<b>1. Connectivity and Active Transportation</b> <i>The site should be redeveloped in a manner that promotes a pedestrian oriented community by providing connections to existing neighbourhoods and local amenities through the careful layout of streets, sidewalks and multi-use pedestrian paths.</i>	The proposed development promotes a pedestrian oriented community by providing opportunity for a pedestrian connection to Union Cemetery. This potential connection would provide residents with an alternative transportation network through the Subject Lands to St. Catharines Street. A future connection from Union Cemetery to Dennis Drive Park is possible providing access to parkland.
<b>2. Density and Built Form</b> <i>The site should be redeveloped to accommodate a higher density than the existing residential neighbourhoods in the surrounding area, given the limited high density properties within the Smithville</i>	The proposed development provides for higher density development facilitating residential densities of 85.2 units per hectare for the stacked townhouse area and 48.1 units per hectare for the street townhouse portion.

Design Principle	Analysis
<i>Urban Area and the proximity of the site to the downtown core.</i>	
<b>3. Variety</b> <i>The redevelopment of the site should contribute to a mix and range of housing types within the Smithville Urban Area. They should provide spacious amenity areas and community focal points and a range and variation of building facades.</i>	The proposed development provides for standard and stacked townhouse housing forms, providing a mix of housing options which are generally uncommon to the Township. Appropriate rear yard and common amenity areas have been provided across the Subject Lands.
<b>4. Parks and Amenity Space</b> <i>The site should be planned to accommodate a park or amenity space for residents and/or visitors. Parks and amenity spaces to be designed with active transportation connections to destinations within and outside of the site.</i>	As mentioned appropriate rear yard and common amenity areas have been provided across the Subject Lands. A park is not proposed but a potential connection to Union Cemetery provides potential future access to Dennis Drive Park for residents.
<b>5. Safety and Health</b> <i>The site should implement design practices that contribute to neighbourhood safety by creating a strong pedestrian oriented site that minimizes conflict between pedestrians and vehicles and incorporates “eyes on the street” and “eyes on open spaces” concepts such as eliminating entrapment and confined areas. The pedestrian environment should be designed to make safe and enjoyable experiences for all pedestrians to ensure convenient access to businesses, activities and services.</i>	All stacked townhouse blocks are proposed to be oriented to the private roadway (with the exception of Block 2 which is oriented to College Street) providing “eyes on the street” for both the internal and public road networks. Sidewalks are provided throughout the development with a connection to the public sidewalk along College Street providing for safe pedestrian connections throughout and connections to greenspace and the Smithville core.

## DESIGN GUIDELINES

The following table provides an analysis of the design guidelines contained within the College Street Redevelopment Strategy:

Guideline	Analysis
<p><i>Site Density</i></p> <ul style="list-style-type: none"> <li><i>The density of the College Street school site should be aligned with the permissions of the High Density Residential Area designation of the Township of West Lincoln, given that the site is located in proximity to the downtown commercial core and is situated centrally within the Smithville Urban Area with convenient access to a range of services.</i></li> <li><i>The overall gross density of the College Street school site should be a minimum of 40 units per hectare to complement the permissions of the High Density Residential Area designation.</i></li> <li><i>The buildings fronting onto Morgan Avenue should be lower density to be compatible with the existing density along the street.</i></li> </ul>	<p>The proposed development provides for higher density development facilitating residential densities of 85.2 units per hectare for the stacked townhouse area and 48.1 units per hectare for the street townhouse portion.</p>
<p><i>Building Location</i></p> <ul style="list-style-type: none"> <li><i>Buildings should be located close to the street, while allowing adequate room for street trees, landscaping, street furniture, and pedestrian movement.</i></li> <li><i>New multiple unit residential development should be designed such that adjacent properties maintain sunlight exposure, visual privacy and should reduce potential negative impacts from lighting, noise and traffic</i></li> </ul>	<p>Blocks 1 and 2 on the Site Concept Plan are set back 3 metres from College Street, allowing for landscaping and pedestrian space. Internal stacked townhouse blocks have modest setbacks from the internal road network.</p> <p>Blocks 5, 6, and 7, which abut existing dwellings, have setbacks of 5.5 metres (Block 7) and 6.8 metres (Blocks 5 and 6) to mitigate privacy and shadowing impacts.</p>
<p><i>Building Height</i></p> <ul style="list-style-type: none"> <li><i>Building heights should be comparable to surrounding buildings to frame the street and create consistency. A minimum building height of 2 storeys and a maximum building height of 4 storeys should be encouraged, given the site's proximity to the</i></li> </ul>	<p>All proposed dwelling forms are within the height requirements.</p>



Guideline	Analysis
<p><i>downtown commercial core and identified Intensification Area.</i></p> <ul style="list-style-type: none"> <li>• <i>Ground floors providing commercial or other active uses at grade should provide a minimum height of 4.5 metres</i></li> </ul>	
<p><i>Landscaping</i></p> <ul style="list-style-type: none"> <li>• <i>Landscaping should be used to provide a buffer between driveways, driving aisles, parking areas and side and rear property lines to improve their visual appearance. Landscaped areas should be designed to complement existing or proposed landscaping on adjacent properties.</i></li> <li>• <i>Pedestrian seating and gathering areas should be provided within proposed amenity areas.</i></li> <li>• <i>Road side tree planting should be continuous along the length of the street and should generally be comprised of high branching, native deciduous tree varieties that will provide a continuous shade canopy.</i></li> <li>• <i>Hard and soft landscaping treatments should be used to provide a distinction between public and private amenity areas.</i></li> <li>• <i>Ensure that plant material provides for seasonal variation in form, colour and texture by using a variety of species.</i></li> </ul>	<p>Sufficient space for landscaping has been provided throughout the proposed development. It is anticipated a detailed landscape plan will be required as a condition of approval.</p>
<p><i>Outdoor Amenity Areas</i></p> <ul style="list-style-type: none"> <li>• <i>Outdoor amenity areas should be designed for use by all residents and visitors and should be located in an area that is both visually and physically accessible. Amenity areas are encouraged to be located with good natural surveillance from residential units and the street. Landscaping should ensure that</i></li> </ul>	<p>Amenity areas are proposed at the rears of the stacked townhouse blocks, ensuring accessibility for all residents. The rear balconies of the stacked townhouse units will provide natural surveillance for the amenity areas. It is anticipated a detailed landscape plan will be required as a condition of approval which will provide further landscape details for the amenity areas.</p>

Guideline	Analysis
<p><i>sight lines into the public amenity areas are maintained.</i></p> <ul style="list-style-type: none"> <li>• <i>Substantial screening should be provided from the parking area and drive aisles in the form of landscaping and architectural elements.</i></li> </ul>	
<p><b>Streetscape</b></p> <ul style="list-style-type: none"> <li>• <i>Human scaled lighting should be provided along the private roadway to minimize light pollution and overflowing onto neighbouring properties.</i></li> <li>• <i>Pedestrians and cyclists travelling through the site should be prioritized. Conflict between pedestrians and vehicles should be minimized.</i></li> <li>• <i>Sidewalks/walkways should be provided on either side of the street and should be wide enough to accommodate a variety of users. The use of landscaping should be used as a buffer between sidewalks/walkways and the street.</i></li> <li>• <i>Avoid site design that results in the creation of entrapment areas and/or confined spaces.</i></li> <li>• <i>Appropriate screening and buffering should be provided between multiple unit residential uses and adjacent development.</i></li> </ul>	<p>An internal sidewalk network has been provided throughout the development with connections to the public sidewalk network. The sidewalk network circles the parking area providing walkways on both sides with hatched crosswalks when crossing drive aisles maintaining pedestrian safety. It is anticipated a detailed photometric plan will be required as a condition of approval to ensure adequate streetlighting.</p>
<p><b>Pedestrian Connections</b></p> <ul style="list-style-type: none"> <li>• <i>A continuous pedestrian walkway access should be provided between an amenity area and surrounding community features and services.</i></li> <li>• <i>Pedestrian connections/walkways that allow for the safe and convenient movement of pedestrians into, within and out of the site shall be provided.</i></li> <li>• <i>Sidewalks and/or walkways should be provided on either side of the</i></li> </ul>	<p>A continuous pedestrian walkway is proposed throughout the development with connections to the public sidewalk and opportunity to connect to Union Cemetery.</p> <p>It is noted that the Township of West Lincoln's <i>Trails &amp; Corridors Master Plan</i> (2012) identifies a potential secondary off-road trail (the College Street Trail) traversing the Subject Lands and connecting to Union Cemetery. The proposed private walkway is generally</p>

Guideline	Analysis
<p><i>street and be buffered from the travelled portion of the roadway.</i></p>	<p>consistent with the Master Plan and enhances greenspace connectivity by allowing for a potential future extension to Dennis Drive Park. It is noted that the Master Plan does not include a connection to Dennis Drive Park, as the subdivision had not yet been constructed at the time. The proposed private walkway is generally consistent with the Master Plan and enhances greenspace connectivity by allowing for a potential future extension to Dennis Drive Park. Importantly, the Township's Official Plan does not include policies requiring parkland or trail dedication in accordance with the <i>Trails &amp; Corridors Master Plan</i>.</p> <p>Further, the pedestrian connection proposed is consistent with the Council approved MHBC designed concept which included a private walkway and potential connection to Dennis Drive Park.</p>
<p><i><b>Pedestrian Connections and Movement</b></i></p> <ul style="list-style-type: none"> <li><i>Clearly delineated pedestrian connections should link main building entrances, parking areas, on-site amenity areas and any adjacent trails and/or public sidewalks.</i></li> <li><i>Sidewalks and walkways will be adequately setback from the public and internal road and driveway network and should be wide enough to allow two persons to walk side by side. Trails and walkways are encouraged to be designed to accommodate multiple forms of active transportation.</i></li> <li><i>Where the pedestrian system must cross driveways and parking areas, visual priority will be provided to the pedestrian system through the use of cross-walks or the continuation of the walkway material across the driveway or parking areas.</i></li> </ul>	<p>The internal sidewalks are proposed at 1.5 metres in width, providing sufficient space for two persons to walk side by side. As discussed above, hatched crosswalks are proposed when crossing through parking areas to ensure pedestrian safety. Materials and other details will be contemplated further at the detailed design phase.</p>

Guideline	Analysis
<ul style="list-style-type: none"> <li><i>Pedestrian connections/walkways should be of a different material and appearance than the roadways and should be landscaped and lighted to promote the safety and comfort of pedestrians.</i></li> </ul>	
<p><b>Safety</b></p> <ul style="list-style-type: none"> <li><i>The design of the future site and buildings should take into consideration Crime Prevention Through Environmental Design (CPTED) principles. This can include designing a site and buildings to promote a sense of security and by allowing the natural surveillance of public spaces.</i></li> <li><i>Provide clear and highly visible pedestrian circulation that connects building entrances, parking areas, and shared spaces.</i></li> <li><i>Avoid site design that creates the potential for entrapment areas and hidden areas within the site.</i></li> <li><i>Pedestrian scaled street lighting should be provided to illuminate pedestrian sidewalks and walkways, parking areas, and amenity spaces to ensure a safe, comfortable and attractive experience for pedestrians.</i></li> <li><i>Traffic calming measures are encouraged where practical. Street features that may assist with traffic calming include narrowed and clearly defined pedestrian crossing points and the creation of a strong, pedestrian oriented streetscape will serve as visual signals that will assist in slowing traffic.</i></li> </ul>	<p>Nearly all stacked townhouse blocks are oriented facing the internal parking area providing “eyes-on-the-street” and passive surveillance serving to deter crime. A photometric plan is anticipated to be required as a condition of approval which will provide street lighting and also serve to maintain resident and visitor safety. The stacked townhouse blocks have been strategically located to avoid potential entrapment areas and ensure maximum visibility from all dwelling units.</p>
<p><b>Vehicular Access and Site Circulation</b></p> <ul style="list-style-type: none"> <li><i>A minimum of two accesses should be encouraged for the site to allow for adequate and safe vehicular traffic and access.</i></li> </ul>	<p>One access is proposed to the site via College Street. The TIB included with this submission concluded that the lone access is sufficient and the roadways are not expected to experience any operational issues.</p>

Guideline	Analysis
<ul style="list-style-type: none"> <li>• <i>Minimize the visual presence of parking by ensuring the area is screened with landscaping and architectural elements, and providing the greatest possible buffer between it and surrounding property lines.</i></li> <li>• <i>Avoid a site design that creates a potential entrapment area and conflicts between vehicles and pedestrians.</i></li> <li>• <i>Long stretches of parking should be interrupted by sidewalk bump outs to provide narrower pedestrian crossing points, to help slow traffic and provide a greater opportunity for street trees, pedestrian amenities and landscaping.</i></li> </ul>	<p>Parking islands are provided throughout the parking area to visually break up the parking area and provide opportunities for landscaping</p>

## CONCLUSION

Overall, the proposed development has significant regard for the urban design characteristics as provided within the Smithville Urban Design Manual and the Niagara Region Model Urban Design Guidelines.

### 7.0 Proposed Official Plan Amendment

An Official Plan Amendment (OPA) is needed to redesignate the Subject Lands from “Medium Density Residential” to “Medium Density Residential” with a Site Specific Provision in Section 6.11.6 permitting a density up to 50 units per hectare.

The Official Plan Amendment can be supported for the following reasons:

- The proposal is consistent with the Provincial Planning Statement and conforms with the Niagara Official Plan.
- The proposal facilitates the development of a mix of housing units within the urban area.
- The proposed density can be accommodated by existing municipal services.
- The proposal does not conflict with the broader policy direction of the Township OP and is compatible with adjacent lands.

### 8.0 Proposed Zoning By-law Amendment

The Subject Lands are presently RM2 (Morgan), RM3-195, RM3, and Environmental Conservation (EC) in accordance with Zoning By-law NO. 2017-70 (See **Appendix D – Township Zoning By-law Map**). The Application for Zoning By-law proposes to rezone



the Subject Lands to a Site Specific Residential Medium Density 2 (RM2-##) Zone and Site-Specific Residential Medium Density 3 (RM3-##) Zone with site specific provisions related to: minimum interior side yard, permitted uses, minimum lot area, minimum front yard, minimum separation distance between dwellings, landscape open space, allowable projections, planting strip, driveway location, parking requirements, parallel parking stall length, parking area location.

A draft ZBA is included in included in **Appendix E – Draft Zoning By-law Amendment** to this PJR.

The following tables show compliance and any site-specific provisions that are required in respect of the proposed zoning categories for the Subject Lands:

**Residential Medium Density (RM2) Zone:**

REGULATION	RM2 ZONE REQUIREMENT	PROPOSED	COMPLIANCE
Permitted Uses	Principal Uses <ul style="list-style-type: none"> <li>• Apartment dwelling</li> <li>• Fourplex</li> <li>• Semi-detached dwelling</li> <li>• Stacked townhouse dwelling</li> <li>• Street townhouse</li> <li>• Townhouse dwelling</li> <li>• Triplex dwelling</li> </ul> Accessory Uses <ul style="list-style-type: none"> <li>• Accessory buildings or structures and accessory uses (see s. 3.1)</li> <li>• Boarding or rooming house</li> <li>• Renewable energy system</li> </ul>	Street dwelling      townhouse	<b>Yes</b>
<b>Regulations</b>			
Minimum lot area (per dwelling unit)	Street dwelling – 180 m <sup>2</sup> Townhouse	Street dwelling: Interior Units = 180 m <sup>2</sup> End Units > 180 m <sup>2</sup> Townhouse:	<b>Yes</b>
Minimum lot frontage	Street dwelling – 6m per unit      Townhouse	Street dwelling – >6m per unit      Townhouse	<b>Yes</b>

Minimum front yard	Dwelling – 4.5 m	Street Townhouse dwelling – 6m	<b>Yes</b>
	Private garage – 6 m	Private garage – 6 m	<b>Yes</b>
Minimum exterior side yard	3m	Street townhouse – 3m	<b>Yes</b>
Minimum interior side yard	Adjoining a lot in a low density residential zone – 3 m	Street Townhouse dwelling - 2.48 m	<b>No</b>
Minimum rear yard	Adjoining a lot in a low density residential zone -7.5 m	Street Townhouse dwelling - 8.0 metres =	<b>Yes</b>
Maximum lot coverage	50%	Street Townhouse dwelling - 48%	<b>Yes</b>
Maximum height	12 m	<12 m	<b>Yes</b>
Minimum landscaped open space	25%*	Street Townhouse dwelling - 48% per unit	<b>Yes</b>
	*For stacked and back-to-back units, the minimum landscape open space shall be 15%		<b>Yes</b>

#### Residential Medium Density (RM3) Zone:

REGULATION	RM3 ZONE REQUIREMENT	PROPOSED	COMPLIANCE
Permitted Uses	Principal Uses <ul style="list-style-type: none"> <li>Stacked townhouse dwelling</li> </ul>	16 unit Stacked townhouse dwelling	<b>No</b>
<b>Regulations</b>			
Minimum lot area (per dwelling unit)	Stacked townhouse dwelling – 160 m <sup>2</sup>	Stacked townhouse dwelling – 16,850.6 m <sup>2</sup> /144 = 117 m <sup>2</sup>	<b>No</b>
Minimum lot frontage	Stacked townhouse dwelling – 20 m	Stacked townhouse dwelling – 50.48 m	<b>Yes</b>
Minimum front yard	Dwelling – 4.5 m	Dwelling – 3.0 m (Stacked townhouse)	<b>No</b>

Minimum exterior side yard	3m	N/A	N/A
Minimum interior side yard	Adjoining a lot in a low density residential zone – 3 m	2.48 m (townhouse only with RM3 Zone)  3 m (stacked townhouse)	No  Yes
Minimum rear yard	Adjoining a lot in a low density residential zone -7.5 m  Adjoining a lot in any other zone – 6 m	8.0 m from street townhouse dwellings to condo block  6.74 m from Blocks 7 & 8 to Union Cemetery	Yes  Yes
Maximum lot coverage	50%	Stacked townhouses: 26.3%	Yes  Yes
Minimum separation distance between dwellings on the same lot	Between exterior side walls – 3 m  Between exterior front or rear walls – 12 m  Between exterior front or rear walls and side walls – 7.5 m	Between exterior side walls - 0 m (between Blocks 7 & 8), 2.1 m for townhouse blocks  Between exterior front or rear walls (Between Blocks 2 & 3) – 10 m  Between exterior front or rear walls and side walls – 7.5 m	No  No  Yes
Maximum height	12 m	11.5 m	Yes
Minimum landscaped open space	25%*  *For stacked and back-to-back units, the minimum landscape open space shall be 15%	For stacked townhouse: 29.5%	Yes
Minimum amenity area	Dwelling with 9 or more dwelling units on one lot – 20sqm per dwelling plus 10 sqm per unit	2,694 m <sup>2</sup>	Yes

	20(9) + 10(144) = 1,620 sqm		
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### Section 3 General Provisions

REGULATION	REQUIREMENT	PROPOSED	COMPLIANCE
3.3.1 Allowable Projections	Balconies and decks, uncovered and enclosed:  1.5 m in front, exterior side  3 m in rear	1.5 m in the interior side yard	<b>No</b>
3.9.2 Planting Strips	Planting strips shall be provided as follows:  ii. Along the interior side lot line and the rear lot line of a lot that is used for a dwelling with 5 or more dwelling units;	Planting strips are provided	<b>Yes</b>
	iii. Along the street line where a parking area is located adjacent to a public street; and	Planting strips are provided	<b>Yes</b>
	iv. Along the lot lines of a lot where a parking area is located adjacent to an interior side lot line or rear lot line of a lot in a Residential zone;	Planting strips are provided	<b>Yes</b>
	Where an area of a lot is required to be used for no other purpose than a planting strip, it shall have a minimum width of 1.5 metres measured perpendicular to the adjoining lot line unless otherwise specified in this By-law.	A planting strip of 1.04 metres may be permitted (snow storage area to southern lot line, east of Block 9 on Concept Plan)	<b>No</b>

3.12.2 Driveways and Parking Aisles	Driveways for residential uses within a settlement area with less than five (5) dwelling units – 3.0 m	3.0 m for townhouses	<b>Yes</b>
	Driveways for residential uses with five (5) or more dwelling units and non-residential uses:  Double traffic lane for travel in one or two directions – 7.5 m	Double traffic lane for travel in one or two directions – 6.0 m	<b>No</b>
	Parking aisles for parking spaces angled 75 or 90 degrees to a line parallel to the aisle – 6 m	6.0 m	<b>Yes</b>
	Driveways shall be located as follows:  A driveway for a residential use with less than five (5) dwelling units shall be located no closer to the interior side lot line than the minimum interior side yard required for the private garage on a lot where the dwelling includes a private garage,	Driveways for townhouses are proposed to be adjacent – 0 m	<b>No</b>
3.12.4 Off Street Bicycle Parking Facility Requirements	No Requirement for Stacked Townhouses or street townhouses	N/A	<b>Yes</b>
3.12.6 Off-Street Motor Vehicle Parking	1.75 parking space for each stacked townhouse and townhouse unit	1.5 spaces per unit for stacked townhouses	<b>No</b>
		2 per unit (in tandem) for street townhouse	<b>Yes</b>
Barrier Free Spaces	201-1000 parking spaces:  2 spaces plus 2% of the total number of	$2+(219*0.02)= 6.38$  8 provided	<b>Yes</b>



		parking spaces, of which, 50% shall be Type A and 50% shall be Type B		
Parking dimensions	stall	Parking spaces shall have a minimum dimension of 2.7 m by 6.0 m	2.7 m by 6.0 m	<b>Yes</b>
		Parking spaces that are parallel to a parking aisle or driveway shall be a minimum of 6.5 metres in length	Four parallel parking stalls permitted at 5.5 metres in length	<b>No</b>
		Type A barrier-free parking spaces shall be a minimum of 3.4 metres in width	3.4 m by 6.0 m	<b>Yes</b>
		<p>Parking spaces shall be located in accordance with the following: In a Residential Zone, on a lot will more than five (5) dwelling units:</p> <p>Within any other permitted parking area located in an interior side yard or rear yard, provided that no parking spaces or parking aisles shall be located closer than 1.5 metres to a side lot line or rear lot line, and no more than 50% of the area of any required yard shall be used for parking;</p>	Parking area located 1.04 metre to a side lot line (snow storage area to southern lot line, east of Block 9 on Concept Plan)	<b>No</b>
3.22 Sight Triangles		Sight triangles shall be provided and maintained on all corner lots where no triangular or curved	6m x 6m	<b>Yes</b>

	<p>area of land has been incorporated into the right of way of a public street, and on lots abutting a railway right of way where it intersects with a public street at grade.</p> <p>Within a required sight triangle, no building or structure or landscaping shall be greater than 0.8 metre in height above the average finished grade at the street line.</p> <p>Sight Triangles shall be required 6m x 6m</p>		
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### 8.1 Permitted Uses (RM3 Zone)

Permitted: Stacked Townhouse Dwelling (Maximum 8 units per block)  
Townhouse

Proposed: Stacked Townhouse Dwelling (Maximum 16 units per block)  
Townhouse

The Town of West Lincoln defines stacked townhouse units as “a dwelling containing four (4), six (6) or eight (8) attached dwelling units and wherein pairs of dwelling units are stacked and divided vertically and each pair of dwelling units is divided horizontally from the next attached pair, and each dwelling unit has an independent entrance from the exterior of the dwelling to the interior of the dwelling unit”. The proposed ZBA seeks to permit stacked townhouse dwellings which contain 16 attached dwelling units. The inclusion of the additional units is supportable as:

- Permitting 8 additional units in a stacked townhouse block promotes compact urban development with the efficient use of land and the diversification of the housing stock;
- The proposed stacked townhouse blocks will feature visually appearing facades with a variety of windows ensuring there will not be any massing concerns due to the increased unit count;
- The stacked townhouse blocks are appropriately distanced from surrounding residential uses to minimize any land use compatibility concerns;

- The increase in unit count does not alter the fundamental built form of stacked townhouses and remains consistent with the Town's intent for medium-density residential development.

## 8.2 Minimum Lot Area (per dwelling unit) (RM3 Zone)

Required: 160 m<sup>2</sup> for stacked townhouse dwellings

Proposed: 117 m<sup>2</sup> for stacked townhouse dwellings

The proposed reduction in lot area can be supported as:

- The reduction in lot area per dwelling unit reflect an increase in density for the Subject Lands, which is supported by the Special Policy Area designation in the Official Plan.
- A total of 2,694 m<sup>2</sup> of amenity area is provided across the development, ensuring sufficient amenity space for each unit.
- The reduction in lot area per dwelling unit is not anticipated to result in any land use compatibility concerns with adjacent lands.

## 8.3 Minimum Front Yard (RM3 Zone)

Required: 4.5 m for dwelling

Proposed: 3.0 m for stacked townhouse dwelling

The proposed development features a 3.0 metre front yard setback, 1.5 metres deficient of the requirement in the Zoning By-law. This reduction can be supported as:

- The reduced front yard setback helps to frame the street, with Block 2 featuring direct access to College Street fostering a pedestrian friendly environment;
- The reduced setback facilitates an additional passive surveillance via additional "eyes-on-the-street";
- The reduced setback provides sufficient area for landscaping in the front yard as all parking areas are located behind the front wall of Block 2.

## 8.4 Minimum Interior Side Yard (RM2 Zone)

Required: 3 m when adjoining a low density residential zone

Proposed: 2.48 m when adjoining a low density residential zone

The proposed reduction in minimum interior side yard can be supported as:

- The proposed reduction reflects an interface between a 2 storey street townhouse and an existing one storey detached dwelling and is not anticipated to result in any compatibility concerns.
- The proposed reduction provides sufficient separation between dwellings and space for maintenance.

## 8.5 Minimum Separation Distance between Dwellings (RM3 Zone)

Required: Between exterior side walls – 3 m

Between exterior front or rear walls – 12 m

Between exterior front or rear walls and side walls – 7.5 m

Proposed: Between exterior side walls – 0 m

Between exterior front or rear walls – 10 m

Between exterior front or rear walls and side walls – 7.5 m

The proposed reduction of separation distances between dwellings can be supported as:

- The 0 m separation between exterior sidewalls is proposed between Blocks 7 and 8, which feature a 2-hr rated fire wall ensuring safety between the blocks.
- The reduction between Blocks 7 and 8 supports a more urban, pedestrian-friendly built form by eliminating gaps between units, enhancing the streetscape and contributing to a more visually appealing and continuous architectural design.
- The 10 m separation is proposed between Blocks 2 and 3 and reflect balcony encroachments between the two Blocks. The proposed 10 m front/rear wall separation remains reasonable for maintaining livability and usability of outdoor spaces.

## 8.6 Allowable Projections (RM3 Zone)

Required: 1.5 m in front, exterior side

Proposed: 1.5 m in interior side

Permitting projections within interior side yards can be supported as:

- The proposed balconies at Block 2, 4, 5 and 6 are oriented to be directly abut the rear yards of the proposed townhouses and existing dwellings on Morgan Avenue, facilitating a rear yard-to-rear yard interface mitigating privacy concerns.
- The proposed balconies at Blocks 2, 4, 5 and 6 feature sufficient setbacks from the nearest property lines.
- The proposed balconies at Block 9 abut vacant lands and no land use compatibility conflicts are anticipated.

## 8.7 Planting Strip (RM3 Zone)

Required: Planting strip to be located 1.5 metres along the interior side lot line and rear lot line

Proposed: Planting strip to be located 1.0 metres along the interior side lot line

The proposed planting strip deficiency represents a snow storage area and will not be used for vehicular storage or movement. These areas also reflect a pinchpoint and no negative impacts are anticipated due to the pinchpoint.

## 8.8 Driveway Aisle (RM3 Zone)

Required: 7.5 metre for double traffic lane

Proposed: 6.0 metres for double traffic lane

A reduced drive aisle 6.0 metres in width is supportable as:

- The reduced drive aisle provides sufficient space for two vehicles traveling in opposite directions to maneuver the site;
- A 6.0 metre drive aisle provides sufficient space for emergency vehicles to traverse the proposed development;
- The 1.5 metre reduction provides for sufficient space for additional landscaping and hardscaping throughout the proposed development

## 8.9 Parking Requirements (RM3 Zone)

Required: 1.75 space per unit (252 spaces required) for stacked townhouses

Proposed: 1.52 spaces per unit (219 spaces provided)

The proposed development provides 1.5 parking spaces per unit whereas 1.75 spaces per unit are required within the Townships Zoning By-law. This reduction is supportable as:

- An Institute of Transportation Engineers (ITE) parking supply analysis was conducted which determined the parking demand for the site to be 183 spaces, where 219 are provided, reflecting a surplus of 36 spaces.
- An analysis of surrounding municipalities (Town of Grimsby, City of Thorold, Town of Fort Erie, Town of Pelham) was conducted which determined that the proposed parking rate is consistent with or exceeds the zoning requirements within these municipalities.

## 8.10 Parallel Parking Stall Length (RM3 Zone)

Required: 6.5 metres

Proposed: 5.5 metres

The proposed development provides a parking stall length of 5.5 metres for four parallel parking stalls within the proposed development whereas a parking stall length of 6.5 metres is required. This reduction can be supported as:

- The average sedan and compact SUV length is between approximately 4.5 to 4.9 metres.<sup>2</sup> The proposed length provides sufficient space for sedans and SUVs to enter and exist the parallel parking stall.

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<sup>2</sup> [Average Vehicle Length - CarParts.com](#), [Canadian Vehicle Specifications \(CVS\) - Canadian Vehicle Specifications \(CVS\) - Model Year 2023 - View - Open Government Portal](#)



- The proposed parking stalls 5.5 metres in length are located at the ends of the parallel parking areas, with additional space either in front or behind for vehicles to access the parking space allowing for residents to park with ease.
- The proposed parking stalls 5.5 metres in length are adjacent to stalls 6.7 metres in length providing parking options for larger vehicles such as trucks and large SUVs.

#### 8.11 Parking Area Location (RM3 Zone)

Required: Parking area to be located 1.5 metres from the nearest lot line

Proposed: Parking aisle to be located 1.04 metres from the nearest lot line

A parking area may be located 1.0 metres along the interior side lot line as this deficiency represents a snow storage area and will not be used for vehicular storage or movement. These areas also reflect a pinchpoint and no negative impacts are anticipated due to the pinchpoint as the abutting lands are vacant or abut parking areas.

#### 8.12 Parking Area Location (RM3 Zone)

Required: Parking spaces are not located closer than 7.5 metres to a public street

Proposed: Parking spaces are not located closer than 4.7 metres to a public street

The following reduction can be supported as the parking space will be located behind the front wall of Block 2, protecting the streetscape. Despite the reduction there will be sufficient space for landscaping between the public street and parking area and safe access into the parking space.

## 9.0 Summary and Conclusion

It is our opinion the Applications represent good land use planning, and are in the public interest and should be approved for the following reasons:

1. The Applications have regard to matters of Provincial Interest, as required in Section 2 of the Planning Act.
2. The Applications are consistent with the Provincial Planning Statement, conforms with the Niagara OP, and Township OP.
3. The Applications would provide for development that would ensure the efficient use of lands, services and infrastructure.
4. The Applications would facilitate development that is well-designed as demonstrated in the Urban Design Brief submitted in conjunction with this Application.
5. The proposed development facilitates the efficient use of land within the Urban Area.

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## 10.0 Appendices

- **Appendix A – Conceptual Plan**
- **Appendix B – Draft Plan of Subdivision**
- **Appendix C – Conceptual Plan and East Smithville Secondary Plan Overlay**
- **Appendix C – Niagara Official Plan Schedules**
- **Appendix D – Township Official Plan Schedules**
- **Appendix E – Township Zoning By-law Map**
- **Appendix F – Draft Zoning By-law Amendment**

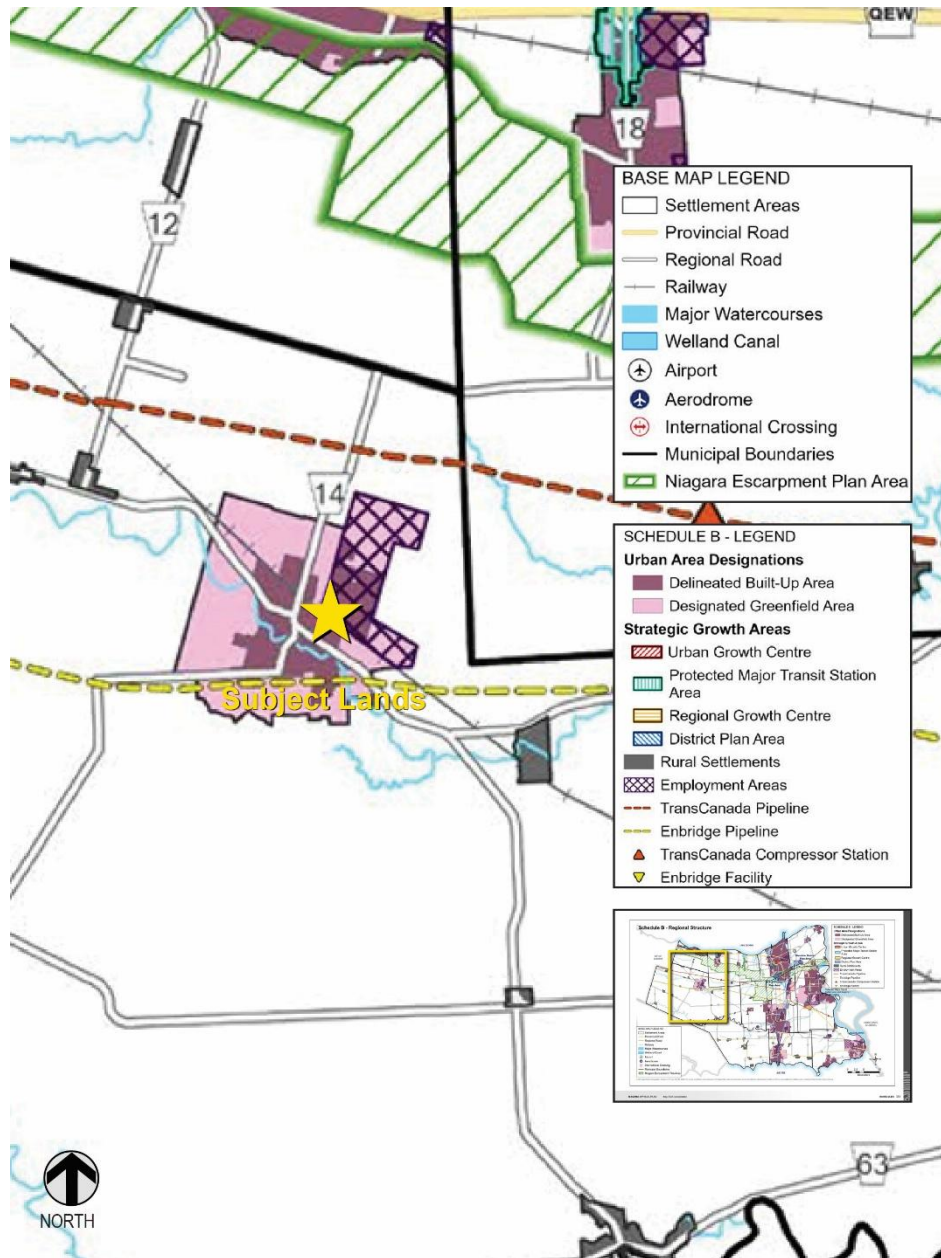
## Appendix A – Concept Plan



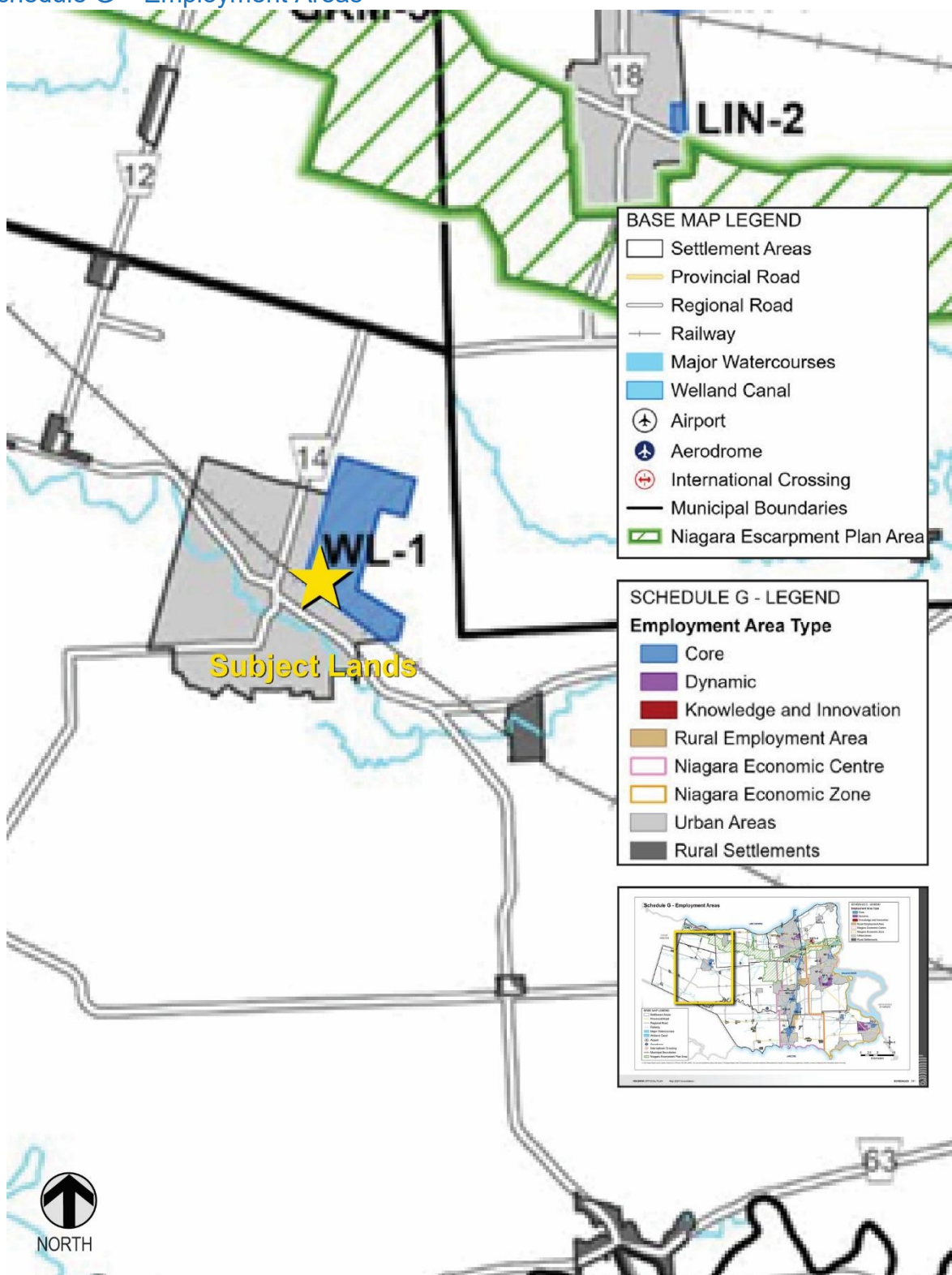


## Appendix B - Niagara Official Plan Schedules

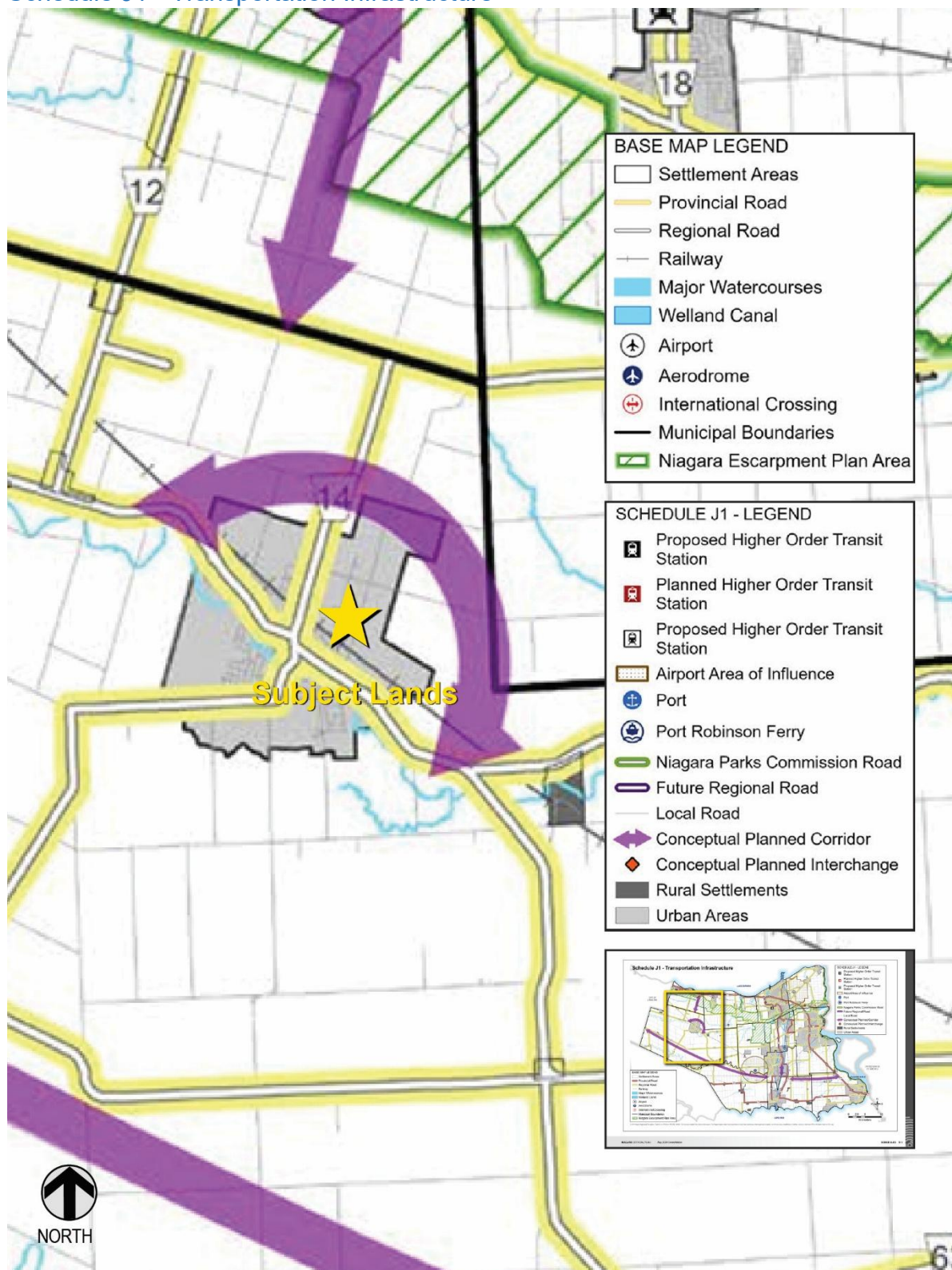
### Schedule B – Regional Structure



## Schedule G – Employment Areas

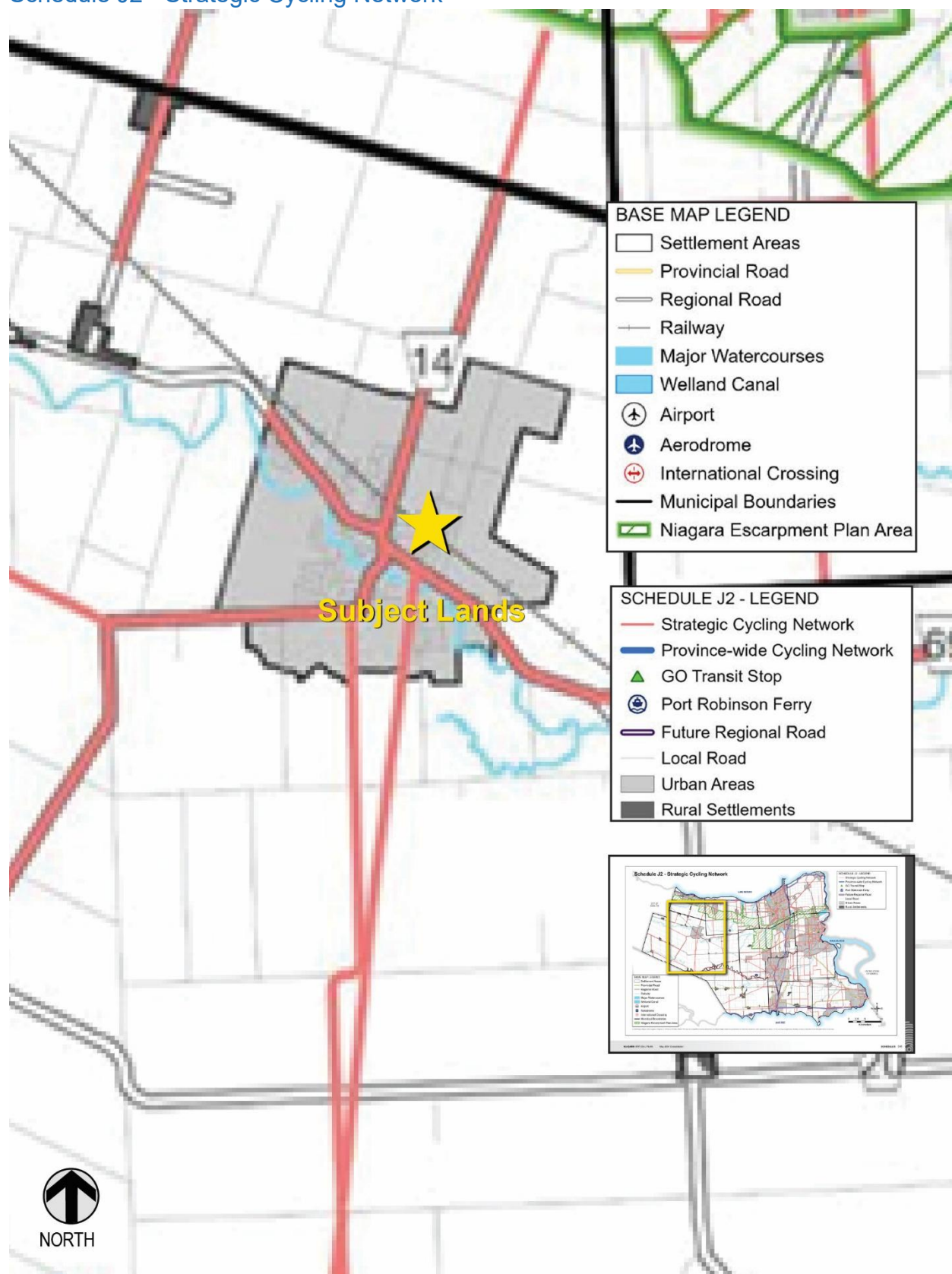


## Schedule J1 - Transportation Infrastructure

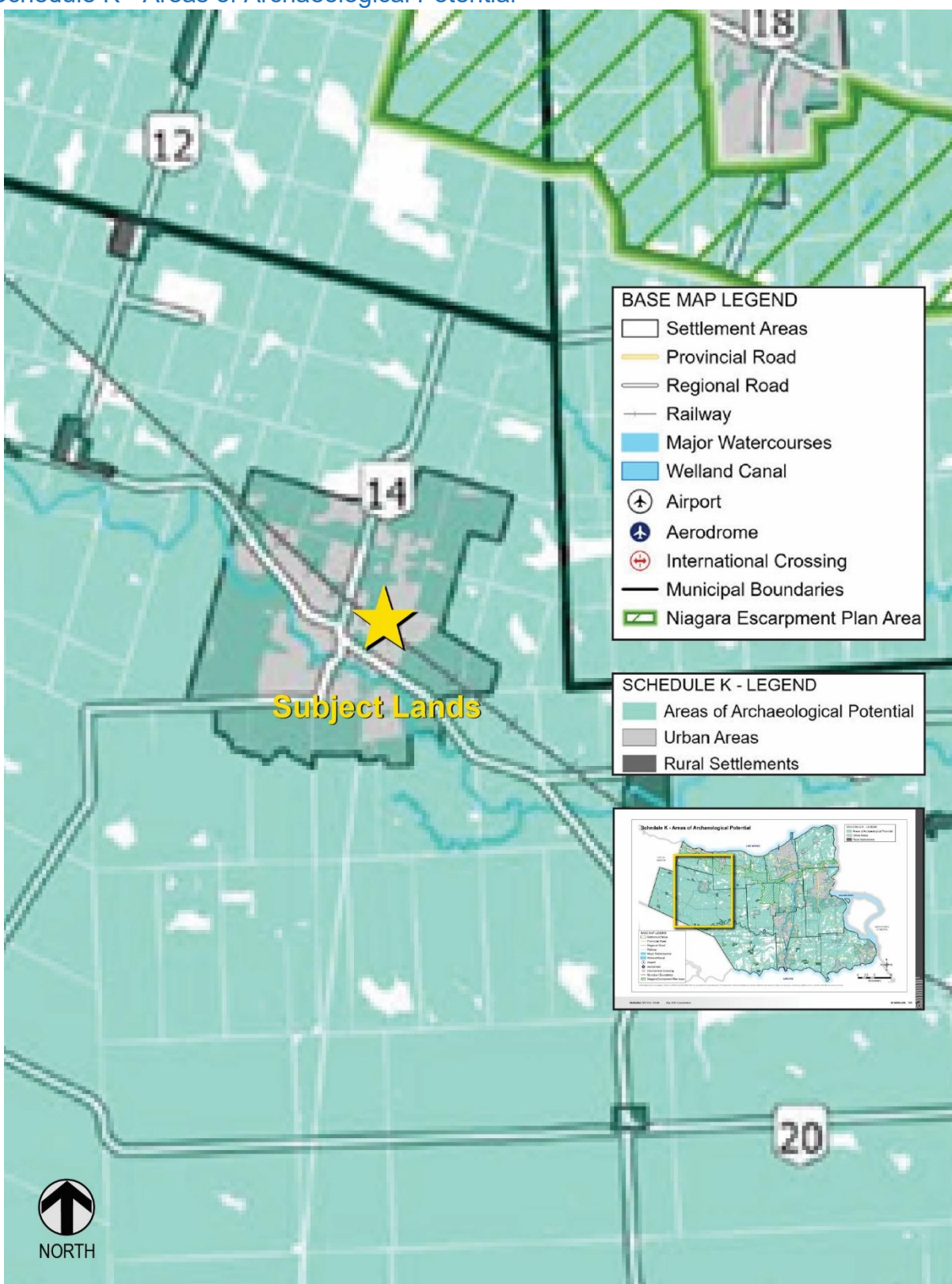




## Schedule J2 - Strategic Cycling Network



## Schedule K - Areas of Archaeological Potential





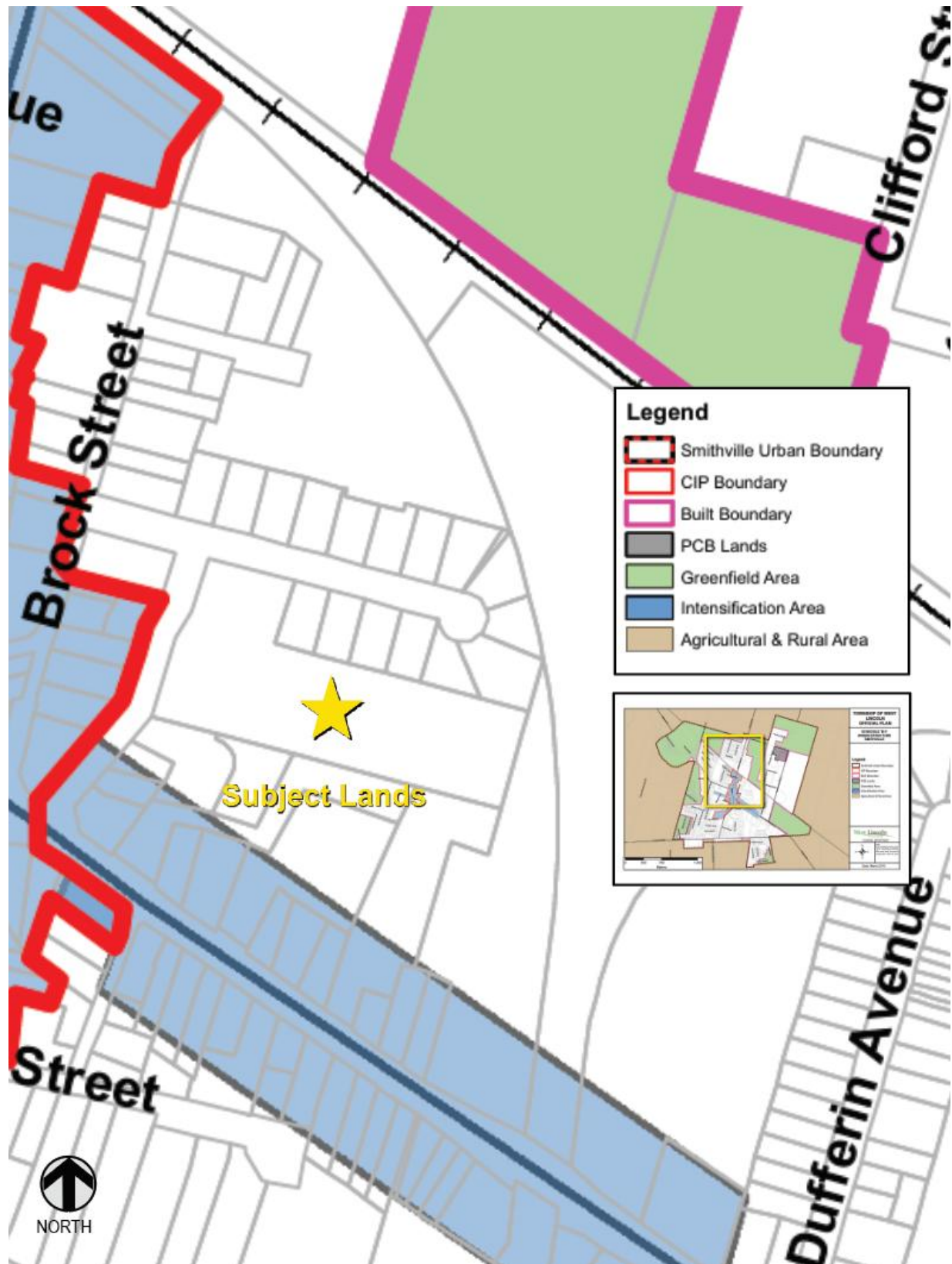
Appendix C - Township Official Plan Schedules  
Schedule A – Municipal Structure



## Schedule B-4 Land Use Smithville



Schedule B-5 – Urban Structure Smithville

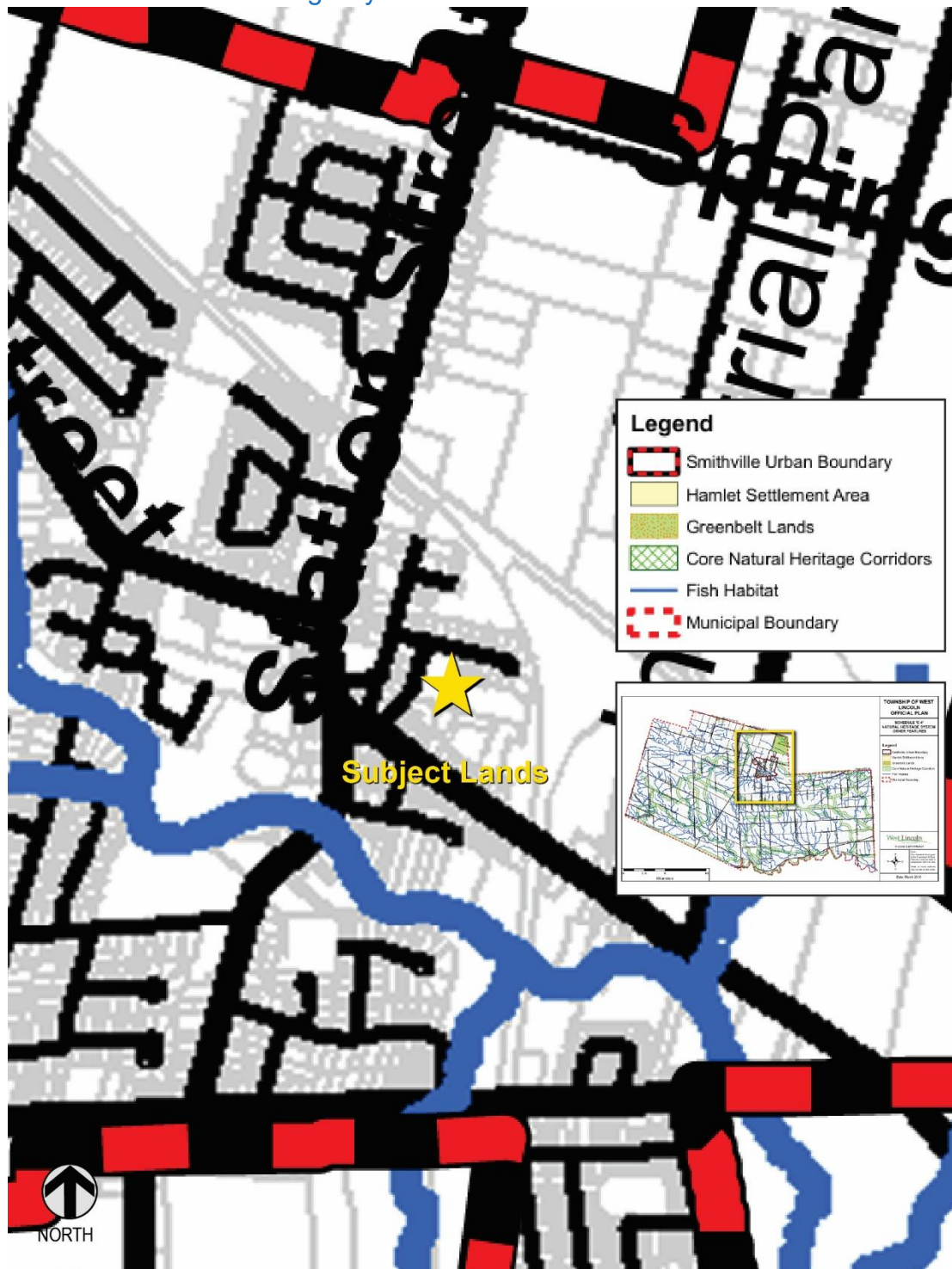




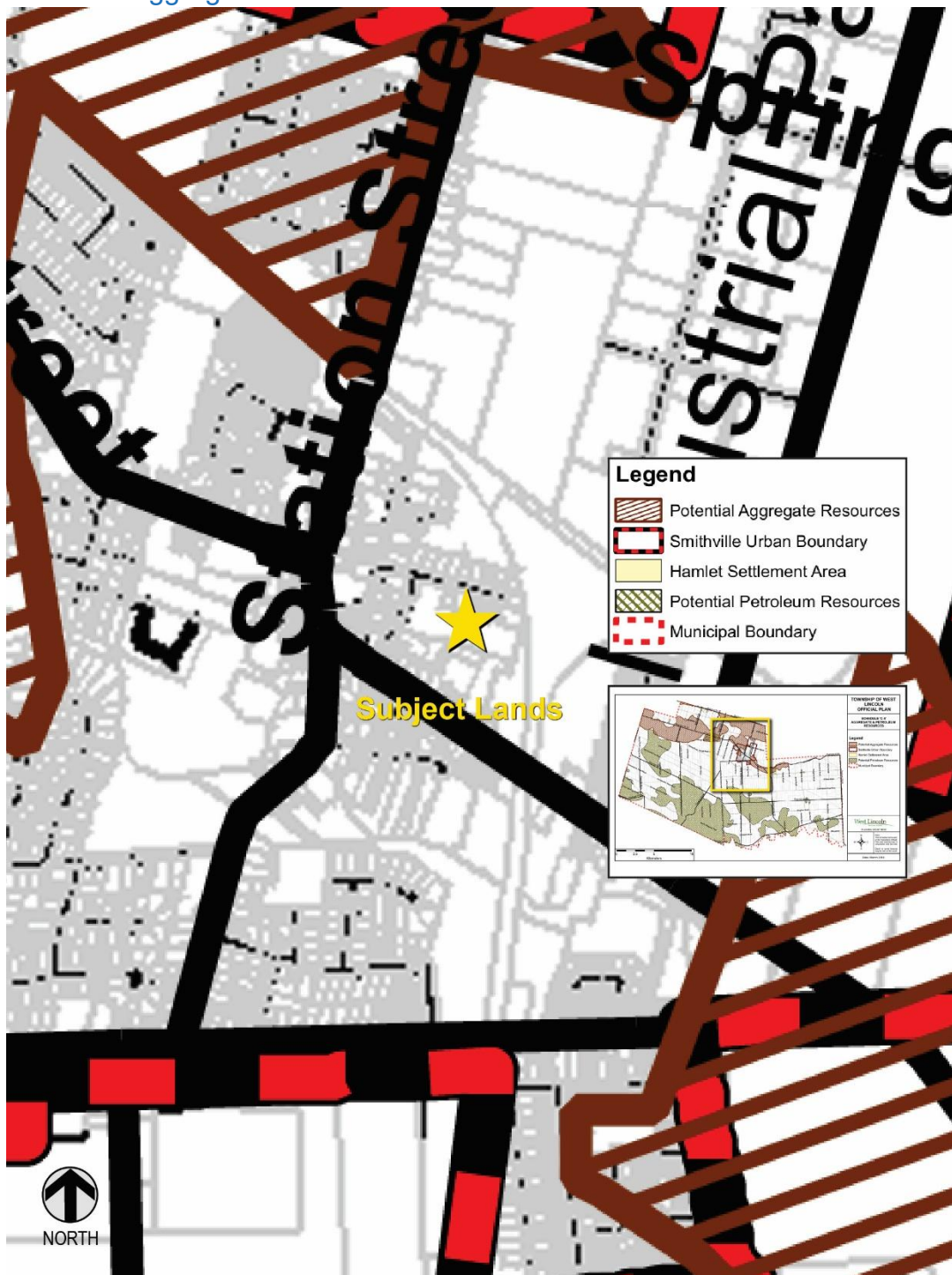
## Schedule C-1- Natural Heritage System



## Schedule C-4 - Natural Heritage System Other Features



## Schedule C-5 - Aggregate & Petroleum Resources





## Schedule F - Infrastructure & Transportation



The map displays a residential neighborhood with various land parcels and their zoning designations. A red outline highlights a specific area labeled "Subject Lands" with a yellow star. The map includes streets such as Erie Avenue, Morgan Avenue, and Mill Street. Zoning designations include C1, OS, R1B, RM2, EC, and R1A. A north arrow is located in the bottom left corner.



## Appendix F – Draft Official Plan Amendment

Part 2 – The Amendment, consisting of the following text and Schedule, constitutes Amendment No. ## to the Official Plan for the Township of West Lincoln.

### **DETAILS OF THE AMENDMENT**

1. Schedule 'B-4' to the Official Plan be amended by redesignating the lands on 'Schedule A' attached hereto from "Medium Density Residential (Smithville)" to "Medium Density Residential (Smithville)" with a Special Policy (Section 6.11.6)"
2. Section 6.11.6 Site Specific Provisions be further amended by adding the following:  

Southeast Corner of College and Morgan Avenue

  - i. New development with the Medium Density Residential designation shall achieve a gross density between 20 and 50 (inclusive) units per hectare.

### **SCHEDULES OF THIS AMENDMENT**

Schedule "A" of this amendment illustrates the location of this amendment.

**AMENDMENT NUMBER ##**  
**TO THE**  
**OFFICIAL PLAN**  
**OF THE**  
**TOWNSHIP OF WEST LINCOLN**  
**AS AMENDED**

Official Plan Amendment Number XX was adopted by the Council of the Corporation of the Township of West Lincoln by By-law No. 2025-XX in accordance with the provisions of Section 17 (22) of The Planning Act, R.S.O. 1990, amendments made thereto on the XX day of XX, 2025

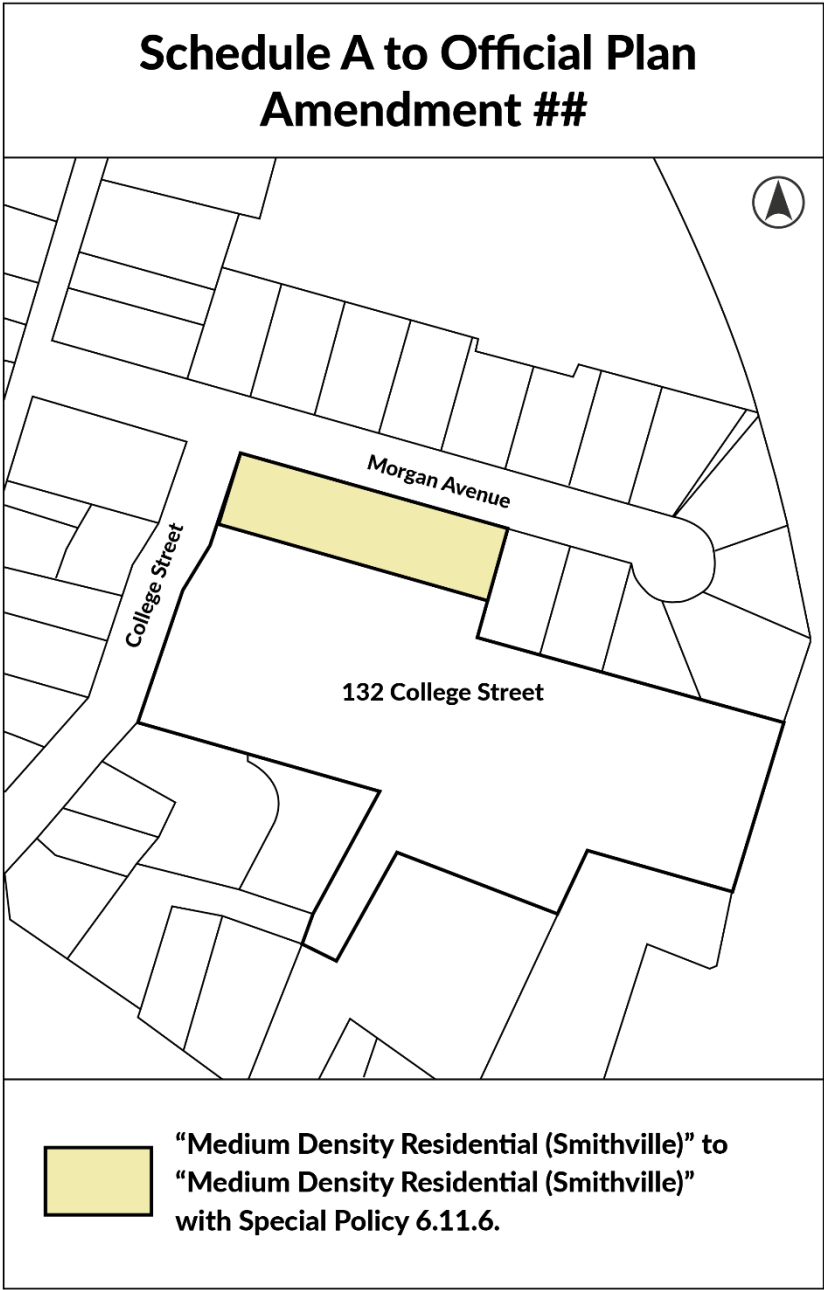
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Joanne Scime, Clerk

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Mayor Cheryl Ganann

Schedule A to Official Plan Amendment ##





**THE CORPORATION OF THE TOWNSHIP OF WEST**

**LINCOLN BY-LAW NO. 2025-##**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 2017- 70,  
AS AMENDED, OF THE TOWNSHIP OF WEST  
LINCOLN**

**WHEREAS THE TOWNSHIP OF WEST LINCOLN COUNCIL IS EMPOWERED  
TO ENACT THIS BY-LAW BY VIRTUE OF THE PROVISIONS OF SECTION 34  
OF THE PLANNING ACT, 1990;**

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP  
OF**

**WEST LINCOLN HEREBY enacts as follows:**

1. THAT Maps 'S5' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, are hereby amended by changing the zoning on the subject lands shown on Map 'A', attached hereto and forming part of this By-law from RM2 in part, RM3-195 in part and Environmental Conservation 'EC' zone in part zone to Medium Density Residential site-specific (RM2-###) Zone in part and Medium Density Residential site-specific (RM3-###) Zone in part;
2. THAT Part 13 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:

**RM2-###**

For the purposes of this By-law, the following definitions shall apply to the RM3-###-site-specific zone:

**Regulations:**

As per the parent zone, except:

- Minimum interior side yard
  - 2.4 metres

**RM3-###**

For the purposes of this By-law, the following definitions shall apply to the RM3-###-site-specific zone:

- Stacked townhouse dwelling;

means a *dwelling* containing up to sixteen (16) attached *dwelling units*, in which each *dwelling unit* can be divided horizontally and/or vertically from another *dwelling unit* by a common wall and in which each *dwelling unit* has an independent entrance from the exterior of the *dwelling* to the interior of the *dwelling unit*.

Regulations:

As per the parent zone, except:

- Minimum lot area (per dwelling unit)
    - 115 m<sup>2</sup> per stacked townhouse dwelling unit
  - Minimum front yard
    - 3.0 metres for a stacked townhouse dwelling
  - Minimum separation distance between dwellings on the same lot:
    - 0 metres between exterior side walls for stacked townhouse dwellings
    - 10 metres between exterior front or rear walls
    - 7.5 metres between exterior front or rear walls and side walls
3. All General Provisions shall apply to lands zoned RM2-## and RM3-##, except:
- Allowable projections – 1.5 metres within interior side yards
  - Planting Strip – 1.0 metres shall be permitted
  - Driveways and Parking Aisles – double traffic lane for travel in one or two directions – 6.0 metres
  - A driveway for a residential use with less than five (5) dwelling units may be located 0 metres to the interior side lot line where the dwelling includes a private garage
  - Minimum number of parking spaces – 1.5 per dwelling unit for RM3-##
  - Parallel parking stall length – 5.5 metres
  - Parking space area – 1.0 metre to nearest lot line
  - Parking may be located no closer than 4.7 metres to a public street
4. THAT all other provisions of By-law 2017-70 continue to apply.
5. AND THAT this By-law shall become effective from and after the date of passing thereof.

**READ A FIRST, SECOND AND  
THIRD TIME AND FINALLY**

PASSED THIS ## DAY OF  
####, 2024.

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MAYOR CHERYL GANANN

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JUSTIN PAYLOVE, CLERK

Map 'A'

